Republic of the Philippines
Province of Oriental Mindoro
Municipality of Roxas

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 31 MARCH 1997, 9:00 A.M. AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Vice Mayor Jesus M. Dimapilis	-	Presiding Officer
Kagawad Cesar T. Baticos	-	Member
Kagawad Ferdinand V. Talens	-	Member
Kagawad Angeles D. Bautista	-	Member
Kagawad Ramil O. Dimapilis	-	Member
Kagawad Jesus S. Dela Cruz	-	Member
Kagawad Juanito A. Bacay, Jr.	-	Member
Kagawad Honesto O. Taytay	-	Member
Kagawad Eduardo G. Villamin	-	Member, ABC President
Kagawad Randy P. Valencia	-	Member, SK Chairman

Absent:

Kagawad Ramulfo C. Bernal	-	Member

ORDINANCE NO. 03
Series of 1997

AN ORDINANCE ENACTING THE PUBLIC MARKET CODE OF THE MUNICIPALITY OF ROXAS, ORIENTAL MINDORO.

TITLE I - PRELIMINARY PROVISIONS

SECTION 1. Name of Code. - This ordinance shall be known and referred to as the "The Market Code of the Municipality of Roxas, Oriental Mindoro".

SECTION 2. Declaration of Policy and Objectives -

2.1. It is hereby declared the policy of the Municipal Government of Roxas that it shall provide within the territorial jurisdiction varied business opportunities to all kinds and classes of legitimate businessmen, spur the economy of the municipality and promote or enhance the economic well being of its constituents,

2.2. One of the ways or means by which this policy may be implemented is for the municipal government to construct or provide market buildings, spaces and its attendant facilities within its territorial jurisdiction wherein merchants of any and all kinds or classes may bring their goods or services for sale to customers. This will include special attention to special markets, such as, but not limited to, livestock market, auction market, among others.

2.3. The creation, operation, maintenance and expansion of reliable and economically viable markets as a service and economic enterprise is hereby declared as objectives of high priority.

2.4. The establishment of food terminals and the opening of satellite markets in strategic locations are given equal eimportance.

2.5. The strategy of adopting vendors plazas in the central business district are encourage to decongest busy streets and sidewalks crowded by ambulant vendors.

SECTION 3. Scope of Application - This code shall apply to and govern the administration and operation of government owned and or operated markets of any kind and classification in the municipality of Roxas and the imposition and collection of market rentals and other fees for the occupancy of any part thereof.

SECTION 4. Definition of Terms - The following definition of terms shall be applicable in the interpretation of the provisions of this Code:

4.1. Agricultural and/or Marine Product - yield of the soil and/or water, such as corn, rice, wheat, rye hay, coconuts, sugarcane, tobacco, root crops, vegetables, fruits, flowers, etc. and their by-products; ordinary salt; all kinds of fish, poultry, livestock and animal products, whether in their original form or when preserved in a more convenient and marketable form through the simple process of freezing, drying, salting, smoking and stripping.

4.2. Ambulant/Transcient or Itinerant Vendors - are those vendors who are not renting or occupying a definite or permanent stall or place in the public market and who sell their merchandise by staying in any place or moving from one place to place within the market premises.

4.3. Breakdown Point - it is a condition in a market operation wherein all receipts derived from market revenues will be equal to the total overhead expenses required and necessary in the conduct of the business operations wherein such profits are realized.

4.4. Carenderia - refer to any public eating place where pre-cooked foods are served.

4.5. Charge - refers to pecuniary liability, such as rents or fees against property, persons or organizations.

4.6. Carrier (cargador) - any person who carries goods and merchandise from one place to another for a fee.

4.7. Dealer - means one whose business is to buy and sell merchandise, goods and chattel, as a merchant. He acts as a middleman between the producer or manufacturer and the customer.

4.8. Government Owned and/or Operated Markets - are those markets established out of public funds or those leased or required by the government from private persons through its instrumentality, branch or political subdivision.

4.9. Gross Receipt - include all monies and properties received in consideration for services rendered or article sold, exchanged or leased without any deduction; the whole amount of the receipts of the business before the cost of production or acquisition is deducted therefrom.

4.10. Lease - a written agreement through which the municipality conveys possession and occupancy, for a specified period and for specified rent of any portion of its market buildings or spaces to and in his/her favor by the municipal government of Roxas.

4.11. Lessee - is a natural person, having in his/her possession, a duly executed contract of lease, for a specified rental, granted in his/her favor by the municipal government of Roxas.

4.12. Lessor - The Municipal Government of Roxas or any other authorized juridical or natural person or entity who transfers, conveys and assigns the possession and occupancy of any real property or any portion thereof, for a specified rental, by an agreement or contract of lease either verbally or in writing.

4.13. License or Permit - is a privilege or permission granted in accordance with law by competent authority to engage in some business or occupation or to engage in some transaction.

4.14. Market Premises - refers to any space in the market compound including the bare ground not covered by market buildings.

