

23
Date: 22 NOV 2022

Republic of the Philippines
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Received: [Signature]
Time: [Signature]
Date: 11.9.22

11/11/22
[Signature]
PROVINCE OF LEYTE

2nd INDORSEMENT
November 2, 2022

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 08, S. 2022 of the SB of Tolosa, Leyte, recommending for the declaration of validity pursuant to its power under Section 56 (c) of R.A 7160, for it is within the powers of the local council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution (Constantino v. Desierto, 288 SCRA 654). Provided, That, pursuant to Section 186 of the Code,, Fees, or Charges shall not be unjust, excessive, oppressive, confiscatory, or contrary to declared national policy.

ATTY JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer [Signature]

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
26 October 2022



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 08 SERIES OF 2022 OF THE MUNICIPALITY OF TOLOSA, LEYTE, ENTITLED: AN ORDINANCE AMENDING ORDINANCE NO. 3, 2017, RE: AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE.**

[Signature]
FLORINDA JILL S. UYVICO
Provl. Govt. Dept. Head
(SP Secretary)

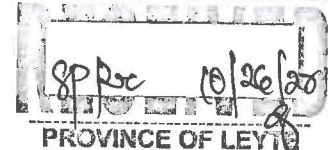
11/14/22



Republic of the Philippines
Province of *Leyte*
Municipality of Tolosa

Office of the Sangguniang Bayan

CANGGUNIANG PANLALAWIGAN



1st Endorsement


October 26, 2022

Respectfully forwarded to the Sangguniang Panlalawigan, Municipality of Palo, Province of Leyte, the herein attached Resolution No. 09-109-2022, **Re: ORDINANCE NO. 8, Series of 2022 "AN ORDINANCE AMENDING ORDINANCE NO. 3, SERIES OF 2017, RE: AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE"**, Minutes of Public Hearing, Attendance of Public Hearing and Certification of Posting.

For review and approval.

Issued this **26th** day of **October 2022** at Tolosa, Leyte, Philippines.

Please acknowledge receipt hereof.

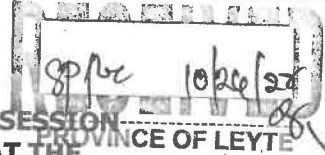

CONSUELO R. LUMBRE
Sangguniang Bayan Secretary



Republic of the Philippines
 Province of Leyte
 Municipality of Tolosa

Office of the Sangguniang Bayan

SANGGUNIANG PANLALAWIGAN



**EXCERPT FROM THE MINUTES OF THE 10TH REGULAR SESSION
 OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE
 SESSION HALL ON SEPTEMBER 12, 2022, AT 1:00 P.M.**

PRESENT:

Hon. Menardo M. Mate	-	-	Municipal Vice-Mayor (Presiding Officer)
Hon. Felicito D. Beltran III	-	-	Sangguniang Bayan Member
Hon. Manny R. Martinez, RN, MPRM.-	-	-	Sangguniang Bayan Member
Hon. Edilberto R. Zabala, Jr.	-	-	Sangguniang Bayan Member
Hon. Manuel B. Balledo	-	-	Sangguniang Bayan Member
Hon. Felipe V. Canonigo III	-	-	Sangguniang Bayan Member
Hon. Virman Jessie O. Pundavela-	-	-	Sangguniang Bayan Member
Hon. Ireneo Rolando A. Lumbré -	-	-	Sangguniang Bayan Member
Hon. Rolly A. Cinco	-	-	Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero	-	-	Ex-Officio Member/ABC President
Hon. Angelo R. Lumbré	-	-	Ex-Officio Member/SK Fed. President

RESOLUTION NO. 09-109-2022

**RESOLUTION AMENDING ORDINANCE NO. 3, SERIES OF 2017,
 RE: AN ORDINANCE ENACTING A NEW MARKET CODE OF
 THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE**

WHEREAS, the Sangguniang Bayan of Tolosa, Leyte in session assembled is hereby amending Ordinance No. 3, S. 2017, Re: An Ordinance Enacting A New Market Code of the Municipality of Tolosa, Province of Leyte;

WHEREFORE, on motion of Hon. Edilberto R. Zabala, Jr., and duly seconded unanimously, be it;

RESOLVED, as it is hereby resolved, to Amend Ordinance No. 3. S. 2017, An Ordinance Enacting A New Market Code of the Municipality of Tolosa, Province of Leyte;

**ORDINANCE NO. 08
 Series of 2022**

**AN ORDINANCE AMENDING ORDINANCE NO. 3, SERIES OF 2017, RE:
 AN ORDINANCE ENACTING A NEW MARKET CODE OF THE
 MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE**

BE IT ORDAINED by the Sangguniang Bayan of Tolosa, Leyte That:

TITLE 1. GENERAL PROVISIONS

Section 1. This Ordinance shall be known as AN ORDINANCE AMENDING ORDINANCE NO. 3, SERIES OF 2017.

Section 2. COVERAGE.

- a. Provisions of this code shall govern the Establishment, Classification, Administration & Operation of the New Tolosa Public Market and the imposition, collection of market rental fees for occupancy thereof.
- b. To establish a self-reliant & viable eco enterprise, through the operation of the public market equipped with facilities for the services of the buying public.

HON. MENARDO M. MATE
 Municipal Vice-Mayor

CONSUELO R. LUMBRE
 SB Secretary

HON. FELICITO D. BELTRAN III
 Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, RN, MPRM
 Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
 Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
 Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
 Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA
 Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
 Sangguniang Bayan Member

HON. ROLLY A. CINCO
 Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
 Sangguniang Bayan Member
 ABC President

HON. ANGELO R. LUMBRE
 Sangguniang Bayan Member
 PpSK President

Section 3. Definition of Terms. Whenever used in this code, the following terms shall mean:

