

- (a) Must be a Filipino citizen;
- (b) Show evidence that they are taxpayers;
- (c) Have no record of violation of market rules and regulations;
- (d) Pay the corresponding application fee;
- (e) Must not own a stall or space of any of the Municipal owned and/or operated markets.

11.2. Stall/Space Vacancy - A market stall/space is deemed vacant under any of the following circumstances;

- (a) When it is newly constructed and not yet leased;
- (b) When it is declared vacant by the Market Authority for the following reasons/causes:
 - b.1 Abandonment by the lessees;
 - b.2 For violation by the lessee of any of the terms and conditions of the contract of lease, policies, rules and regulations promulgated by the Market Authority;
- (c) Health of the lessee;
- (d) Voluntary surrender by the lessee; and
- (e) Physical incapacity of the lessee and members of his nuclear family to personally administer the stall/space.

11.3. Adjudication and Occupancy - Stall/Space adjudication and right of occupancy shall be determined by the Market Authority in accordance with the provisions of this ordinance.

11.4. Manner of Adjudication - A notice of Stall/Space vacancy shall be posted for ten (10) consecutive days in a conspicuous place in the market premises. The notice shall contain the area of the vacant stall/space, section and the public market where it is located. It shall, likewise, contain information that will afford the prospective applicant enough knowledge of the adjudication procedures, minimum guiding rate, terms and contracts, date, time and place of the raffle.

11.5. Award - The Market Authority shall award to the winning qualified applicant the contract of lease over the market stall/space subject to the final action on a protest, if any. Any applicant who feels aggrieved by the decision of the Market Authority shall, within 5 days from the date of publication of the winning qualified applicant, file his/her protest with the Authority. The Authority, in accordance with its procedure, shall decide said protest within 15 days from actual receipt thereof.

11.6 Only one stall/space be awarded to one nuclear family which shall consist of parents and their unmarried children who are below 21 years old. Lessees shall manage the stall/space themselves and not sublease or allow proxies to manage the same.

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In case the lessees shall hire helpers, it shall be registered with the Market Authority. In no case shall the lessee hire more than five (5) helpers.

11.7 Special Award and Adjudication - The Market Authority may seek approval of the Sangguniang Bayan as the need arises to grant special awards to people who have assisted the Market Administration in the curtailment of any and all forms of anomalous practices, involving market operations and/or violation of this Code.

SECTION 12. Contract

12.1. The Authority shall recommend to the Mayor the contents of the contract and any changes thereafter. The terms of contract of lease shall be for a period not exceeding five (5) years renewable under such terms and conditions as the Authority may determine.

12.2. Stall and/or Space administration. Any person who has been awarded the right to lease a market stall and/or space in accordance with the provisions hereof, shall actively run his/her stall and/or space, otherwise, his/her stall and/or space be considered abandoned or sub-leased. Under no circumstances shall subleasing be allowed. Prior written notification to the Market Administrator must be made by the stallholders/space occupants regarding employing helpers. No person shall be allowed to administer a stall/space unless he shall have undergone the required orientation on market rules and regulations.

12.3. Stallholders/Space Occupants shall not be allowed to display and sell their merchandise beyond the limits of their stalls.

12.4. Manner of Paying Rentals - The stallholders/Space Occupants shall pay the rent for the lease of the market stall/space on daily, weekly or monthly basis at their option.

12.5 A stall/space in a government market must continuously serve the public and generate revenue for the government. Any stall/space that shall be idle for fifteen (15) consecutive days for whatever reason the contract of which shall be considered cancelled, unless otherwise decided by the Market Authority.

12.6. Death of Lessee, Permanent Physical Incapacity, Succession - If a lessee dies or become physically incapacitated permanently, the surviving and physically able spouse, except when legally separated, may succeed said lessee to the occupancy of the stall/space. Provided, however, that if the stallholder/space occupants leaves no spouse or the latter is physically incapacitated the oldest unmarried child living with the family shall succeed the deceased or incapacitated stallholder/space occupant. If such oldest unmarried child is incapacitated to succeed or waives his/her right to succeed, the next oldest unmarried child shall succeed the same. Provided that if no unmarried children shall qualify in the older succession, the oldest married child exercise such right, and if said child is not qualified or waives his/her right to succeed, the same shall be exercised by the next eldest child and so on and so forth. If the stallholder/space occupant is unmarried, succession shall be determine in accordance with the pertinent provision of the Civil Code.

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SECTION 13. Security -

13.1. Losses of Stallholders - The Municipal Government shall not be responsible for any loss or damage which stallholders may incur in the public markets, by the reasons of fire, theft or robbery or force majeure. Any merchandise, goods, wares or commodities left in the public markets during closure time shall be at the risk of stallholders. It shall, however, be the duty of the Market Master and his/her subordinate to exercise utmost vigilance and care to prevent any loss in the Public Markets and for this purpose, the Market Master and his/her subordinate shall have authority to apprehend and turn over to the police any person caught stealing or committing any offense in the Public Markets.

13.2. Market hours:

- (a) Wet Section : Open from 2:00 AM to 8:00 P.M.
- (b) Vegetable Section: Open from 4:00 AM to 8:00 PM
- (c) Other Sections : Open from 4:00 AM to 8:00 PM

However, on the 24th and 31st of December every year, all public markets may be open for 24 hours. Any request for the extension of time shall be subject to the approval of the Market Authority.