4.15. Market Section - refers to classification of stalls or spaces in markets according to the kind of merchandise and services sold therein.

4.16. Market Service Area - is any given political and/or geographical area in the Municipality of Roxas which may be comprised of different barangays, the residents of which regularly or habitually purchase their household and/or service needs in a specified public market situated within the said area. The marketing frequency must be consistent, commulative and not occasional.

4.17. Market Stall - refers to any specific and assigned space or booth in the public market where merchandise or service of any kind is sold or offered for sale.

4.18. Public Market - refers to any space, building or structure of any kind, owned and/or operated by the municipal government of Roxas reserved, designated or constructed for the purpose of providing space and/or stalls where goods of any kind and description and services may be sold.

4.19. Regular Stall Lessers - are natural persons in whose favor a duly executed contract of lease is given by the municipal government of Roxas over the stall or stalls situated inside any public market building.

4.20. Retail - means a sale where the purchaser buys the commodity for his own consumption, irrespective of the quantity of the commodity bought.

4.21. Stalls - Sales Area Stratification - classification of stalls according to sales potential as determined by their floorlevel and strategic location in the market.

4.22. Sublease - any agreement whether verbal or written, entered into by and between a lessee and any third person having as its subject matter the possession and occupancy of any stall or market space within any public market owned and belonging to or administered or operated by the municipal government of Roxas, the possession and occupancy of which have been previously granted by the municipal government to the said lessee.

4.23. Tax - means an assessment or imposition, usually monetary in form, levied by the law-making body or persons and property subject to its jurisdiction for the purpose of supporting government expenditures.

4.24. Wholesale - means a sale where the purchaser buys the commodity for resale, regardless of the quantity of the goods bought.

4.25. Auction Market - or wholesale market which employ bidding as the means of trading and/or transaction.

4.26. Auction - means a public sale of commodities through bidding which will be undertaken by the auctioner, who will mediate between the suppliers and bidders (potential buyers).

TITLE II - ENUMERATION OF BOUNDARIES, CLASSIFICATION, SECTIONING AND STRATIFICATION.

SECTION 5. Enumeration of Boundaries and/or Areas - The following are the corresponding boundaries of the Roxas Public Market.

5.1. North - Sampaguita Street;

5.2. East - Morente Street;

5.3. West - Administration Street;

5.4. South - Cabrera Street

SECTION 6. Sectioning in the Public Market of Roxas:

A. The public market in Roxas are divided into sections as follows:

6.1. Carenderia Section - is the market section which serves all kinds of cooked foods, including refreshments; coffee and other non-toxicating drinks.

6.2. Cold Storage Service Section - is the market section which provides facilities for refrigeration as well as sale of ice in whatever form and size.

6.3. Dry Goods Section - is the market section which sells all kinds of textiles, ready made dresses and apparels, toiletries, novelties, shoes, laces, kitchenwares, utensils and other household articles, handbags, school and office supplies.

6.4. Fish Section - is the market section which sells fish, clams, oysters, crabs, lobsters, shrimps, seaweeds and other marine products.

6.5. Fruits and Processes Native Delicacies Section - is the market section which sells all kind of fruits and native delicacies;

6.6. Dressed Poultry Shop Section - is the market section which sells dressed turkeys, chicken, ducks, birds and other fowls.

6.7. Meat Section - is the market section which sells all kinds of meat including processed meat product.

6.8. Rice and Corn - is the market section which sells grains such as rice, corn and other cereal products.

6.9. Vegetable Section - is the market section which sells all kinds of vegetable, root crops and all kinds of spices.

6.10. Service Section - is the market section where services for grinding of meat, coconut meat, rice, beans and other allied products.

6.11. Variety Section - is the market section which sells canned goods, confectionery products, preserved foods and all kinds of grocery items except those sold at the dry goods sections.

6.12. Dried and Salted Fish Section - is the market section which sells any kind of dried and salted fish products.

Bagoong or other salted food products shall be kept in receptacles properly maintained in a sanitary condition to avoid contamination with vermin, flies or other insects.

6.13. Livestock Section - is the market section which sells hogs, goats and large cattles.

B. Stallholders shall only sell articles, wares or commodities as specified in the sectioning of the Roxas Public Market.

SECTION 7. Stratification of Stalls According to Sales Potentials. These are:

7.1. Primary Sales Area Stalls - are those which are immediately facing a busy thoroughfare and those that are along the entrance and exit areas of the market where the merchandise sold thereat are immediately exposed to the buying public.

7.2. Secondary Sales Area Stalls - are those which are next in line to the Primary Sales Area Stalls where the merchandise sold thereat are not immediately exposed to the buying public.

7.3. Tertiary Sales Area Stalls - are those which are located in the inner portion of the market where the buying public have to go further inside in order to have a view of the merchandise sold thereat.

7.4. Socialized Sales Area Stalls - are those located in open space outside the market building and are usually intended for temporary ambulant vending and declared as such by the Authority.

TITLE III - MARKET MANAGEMENT AND REVENUE GENERATION

SECTION 8. Market Authority