- a. Ambulant/transient or Itinerant – are those vendors who sell their merchandise by moving from one place to another and not occupying a permanent stall or space in the public market.
- b. Bagsakan – refers to an open area, which serves as a service landing area for goods in bulks delivered by suppliers, producers and wholesalers.
- c. Board – refers to Tolosa Public Market Board.
- d. Booth – refers to two or more stalls enclosed for selling of merchandise or offering services to the public.
- e. Carrier or Kargadors – refers to a person who for fee carries goods or merchandise from one place to another for the convenience of the vendors and customers.
- f. Charge – a pecuniary liability imposed against property or person/s in a form of rent or fee.
- g. Cereals – refers to rice, corn and other marketable and consumable grains.
- h. Cold storage – refers to a place or piece of equipment where perishable goods are preserved and stored.
- i. Dealer – means ones whose business is to buy and sell merchandise, goods and chattels as a merchant.
- j. Dry Goods – refers to all kinds of textiles, ready to wear (RTW, apparels, toiletries, novelties, laces, shoes, kitchen wares, utensils and other household articles, handbags and supplies of the same nature.
- k. Extension Area – an area utilized by the stall/ space holder for the display of their goods or service to its customer beyond the original space covered by the lease.
- l. Lease – refers to a written agreement through which the municipality of Tolosa conveys possession and occupancy for a specific period and rental of stalls or space.
- m. Lessee – refers to a person having in his/her possession a duly executed contract of lease for specified rental, granted in his/her favor by the municipality of Tolosa, Leyte.
- n. Lessor – refers to the Municipality of Tolosa or its authorized representative who transfer, conveys and assigns the temporary possession and occupancy of stalls/space or any portion thereof for a specified rental/fee and period by an agreement or lease of contract.
- o. License of Permit – refers to a privilege or permission granted in accordance with the law or ordinance by an authority to engage in business, occupation or transactions.
- p. Market Premises – any space in the market compound not covered by the market buildings.
- q. Market sections – refers to classified stalls and spaces selling goods or offering services in same nature in a specified area.
- r. Market stalls – refers to any specified and assigned area or booth in the public market where merchandize are sold or offered.
- s. Public Market – refers to any space, building or structure of any kind owned and operated by Local Government of Tolosa, constructed/ repaired/rehabilitated for the purpose of providing space/ stalls where goods and services maybe sold or offered.
- t. Peddler – refers to a person who, either for himself or on commission travels from one place to another in order to sell his goods.
- u. Rental Fee – means a charge fixed by law.
- v. Stallholder – refers to those granted the permission or privilege to occupy a stall/booth used to display goods or offer services.
- w. Support facilities – refers to service areas provided, to support operations of the market including the Bagsakan, waste collection station, slaughterhouse, Comfort rooms.....
- x. Vendors – person who sells goods, commodities and foodstuffs.

TITLE 2 – THE TOLOSA PUBLIC MARKET BOARD


Section 4. Creation – for the attainment of the objectives enunciated by this code, a body is hereby created which shall henceforth be known as the Tolosa Public Market Board.

Section 5. Composition – the board shall be composed of the following:


MAYOR
 VICE MAYOR
 SB CHAIR COMMITTEE on MARKET & SLAUGHTERHOUSE
 MUNICIPAL TREASURER
 SB COMMITTEE on WAYS and MEANS
 MARKET ADMINISTRATOR
 MPDO

CHAIRMAN
 VICE CHAIRMAN
 MEMBER
 MEMBER
 MEMBER
 MEMBER


HON. MENARDO M. MATE
 Municipal Vice Mayor



CONSUELO R. LUMBRE
 SB Secretary


HON. FELICITOD B. BELTRAN III
 Sangguniang Bayan Member


HON. MANNY R. MARTINEZ, RN, MPRM
 Sangguniang Bayan Member


HON. EDILBERTO R. ZABALA, JR.
 Sangguniang Bayan Member

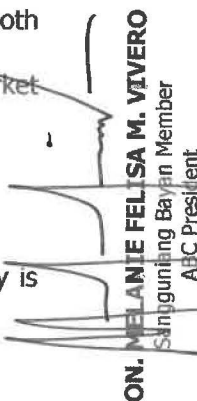

HON. MANUEL B. BALLEDO
 Sangguniang Bayan Member


HON. FELIPE V. CANONIGO III
 Sangguniang Bayan Member


HON. VIRMAN JESSIE O. PUNDAVELA
 Sangguniang Bayan Member


HON. IRENEO ROLANDO A. LUMBRE
 Sangguniang Bayan Member


HON. ROLLY CINCO
 Sangguniang Bayan Member


HON. MELANIE FELISA M. VIVERO
 Sangguniang Bayan Member
 ABC President


HON. ANGELO R. LUMBRE
 Sangguniang Bayan Member
 PPSK President

MEO
PRESIDENT of MARKET VENDORS ASSOCIATION
ABC PRESIDENT
SANITARY HEALTH OFFICER

MEMBER
MEMBER
MEMBER
MEMBER

Section 6. Powers and Functions.

- a. Conduct drawing of lots in connection with the adjudication of vacant or newly constructed stalls or booth in the New Tolosa Public Market and award stalls to qualified applicants.
- b. Formulate policies, rules and regulations for market operations and administration
- c. Conduct periodic review of municipal market operations.
- d. Determine and fix market rates and fees at levels in order to render market operations economically viable and self-reliant.
- e. Hear and settle grievances arising out of market operations and administration.

Section 7. Term of Office – All members of the Tolosa Public Market Board shall hold office for the duration of the terms of the office to which they are appointed or elected. In case of The SB Representatives, they shall hold office for as long as they are still the chairperson of the respective SB Committee.

Section 7A. Term of Office - of the President of the Vendors association shall hold office for a 2 term 2 years only once re-elected.

Section 8. Meetings – The Tolosa Public Market Board shall have its regular meeting every first _____ of the month, however the Chairman/Mayor may call a special meeting anytime for the purpose of taking up important or urgent matters upon request from any of its members.

Section 9. Excerpts of the Meeting. Results of the proceeding in every meeting must be fully documented and a copy shall be furnished to every member within 7 working days after each meeting held.

**TITLE 3. SUPERVISION, ADMINISTRATION and ENFORCEMENT
of the RULES and REGULATION.**

Section 10. General Supervision and Control – The Municipal Mayor shall exercise general supervision, administration & control over the operations of Public Markets and the personnel compliment assigned therewith, including those whose duties concern the maintenance, upkeep of sanitation and peace and order in the market premises in accordance with the laws, rules and regulations of Tolosa Public Market Code.

Section 11. Collection of Fees and Charges. - It shall be the duty of the Municipal Treasurer or his/her authorized collection officer to collect fees and charges relevant to the provisions of the Market Code of 2017.

Section 12. Immediate and Direct Supervision – There shall be Market Administrator, who shall exercise all immediate and direct supervision and control over the operation of the public market and shall enforce all ordinances and regulations in all matters relative to the operations of the public market.

Section 13. Duties and Functions. – The Market Administrator shall:

- a. Implement and execute the plans and policies of the Board, in the operation of the public market, concerning sanitation, cleanliness, security and order with in the market premises.
- b. Supervise and evaluate the activities and performance of the market personnel, investigate all complains relative thereto, recommend to the Municipal Mayor for proper actions to be taken.
- c. Supervise, evaluate and administer market properties, including the acquisition, maintenance, utilization and disposal.
- d. Coordinate with the Municipal Treasurer on matters of collection and imposition of fees and charges.
- e. Recommend to the Public Market Board any matters necessary that shall make the market operations effective and efficient.
- f. Render monthly report to the Market Board.