SECTION 14. Cleanliness and Orderliness -

14.1 All stallholders/space occupants shall be responsible for the cleanliness and sanitation of the area, immediate surrounding and including one-half of the passageways and aisles of their stall/space. They should provide covered garbage receptacles, brooms and dust pans. Likewise, orderly and proper arrangements of stalls/spaces are the principal responsibility of the stallholder/space occupant.

14.2. Upon recommendation of the Market Administrator, the authority shall designate a permanent landing area for goods to be brought into the market premises. Wholesale and Auction activities shall be conducted in the area so designated by the Market Authority to maintain orderliness, systems and procedures.

14.3. Upon recommendation of the Market Administrator and the Police Department Traffic Officer, the Authority may designate the proper/appropriate use of perimeter streets of the public markets.

TITLE V - MARKET MAINTENANCE AND PROHIBITION

SECTION 15. Market Fund

15.1. A separate account for the Market as provided in the DILG Memorandum Circular No. 93-81, dated July 5, 1993 shall be created and shall be used for the purposes as provided under said circular and other related laws, rules and regulations.

SECTION 16. Prohibition

16.1. To loiter, loag, beg, gamble etc. are strictly prohibited within the Public Market premises. Any offender shall be dealt with accordingly.

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16.2 To peddle, hawk and/or sell at the passageways and/or aisles within the Public Market buildings are strictly prohibited. Any such person violating this provision shall be apprehended and charged accordingly. Likewise, the articles or wares sold by the offenders shall be confiscated and be declared property of the Municipal Government of Roxas.

16.3. Drinking alcohol or intoxicating beverages along the aisles and sidewalks in the Public Markets are strictly prohibited. Drunkenness within the Public Markets is likewise prohibited. Any violation hereof, shall subject the offender to the penal provision of this Code.

16.4 Weights and Measures - Violation by any vendor of the provision of the National Internal Revenue Code and the tax ordinance regarding weight and measures shall automatically cancel his privilege to engage in business in the Public Markets in addition to penalties imposed in this Code.

16.5 Loose Animals - No dogs or other animal shall be left astray in any public market. The Market Master or his authorized representative is hereby empowered to catch such astray animals and impound them.

16.6 The use of any portion of the public markets as habitation and/or sleeping quarter is prohibited. Any offender shall be subjected to the penal provision of this Code.

16.7. The keeping of live animals inside public markets is prohibited. Food animals can be allowed in a place so designated or assigned by the Market Administrator.

16.8. The sale of any article in alleys, sidewalks or in any space other than that designated for such articles shall be prohibited. The placing of unnecessary boxes, crates or containers or any other articles which will obstruct the free passage of customers or buyers shall be strictly prohibited. Items found in the said areas shall be confiscated while the violators shall be apprehended and charged accordingly.

16.9 There shall be no extension or modification of stalls by the stallholder/space occupants and/or his/her authorized helpers other than those already covered by plans previously approved by the Market Authority. Putting of the chopping blocks along the aisles or passageways are strictly prohibited.

Stallholders/space occupants shall be advised to remove such extension within 3 days from receipt of notice or order. Failure to comply with such notice/order, the Market Authority shall remove or cause the removal of said extension, and recommend for the revocation of the business permits and cancellation of the contract of lease. Any expenses incurred in the removal of said extension shall be charged to the stallholder/space occupant concerned.

TITLE VI - VENDORS AND CARRIERS IN ROXAS PUBLIC MARKETS

SECTION 17. Vendors Association and Cooperatives

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17.1. The Municipal Government recognizes the need of the vendors to form their own association/cooperatives which will enable them to rationalize and integrate their diverse interests and serve as a forum for the Market Management to relate to in resolving operational problem and to foster a more functional relationship in the administration of the public markets.

17.2. For a vendors association to be recognized by the Market management, such association shall comply with the following requirements:

- (a) There shall be only one association or cooperative in the Roxas Public Market;
- (b) There shall be a representative of each section to the association or cooperative to be formed;
- (c) The association/cooperative shall secure a certificate of recognition from the Market Authority;
- (d) The association/cooperative pledges to abide with the rules and regulations prescribed by the New Market Code and with other supplementing instructions of the Market Management approved by the Municipal Mayor.

17.3. To enable the vendors association/cooperative to exercise and demonstrate their sense of social responsibility and to provide them with the opportunity to participate to a certain extent in the management of the facilities of the market in which they are situated, the Municipal Government may define the areas of management participation and enter into a contract with the vendors association/cooperative concerned will mean the automatic abrogation of the contract.

17.4. The vendors association/cooperative shall not allow its officers and/or members to use the association for any purpose or activity other than those specified in their by laws, otherwise, the Municipal Government will withdraw its certificate of recognition.

SECTION 18. Carriers (Cargadores)

18.1. A carrier in any Municipal Public Market must be a resident of the municipality, of good moral character and registered as such at the Office of the Market Administrator. Each carrier shall be provided with a registration certificate and identification card which he shall wear conspicuously while working, with the vendors and cargadores association shall have the power to fix the number of carriers in each public market upon the recommendation of the Market Master who shall certify as to the actual number of carriers needed in the market.

TITLE VII - SANITARY RULES AND REGULATIONS

SECTION 19. General Provisions

19.1. All persons engaged in the sale and handling of articles of food in the public markets shall be provided with health certificates valid for six (6) months from the date of issue by the Municipal Health Officer or his duly authorized representative.

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