HON. MENARDO M. MATE
Municipal Vice-Mayor


CONSUELO R. LUMBRE
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Sangguniang Bayan Member
ABC President

HON. ANGELO R. LUMBRE
Sangguniang Bayan Member
PPSK President

TITLE 4. MARKET RULES AND REGULATIONS

Section 14. Enforcement of Rules and Regulations – the Municipal Mayor through the Market Administrator with the cooperation of the Municipal Treasurer shall have the authority to implement and enforce the Public Market Ordinance of 2017.

Section 15. These Market Rules and regulation shall apply to all market personnel/employees, market vendors and the general public who engaged business within the New Tolosa Public Market.

Section 16. Business Permit Regulations. No entity shall be allowed to engage business within the premises of the New Public Market without securing permits and other mandatory requirements.

Section 17. All market vendors engaged in food handling must secure a Sanitary and Health permit every 6 months, likewise food servers are required to secure Health certificate.

Section 18. Prohibited acts by market vendors in the conduct of business:

- Selling of goods/commodities not in the designated area.
- Extensions beyond one meter space of the leased area and or utilizing pathways for display of goods.
- Short weighing and false measurement including tampering of weights and measuring scales.
- Bringing in motorcycles, bicycles, pushcarts inside the market building.
- Utilizing stall or market spaces as residence or living quarters.
- Littering and vandalism
- Improper use of comfort rooms, laundry washing and dish washing inside the toilet.
- Selling or transferring of privilege of leased stalls and spaces, allowing another person to take over his her leased space.
- Selling of illegal items/product and prohibited drugs.
- Selling of any kind of Firecrackers.

Section 19. Obligations, Duties and responsibilities of the Market Vendors:

- pay the necessary fees necessary fees, levied and collected by duly constituted authorities before using or taking possession of the bays assigned;
- comply with all sanitation rules and safety regulations which are promulgated by the duly constituted authorities and those that may be imposed by the municipality;
- require his/her employee to wear company uniform and ID's upon entering the premises of the public terminal (observe dress code and secure occupational permit);
- comply with laws, ordinances, regulations or orders of the National or Municipal Government authorities arising from or regarding the use, occupation and sanitation of the terminal premises.
- attend an Orientation on Terminal Operation and Customers Services with the drivers, bay and stall owners.
- Compliance to COVID 19 protocols and other emerging disease prevention and control.

Section 20. Terms and Conditions

A. USE OF MARKET SPACES

- A mandatory one (1) months advance and one (1) months deposit in rental shall be collected from all commercial space concessionaires before award is granted;
- Commercial stalls are deemed open to all interested concessionaires and shall be raffled-off;
- Any person applying for the market stalls must submit a letter of intent addressed to the Mayor together with their business proposal;
- A non-refundable Application Fee/Registration Fee of Php300,00 for all interested applicants shall be collected upon the submission of the letter of intent;
- Fifteen days after the award, applicants must occupy immediately upon submission of current business permit and execute a contract of lease for the commercial space awarded to his right. A Certificate of Award duly approved by the Municipal Mayor shall be issued immediately for his occupancy;

HON. MENARDO M. MATE
Municipal Vice-Mayor

Consuelo R. Lumbre
SB Secretary

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

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HON. EDILBERTO R. ZABALA, JR.
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HON. ROLANDO CINCO
Sangguniang Bayan Member

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Sangguniang Bayan Member
ABC President

HON. ANGELO R. LUMBRE
Sangguniang Bayan Member
PPSK President

6. Municipal Treasurer shall assign a authorize collector to the Market for collection for a day-to-day basis;
7. Collections of fees and other charges fees shall be paid directly to the Municipal Treasurers Office;
8. **TIME FOR PAYMENT AND PENALTIES FOR DELINQUENCIES** – the monthly rental of stalls and booths in the market shall become due and payable on or before the 21st day of every month. Failure to pay the rentals or fees within the period required herein shall subject the lessee/occupant to a surcharge of five (5%) percent of the amount due;
9. **VENDORS** – Only accredited vendors are allowed to sell goods in the terminal. A minimum fee of ₱20.00 shall be charged on a daily basis. Vendors are encouraged to sell locally made products;
10. No fish vendor is allowed to market within the 500 meters radius from the market;

Section 21. Sanctions, Penalties for Violation – violations committed on any of these market rules and regulation and other existing laws and ordinance in relation the Public Market operations shall be dealt with in accordance with the following:

- | | |
|-------------------|--|
| 1. First Offense | A fine of ₱ 1,500.00 or one (1) hour community service. |
| 2. Second Offense | A fine of ₱ 2,000.00 and undergo seminar |
| 3. Third Offense | A fine of ₱ 2,500.00 and suspension of business permit and termination of Lease Agreement. |

Section 22. Wearing of Uniform and Identification Card. – all market personnel shall wear uniform and identification card.

Section 23. Recognition of Kargadors or carriers. – The recognition of the Kargadors/Carriers in the public market is for the convenience of the vendors and consumers alike is given importance in the New Tolosa Public Market operations. Carriers or Kargadors must secure a Registration Certificate and Identification Card, shall be provided through the Market Administrator upon paying a minimal fee of P 30.00 (thirty pesos) to cover the expense of ID card and Certificate. ID's must be worn while working as carrier/kargador, he must be a resident of Tolosa, Leyte, has not been convicted of any crime, must be 18 years of age.

Section 24. Special Provision – Market rules and Regulation shall be supple only to laws, rules and regulations, ordinances, resolutions and memorandum which govern the operations of the Tolosa Public Market.

TITLE 5 – Stall Adjudication

Section 25. Vacancy of Stalls, Booths and Vacant spaces of the newly constructed market building and other structure owned by the Municipality of Tolosa, shall be adjudicated to qualified applicants in the following manner.

NOTICE

- a. Notice of vacancy of vacant stalls, booth or space shall be posted for period of not less than TEN (10) days prior to the date of awarding to qualified applicants. Notice shall be posted conspicuously at the vacant Stall/Booth at the Market bulletin Board and at the Municipal Building. It shall be written in a thick paper or any suitable material and shall be in the following form:

FORM N

Notice is hereby given, that Stall/Booth No.____ of the New Tolosa Public Market, located at Brgy. Imelda, National Highway cor. San Miguel St. Tolosa. Leyte, is vacant or will be vacated on _____ 20___. Any person, 21 years of age, Filipino Citizen, a Resident of the Municipality of _____, who is not legally incapacitated, desiring to Lease a Stall/Booth or Space, shall file an application therefore in the form prescribed by the New Market Ordinance, copies may be obtained at the Municipal Treasurers Office or at the Market Administrator Office. In case there are more than one applicant, the awarding of stall/booth shall be done by drawing of lots/bidding to be held on

HON. MENARDO M. MATE
Municipal Vice-Mayor

CONSUELO R. LUMBRE
SB Secretary

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HON. ROLLIN A. ZINCO
Sangguniang Bayan Member

MELANE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

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Sangguniang Bayan Member
ABC President

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Sangguniang Bayan Member
PPSK President

_____, 20____. Time: _____, at _____, to be conducted by the Public Market board. The Stall is located at the _____ section and intended for _____.

MARKET ADMINISTRATOR

b. The Application shall be under oath to be submitted by the applicant or his/her authorized representative in the following subscribed form.

FORM L

APPLICATION TO LEASE

Date: _____

The Hon. Municipal Mayor
Tolosa, Leyte

Sir/Madam:

I hereby apply under the following contract for the Lease of Stall/s or Booth No.____, located at the _____, Tolosa, Leyte. I am ____ year's old, Filipino citizen, residing at _____ . Should the above stated Stall be leased to me in accordance with new Market Rule and Regulations and other laws as provided for under the New Market Code 2016, I promise to hold the same under the following conditions:

1. That while I am leasing or occupying the Stall/Booth or Tienda, I shall at all times post my picture, permits and other necessary documents posted in a conspicuously place in the Stall.
2. I shall keep the area at all times in good sanitary condition and comply the Market Rules and Regulations and may hereafter be promulgated.
3. I shall pay the corresponding monthly rental in a manner prescribed by the Market Rules and Regulations.
4. I shall renew my business permits, pay business tax and other corresponding fees as prescribed law and ordinance in relation to market operations.
5. The business to be conducted in this stall/s shall exclusively belong to me and may only sell goods & commodities or render services as authorized per sectioning.
6. In case I will hire helpers, I shall personally conduct my business and be present at all times and promptly notify the market authority my absences, giving reason or reasons therefore.
7. I shall not sell or transfer my privilege to the stalls, booth or tienda or otherwise allow another person to conduct business therein.
8. I will not extend beyond one meter space of the leased area and or utilizing pathways for display of goods.
9. Any violations on my part or on the part of my helpers of the foregoing conditions shall be sufficient cause to penalize or cancel the lease contract.

Very Respectfully,

Date: _____

I, _____ do hereby state that I am the person who signed the foregoing application, that I have read the same, that the contents stated above are true and correct to the best of my knowledge.

Applicant

TIN NO. _____

HON. MENARDO M. MATE
Municipal Vice-Mayor

CONSUELO R. LUMBRE
SB Secretary

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. MANNY R. M. PINEZ, RN, MPRM
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Sangguniang Bayan Member
ABC President

HON. ANGELO R. LUMBRE
Sangguniang Bayan Member
PPSK President

SUBSCRIBED AND SWORN to before me at the Municipality of Tolosa, Leyte, Philippines this ___ day of _____, 20___. Applicant-affiant exhibiting to me his/her Residence Certificate No. _____, issued on _____ at _____, Philippines.

Signature and Title

Section 26. Vacancy of Stall Before the Expiration of Lease – Should for any reason, stall holder or Lessee discontinue before the expiration of his/her lease, such shall be considered vacant and its occupancy thereafter shall be adjudicated in the manner herein prescribed.

Section 27. Lease Contract Agreement – For every stall awarded the successful applicants must sign a Contract of Lease and observe the terms and conditions of the code. Documentation shall be at the expense of the lessee. The contract shall be in the following form.

FORM CL

CONTRACT OF LEASE

KNOWN ALL MEN BY THESE PRESENT:

This Contract of Lease made and entered into by and between:

The **LOCAL GOVERNMENT OF TOLOSA**, represented by the Municipal Mayor _____ herein after referred to as **LESSOR**;

and

JUAN DELA CRUZ, of legal age, Filipino, Single/Married/Widow, resident of BARANGAY POBLACION, TOLOSA, LEYTE, with business establishment situated at **TOLOSA PUBLIC TERMINAL** with **STALL NO. 00**, hereinafter referred to as the **LESSEE**;

WITNESSETH:

The Municipality of Tolosa, Leyte is the owner of the Tolosa Public Transport Terminal.

That the Tolosa Public Transport Terminal Board has awarded the LESSEE the right to lease and occupy STALL NUMBERED 00 at the TOLOSA PUBLIC TRANSPORT TERMINAL she won during the raffle conducted for the purpose as provided for by the provisions of Ordinance No. 08, Series of 2022, duly adopted and approved by the Sangguniang Bayan,

That for in consideration of the agreement hereinafter stipulated, the herein named **LESSOR** do hereby lease unto the **LESSEE**, a space/stall/booth subject to the following terms and conditions:

- SUBJECT OF LEASE** – The **LESSOR** hereby leases and lets unto the **LESSEE** the above-described stalls/booths/bays and the **LESSEE** accepts the same under lease from the **LESSOR** in good and tenantable condition. The **LESSOR** hereby defends and guarantees the peaceful enjoyment of the leased premises, as well as its title or ownership thereof, and that the subject property is free from liens and encumbrances or from any restrictions to lease the same.
- RENTAL** – The **LESSEE** further agrees to pay the **LESSOR** without need or demand, a monthly rental of PHP _____ for the stall/s, a monthly rental of PHP _____ for the booth/s and a monthly rental of PHP _____ for the bay/s. This shall be payable within the first five (5) days of each and every month at the office of the Municipal Treasurer. Upon execution of this contract, the **LESSEE** shall pay to the **LESSOR**, an advance payment equivalent to one (1) month rental per stall, booth or bay.
- GUARANTEE DEPOSIT** – Upon the execution of this contract, the **LESSEE** shall pay to the **LESSOR** a guarantee deposits an amount equivalent to Two (2) months rental, to answer for any unpaid obligation of the **LESSEE** such as unpaid rentals, or for damages that may be caused on the leased premises, or utility bills left unpaid by the **LESSEE** upon the termination or expiration of the lease. Should there be no unpaid obligations or damages on the leased property left by the **LESSEE**, then the entire amount shall be returned otherwise, only the

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remaining balance thereof – after deducting the amount necessary to pay off any and all unpaid obligations or bills left by the **LESSEE**, shall be returned.

4. In the event the **LESSEE** fails to pay the **LESSOR** the rental within the agreed period, the **LESSEE** shall pay the **LESSOR** a surcharge equivalent to 10% of the amount due, plus interest of 2% per month for late payment. Failure of the **LESSEE** to pay the rental for three (3) consecutive months shall entitle the **LESSEE** to exercise its right to revoke the contract and evict, expel or eject the **LESSEE** from the leased stall/booth or bay without recourse to legal process.
5. **BUSINESS PERMITS AND LICENSES** – As a condition for the lease of stall/booth/bay the **LESSEE** shall first secure the necessary business permits and licenses for the conduct of its business in the leased premises, and shall pay all the corresponding fees. Further, the **LESSEE** shall display in a conspicuous place within the leased premises the business permits appurtenant to its business.
6. **REPAIRS AND IMPROVEMENTS** – the **LESSEE** shall be solely responsible for any and all ordinary repairs within the leased premises. Further, the **LESSEE** shall not undertake or introduce any improvements, additions or alterations within the leased premises and shall not destroy, deform or deface the stall/booth or any portion thereof without the prior written approval of the **LESSOR**. Any improvement of permanent character introduced therein shall become the property of the **LESSOR** upon the termination or expiration of the lease and shall be the sole account of the **LESSEE**.
7. **CLEANLINESS IN THE LEASED PREMISES** – the **LESSEE** shall maintain the leased premises in clean and sanitary condition at all times and that it shall strictly comply with any and all sanitary measures, health and terminal rules and regulations and such other rules, regulations or ordinances that may hereafter be promulgated by the **LESSOR** regarding the use and occupancy thereof.
8. **USE OF LEASED PREMISES** – the **LESSEE** shall use the leased stall/booth or bay exclusively for business and commercial purposes for which the registered name and the business permit so provide. Except for Eateries, Carenderias, Restaurants and the likes, no cooking shall be allowed within or at the leased premises, and that the **LESSEE** shall have no right to use the same or to allow any other person or party to use the same, as a family dwelling or bodega. Further, the **LESSEE** shall not use the leased premises for any unlawful, improper or offensive purpose.
9. **SERVICES OF EMPLOYMENTS** – the **LESSEE** is allowed to engage the services of employees/helpers in the conduct of its business in the leased premises.
10. **CESSATION OF BUSINESS** – in the event the **LESSEE** decides to stop or cease to operate its business in the leased premises, the **LESSEE** shall notify in writing the **LESSOR** at least fifteen (15) days in advance, stating its reason why business operation is being stopped.
11. **NON-WAIVER** – both the **LESSEE** and the **LESSOR** shall religiously comply with the provisions of this contract. Failure of the **LESSOR** to insist upon a strict performance or compliance of any terms, conditions or covenants hereof, shall not be deemed a waiver on its part to demand compliance by the **LESSEE**.
12. **COST UTILITIES** – the **LESSEE** shall be responsible for the installation and consumption of water, electric light and other utilities within the leased premises.
13. **DAMAGES** – the **LESSOR** shall not be responsible for any damages caused to the **LESSEE** within the leased premises arising from theft, force majeure or fortuitous events. In the event of force majeure such as fire, typhoon, earthquake, or any other fortuitous events of similar nature, the **LESSEE** shall be given preferential right to lease a stall in the reconstructed building subject to the guidelines or requirements to be laid down by the **LESSOR**.
14. **IDLE OR INACTIVE STALL/BOOTH** – Any space that shall be idle for one (1) month for whatever reason shall be declared abandoned or vacant and shall be subject for bidding and awarded to qualified applicant.
15. **EFFECT OF THE DEATH OF THE LESSEE**- upon the death of the **LESSEE**, the contract of lease covering the stall/booth shall be deemed terminated. However, the surviving spouse,

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direct heirs who desire to continue to lease and business of the deceased may apply and the lease maybe transferred to the legal applicant, provided that the Board be notified within 30 days after the death of the lessee and upon payment of all necessary fees, charges dues at the time of the death of the lessee.

- 16. **TERMINATION AND RENEWAL OF CONTRACT** – the contract shall be for a term of five (5) years commencing on the date it is signed, unless sooner revoked or cancelled in accordance with this contract, or unless the **LESSOR**, for any reasonable or just cause, or for any violation by the **LESSEE** or any ordinance, rules and regulations relating to the administration or the public terminal, revoke or terminates the same.
- 17. **REVOCATION OF CONTRACT** – it is agreed and understood that any violation on the part of the **LESSEE** or of its employees or helpers of the foregoing terms and conditions shall constitute sufficient cause for the revocation and/or cancellation of this contract. In such event, the **LESSOR** shall have the right to reject the erring **LESSEE** from the leased premises and to take over possession of the leased area. Further, the **LESSEE** shall pay to the **LESSOR** liquidated damages in the amount of TWO THOUSAND FIVE HUNDRED PESOS (PHP 2,500.00), Philippine Currency, per stall/booth or bay, without prejudice to the right of the **LESSOR** to institute any appropriate case against the **LESSEE**.

IN WITNESS WHEREOF, parties have hereunto set their hands this _____ day of _____, 2022 at Tolosa, Leyte, Philippines.

LOCAL GOVERNMENT UNIT OF TOLOSA
Lessor

JUAN DELA CRUZ
Lessee

BY:

Municipal Mayor

Valid ID No. :
Issued at :

Valid ID No. :
Issued at :

SIGNED IN THE PRESENCE OF:

1. **MARIA CLARA DELA CRUZ**

2. **JUANA DELA CRUZ**

Republic of the Philippines)
Province of Leyte) s.s.
Municipality of Tolosa)

BEFORE ME, Notary Public for and in the Province of Leyte, this _____ day of _____, 2022 personally appeared _____ and _____ known to me to be the same person who executed the Contract of Lease and acknowledges under oath that the same is their own free and voluntary act and deed.

WITNESS MY HAND AND SEAL on the day and place above written.

Notary Public

18. **VACANCY OF STALL/BOOTH BEFORE THE EXPIRATION OF LEASE** – Should for any reason, stall/booth holder or lessee discontinue before the expiration of his/her lease, such shall be.

19. **CERTIFICATE OF AWARD to successful Applicant of Vacant Stall/Booth** – To authenticate the results of the adjudication of the vacant stall/booth/bays, a certificate of award shall be issued to the successful applicant. The date of the issuance of the Certificate of Award shall be the basis of determining the start of payment of rental by the successful

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applicant, notwithstanding when the actual occupancy or start of business operations of stall/booth/space begins. The Certificate of Award shall be issued within fifteen (15) days after the drawing of lots/bidding as the case maybe. The Certificate shall be on the following form:

Section 28. CERTIFICATE OF AWARD to successful Applicant of Vacant stall – To authenticate the results of the adjudication of the vacant stall(s)/space, a certificate of award shall be issued to the successful applicant. The date of the issuance of the Certificate of Award shall be the basis of determining the start of payment of rental by the successful applicant, notwithstanding when the actual occupancy or start of business operations of stall begins. The Certificate of Award shall be issued within TEN (10) days after the drawing of lots/biddings as the case maybe. The Certificate shall be on the following Form:

FORM CA

CERTIFICATE OF AWARD

This Certificate is hereby issued to _____, a resident of _____ and a qualified applicant for the lease of stall no./lot no. _____ located at the _____ by the Tolosa Public Market Board conducted last _____ 201_ at the Office of the _____. This Stall/Space (lot no.) is located/found at the _____ section and intended for the sale of _____ (Nature of Business).

Issued this ____ day of _____ 201__ at Tolosa, Leyte, Philippines.

Municipal Mayor

Section 29. Stall/Space Vacancy

1. A space/stall/booth is vacant under any of the following conditions:
 - a. When it is newly constructed and not yet leased and awarded to qualified applicant.
 - b. When it is declared vacant by the Board by reasons of abandonment, violations of the conditions of the contract of lease, policies, rules and regulations promulgated for their compliance.
 - c. Death of the Lessee.
 - d. Voluntary surrender by the Lessee.
 - e. Physical incapacity by the Lessee to administer the space/stall operations.
2. The Municipality shall not be held responsible for any loss or damage, which stall/booth holders may incur by reason of fire, theft of force majeure.
3. It shall be the duty of the Terminal Manager to exercise utmost vigilance and care to prevent any loss in the tolosa public terminal. He/she shall have the authority to apprehend and turn over to the Police any person caught stealing or committing any offense and file appropriate legal actions.
4. **EXTENSION OF STALL/BOOTH SPACES** – There shall be no extension of stall spaces other than those already covered by plans previously approved by the Board. However, areas utilized as extension for the display of the stallholders goods that do not obstruct the flow of traffic or the passage of the buying public may be allowed, provided that stallholder be charged double the rates based on a per square meter daily rate basis imposed on the area concerned in addition to the monthly rentals already imposed on the stalls where the extension was made. Extensions that obstruct the free passage of the buying public shall be removed. The terminal Manager must see to it that appropriate boundary markings shall be made to monitor and effectively implement the extension of stall charging.

Section 30. Effect of the Death of the Lessee – upon the death of the lessee, the contract of lease covering the stall shall be deemed terminated. However, the surviving spouse, direct heirs who desire to continue to lease and business of the deceased may apply and the lease maybe transferred to the legal applicant, provided that the Board be notified within 30 days after the death of the lessee and upon payment of all necessary fees, charges due at the time of the death of the lessee.

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Section 31. Idle or Inactive stalls - any space that shall be idle for one (1) month for whatever reason shall be declared abandoned or vacant and shall be subject for bidding and awarded to qualified applicant.

Section 32. The municipality shall not be held responsible for any loss or damage, which stall holders may incur by reason of fire, theft or force majeure.

Section 33. It shall be the duty of the Market Administrator to exercise utmost vigilance and care to prevent any loss in the municipal market. He/she shall have the authority to apprehend and turn over to the Police any person caught stealing or committing any offense and file appropriate legal actions.

Section 34. Extension of Stall Spaces – There shall be no extension of stall spaces other than those already covered by plans previously approved by the Board. However, areas utilized as extension for the display of the stallholders goods that do not obstruct the flow of traffic or the passage of the buying public may be allowed, provided that stallholder be charged double the rates based on a per square meter daily rate basis imposed on the area concerned in addition to the monthly rentals already imposed on the stalls where the extension was made. Extensions that obstruct the free passage of the buying public shall be removed. The market administrator must see to it that appropriate boundary markings shall be made to monitor and effectively implement the extension of stall charging.

TITLE 6. COLLECTION, ASSESSMENT AND PAYMENT OF STALL RENTALS AND MARKET FEES

Section 35. Direct and Immediate Supervision on Collections. – The Market Administrator or Market Collector shall exercise direct and immediate supervision, administration and control over the collection of all market fees as authorized by law (New Tolosa Public Market Code).

Section 36. Manner of Payment and Assessment of Rental Dues. – Rental dues shall be assessed in a daily basis regardless of the manner and term of payment. The Stallholder may pay their rent obligation on a daily, weekly or monthly basis at the option of the lessor.

Section 37. Imposition of Penalty and Interest. - Overdue or delinquent account on market stall rentals are hereby imposed a 25% penalty plus 2% monthly interest.

TITLE 7. OCCUPANCY PRIVILEGE and FEE

Section 38. Stall/Space occupants of the defunct Tolosa Public Market shall by way of raffle/drawing of lots be afforded first priority to occupy stall in the New Tolosa Public Market assigned in proper section by the LGU without need of participating in the bidding process. However, he/she shall pay a fixed Occupancy Fee herein prescribed before the stall is awarded to him/her. He/she is likewise obliged to pay the stall rental also provided herein. Previous delinquencies must also be paid. These occupants are not entitled to the Incentive as provided in the preceding Section. But must surrender also their stall once they cease to operate business. Otherwise, penalty herein provided shall be imposed upon them.

Section 39. The Fixed Occupancy Privilege Fee and Rentals. The OCCUPANCY AND RENTAL FEE for stalls of the New Tolosa Public Market and the vacant stalls/space of the New Tolosa Civic Center are as follows:

PUBLIC MARKET	OCCUPANCY FEE	RENTAL
A. GROUND FLOOR - Booth/Tiendas (fish/meat-chicken) Booth/Tienda No. ___ - ___	Php 3,000.00	600.00/mo.
B. GROUND FLOOR – Stalls ___ - ___	Php 6,000.00	1,300.00/mo.
C. SECOND FLOOR – Stall ___ - ___	Php 6,000.00	2,000.00/mo.
D. OPEN SPACE (within the Market bldg.) kikiam, potato corner, Hotdog/ waffles stands and likes] FRUIT/VEGETABLES STALLS	Php 2,500.00 Php 3,000.00	100.00/sq.mt (not to exceed 4 sq.mts) 600.00/mo.

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Section 39A. Vacant Space outside the New Market building – rentals and fees shall be determined by the Market Board.

Section 40. PUBLIC MARKET

MARKET GROUND

	RENTAL
1. Booth -	Php 3,500.00
2. Stall -	3,500.00
3. Open Space -	1,000.00
4. Propose Additional Stall -	

Section 41. Collection, Assessment and Payment of Space/Stall/Booth Rentals

41.1 DIRECT AND IMMEDIATE SUPERVISION ON COLLECTIONS – The Market Administrator, Revenue Collection Clerk and/or Market Collector shall exercise direct and immediate supervision, administration and control over the collection of all market fees as authorized by law (Tolosa Market Ordinance of 2017).

41.2. MANNER OF PAYMENT AND ASSESSMENT OF RENTAL DUES – Rental dues shall be assessed in a daily basis regardless of the manner and term of payment, the stallholder may pay their rent obligations on a daily, weekly or monthly basis at the option of the lessor.

41.3. IMPOSITION OF PENALTY AND INTEREST – Overdue or delinquent account on market stall/booth rentals are hereby imposed as 25% penalty plus 2% monthly interest.

Section 42. Lease of Commercial Stalls/Booth/Bays (On A Per Month Basis)

Section 43. Other Provisions.

43.1. Occupancy of stalls/booth/bays shall strictly observe market rules and regulations specially payment of previous delinquencies otherwise, his/her privilege over the stall/booth shall be forfeited and a penalty is imposed upon them.

43.2. Awarding of stalls of public market is limited only to one stall/booth/bays per awardee. Should he/she wish to acquire one more space/stall he/she may participated in the open bid and abide with the pertinent rules and regulations.

43.3. Tenant can avail a rebate of 10% on monthly rental if paid before the date.

Section 44. Transient Vendors And Rolling Business – Transient vendors and roving salesmen shall not be allowed to do business in the public market unless they have secured first a Mayor's Permit Fee of 100.00 pesos. The mayor's permit for transient vendors and salesmen shall be renewable on or before January 20th of each year

Section 45. Toilet Fees – To regulate the sanitation and use of market comfort rooms, there is hereby imposed a fee of PhP 5.00, for the use of the facilities. Stall owners are exempted to pay the PhP5.00 for every usage of the facilities.

Section 46. Transient Delivery Trucks – Cash Tickets of PhP 50.00

Section 47. ROOF TOP – rentals/usage and rates shall be determined by the Market Board upon concurrence of the Sangguniang Bayan approved by the Municipal Mayor.

Section 48. Basketball Court and Space rentals.

CIVIC CENTER	OCCUPANCY FEE	RENTAL
A. STALLS G1 to G4 (location: M. VIVERO ST.)	Php 2,000.00	600.00/mo.
B. STALL G5	Php 2,000.00	600.00/mo.
Basketball Court	Rentals Day Time (fixed)	Night Time
a. First two (2) hours	Php 400.00	700.00
b. Extension rate per hour	Php 200.00	300.00

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c. Tournaments	Php 2,000.00	3,000.00
2nd Floor		Rental per day
a. VIP lounge stage (air conditioned)		Php 1,200.00
b. Balcony (entrance)		Php 1,000.00

Section 48A. Vendors who acquired Stall/Tienda or Space and paid the corresponding occupancy fee who for one valid reason or another cease to operate his/her business shall surrender his/her stall to the LGU and upon presentation of documents, qualifies him/her a REFUND a portion of his occupancy fee as herein provided under the Refund Scheme.

Section 48B. Refund Scheme shall be in a following manner:

<No. of Years in Operation>	
1 – 2 years in operation	90%
3 – 5 years in operation	80%
6 – 8 years in operation	70%
9 years onwards	50%

Section 48C. Business operators/stallholders who have availed of the refund incentive shall not be allowed to participate in any future bidding/acquisition for the occupancy of market stalls.

Section 49. Other Provisions.

- a.) Occupancy of stall shall strictly observe market rules and regulations specially payment of previous delinquency/ies otherwise, his/her privilege over the stall shall be forfeited and a penalty is imposed upon them.
- b.) Awarding of stalls to dislocated occupants of the burnt public market is limited only to one stall per awardee. Should he/she wish to acquire one more space/stall he/she may participate in the open bid and abide with the pertinent rules and regulations.
- c.) Tenants can avail a rebate of 10 % on monthly rental if paid before the due date.

Section 50. Market Sections – for purposes of this Article, the New Public Market of the Municipality of Tolosa shall be divided into the following sections:

GROUND FLOOR

- 1. Fish –
- 2. Meat/chicken
- 3. Dried Fish
- 4. Fruit & Vegetable
- 5. Rice Dealer
- 6. Hardware
- 7. Groceries
- 8. Gen. Merchandize
- 9. Meat Shop
- 10. Drug Store
- 11. Bakery
- 12. Agrivets
- 13. Electronic Shop

2ND FLOOR

- Eatery/Café Bars
- Amusement/Recreational
- Computer shop
- Textiles/Okay-Okay
- Flower Shops
- Salon
- RTW

- a) Dry goods section- refers to the area where dry goods like footwear's textiles, kitchen utensils, checherias, glassware, native products and school bags shall be sold.
- b) Eatery section – refers to the area where carenderia, refreshment parlor, restaurant, cafeteria, panceteria, and other cooked and prepared foods shall be sold.
- c) Rice and corn section-refers to the area where rice, corn, feeds, hogmash, and other cereal shall be sold.
- d) Groceries section- refers to the area where bakery products, canned goods, flour, onions, garlics, pasta products, all kinds of cereals, preserved foods, and other household products shall be sold.
- e) Fish section- refers to the area where fresh fish, seaweeds, or other marine product shall be sold.

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- f) Meat section- refers to the area where dressed chicken, pork, beef meat and all kinds of meat, properly inspected by the meat inspector shall be sold.
- g) Dried and salted fish - refers to the area where dried and salted fish shall be sold.
- h) Vegetables section- refers to the area where leafy and fruit vegetables shall be sold.
- i) Fruit section- refers to the area where all kinds of fruit shall be sold.
- j) Flower shop section- refers to the area where fresh flowers and other artificial flowers shall be sold.
- k) Miscellaneous section- refers to the areas where not classified business are allowed to display their

Section 50A. Declaration of Stalls, Tiendas-Booths:

GROUND FLOOR

- a. GS1 – Office of the Market personnel/ LGU product showcase.
- b. GS2 – GS3 Bakery
- c. GS4 – GS8 Groceries
- d. GS9 – GS10 Hardware's
- e. GS11 – GS12 Agrivets
- f. GS13 – GS14 Rice retailers/dealers
- g. GS15 – GS16 Gen. Merchandise
- h. GS17 – GS18 Drug Stores
- i. GS19 – GS20 Gen. Merchandise
- j. GS21 – GS25 Gen. Merchandise (sari-sari store)
- k. GS26 – GS27 Vegetables/Gen. Merchandise/Grocery goods
- l. GS28 – Dried Fish/ Cured Marine products
- m. GS29- GS30 Meat Shops
- n. FISH STALLS – Tables 1 – 10
- o. MEAT STALL – Tables 11 – 18
- p. FRUITS & VEGETABLES (annex bldg.) FV1 – FV8

2ND FLOOR

- a. 201 – AMUSEMENT/recreational parlor
- b. 202 – SALON
- c. 203 – DRY GOODS
- d. 204 – BUSSINESS CENTER/ DTI NEGOSYO CENTER
- e. 205 – DRY GOODS
- f. 206 – EATERY /SNACK BAR
- g. 207 – MINI THEATER/ MOVIE HOUSE
- h. 208 – 209 EATERY
- i. 210 – KTV BAR
- j. 211 – COMPUTER/INTERNET SHOP
- k. 212 - DRY GOODS
- l. 213 – DRY GOODS
- m. 214 – JEWELRIES STORE
- n. 215 – DRY GOODS / school supplies
- o. 216 – DRY GOODS/ RTW

Section 51. Excess and Underpayment Stall Rentals. – Stall rental fees paid by the Stallholders in excess of what is imposed in this ordinance shall be credited and fully applied against future rental obligation and underpayment as a result thereof shall be considered deficiencies and shall be collected without penalty and interest.

Section 52. Toilet Fee – To regulate the sanitation and use of market comfort rooms, there is hereby imposed a fee of PhP5.00 for the use of the facility.

Section 53. Transient Vendors and Rolling Business – Transient vendors and roving salesmen shall not be allowed to do business in the public market unless they have secured first a Mayor's Permit Fee of ₱ 100.00. The mayor's permit for transient vendors and salesmen shall be renewable on or before January 20th of each year.

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, RN, MPRM
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELIPE A. CANONIGO III
Sangguniang Bayan Member

HON. MENARDO M. MATE
Municipal Vice-Mayor

CONSUELO R. LUMBRE
SB Secretary

HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. ROLANDO CINCO
Sangguniang Bayan Member

HON. MELANTE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. MELANTE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. ANGELO R. LUMBRE
Sangguniang Bayan Member
PPSK President

Section 54. Fees for Calibration, Sealing and Licensing of Weights and Measures Every person before using instruments of weights and measures within this municipality shall first have them sealed and licensed annually and pay therefore to the Municipal Treasurer the following fees: (refer to New Revenue Code 2016)

TITLE 8. MEAT FOR PUBLIC CONSUMPTION AND REGULATION

Section 55. Food Borne Animals. – These are group of animals (livestock and poultry products) generally accepted for use as human food. Such animals include and are limited to the following:

- a.) Cattle;
- b.) Carabao/Buffalo;
- c.) Horse;
- d.) Goat/Sheep/Deer;
- e.) Hog; and
- f.) Poultry products such as Chicken, Turkey, Geese, Guinea, Fowl, Ducks and Quail

Section 56. Non-Food Animals. – The following are not generally accepted and recognized by law as human food and their sale prohibited:

- a.) Dogs;
- b.) Cats;
- c.) Monkeys;
- d.) Crocodiles/lizards;
- e.) Kangaroos; and
- f.) Rats/Bats/Snakes

Section 57. Confiscation and Disposition of Hot Meat and/or Illegally slaughtered Food Animals/Non-Food Animals. – Any and all hot meat or illegally slaughtered food/non-food animals sold and distributed within the territorial jurisdiction of Tolosa, Leyte shall be confiscated and forfeited in favor of the Municipal Government which shall in appropriate cases, be used as evidence in prosecuting any violation of this ordinance. Any hot meat or illegally slaughtered food animals found to be unfit for human consumption by the Municipal Veterinary Officer shall be, at the discretion of the Municipality, be sold for public consumption or donated immediately to orphanage, rehabilitation center/correctional institution or similar situation. Unfit meat and products and other non-food animals shall be condemned /disposed by the Municipal Veterinary Officer. A certificate of acknowledgement from these institution who accepted donated meat shall be submitted by Municipal Veterinary Officer to the Municipal Mayor's Office. Owner of the confiscated meat shall be furnished of this certificate. (in the absence of a Municipal Veterinary the Sanitary office shall act as Municipal Vet)

Section 58. Accreditation of Private Abattoirs –The Municipal Mayor may, upon a resolution of the Sangguniang Bayan of the Municipality, acting on the recommendation of the Municipal Veterinary/Sanitary Officer accredit any private abattoir within its territorial jurisdiction but only for lechon suppliers and meat processors.

Any and all accredited private abattoirs shall be provided with Municipal Meat Inspectors; which the owner/operator will provide with a suitable place within the abattoir for easy, convenient and prompt meat inspection of the slaughtered animals. Slaughterhouse for lechon suppliers and meat processors with corresponding business permits and with facilities and operational procedures of minimum adequacy shall be allowed to apply for accreditation yearly; Periodic evaluation every 6 months by the Municipal Veterinary Officer shall be required and such facilities and operational procedures shall be sanitarly maintained. Failure to meet sanitary standard shall cause the cancellation of permit/accreditation. There shall be imposed and collected and annual accreditation fee in the amount of ₱3,000.00 for any and all private slaughterhouse for meat processors operating within the territorial jurisdiction of the Municipality of Tolosa, Leyte. An inspection fee in the amount of P35.00 shall also be imposed for any and all hogs slaughtered in private slaughterhouse for lechon and meat processors.

Section 59. Registration and Licensing/Accreditation. - All meats handlers, butchers, meat vendors, meat dealers, meat processors and meat stall/shop operation who are involved in the orderly, safe and hygiene handling of meat and meat products shall be required yearly to register and apply for license/accreditation annually not later than January 20 of every year and thereafter. There shall be an


HON. MENARDO M. MATE
Municipal Vice-Mayor


CONSUELO R. LUMBRE
SB Secretary

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Sangguniang Bayan Member

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Sangguniang Bayan Member

HON. EDIL BERSO R. ZABALA, JR.
Sangguniang Bayan Member

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Sangguniang Bayan Member

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Sangguniang Bayan Member

HON. ROLLY A. CINCO
Sangguniang Bayan Member

HON. MELANTE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. ANGELO R. LUMBRE
Sangguniang Bayan Member
PPSK President

annual fee for registration, licensing/accreditation for the following classification at the rates prescribed as follows:

1. Meat Handlers/cutters/butchers/helpers/vendors	₱ 100.00	₱ 50.00
2. Meat Stallholders (Public Market)	150.00	100.00
3. Meat Shop Operator (Outside Public Market)	250.00	150.00
4. Meat dealers/Suppliers	150.00	200.00
5. Meat by-Product Processors	150.00	200.00

Section 60. Qualification and Requirements for Registration and Licensing/Accreditation. – Any person applying for a license as meat handler, butcher, meat vendor, meat dealer, meat processor, meat stall/shop operated or helper must possess the following qualifications:

- He must be not less than 18 years old.
- He must be free from tuberculosis and/or highly communicable deceases and a certificate from Municipal Health Office shall be secured prior to the filing of the application.
- He must secure a police clearance prior to his application.
- Meat dealer, meat stall/shop operators operating within the territorial jurisdiction of Municipality of Tolosa, Leyte, shall secure business permit prior to his/her application for licensing/accreditation.

Section 61. Slaughter Fees. – Subject to the provisions enunciated herein, there shall be collected for every head of animal slaughtered for human consumption the following fees:

	For commercial purposes /head	For house consumption
Carabao	P 50.00	P 25.00
Cow	40.00	25.00
Hogs	20.00	10.00
Goats	10.00	5.00
Sheep/Others	10.00	5.00

Section 62. Permit Fee to Slaughter. – Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the Municipal Veterinarian thru the Municipal Treasurer, and the corresponding fee collected at the rates fixed below: Per head Large Cattle P 10.00 Hogs 5.00 Goats 5.00 Sheep 5.00 Others 5.00

Section 63. Corral Fees. – There shall be collected a corral fee for the animals to be slaughtered, which are to be kept in a corral owned by the Municipality at the rates per day as prescribed below: Large cattle P 5.00/head Hogs 3.00/head Goats 2.50/head Sheep 2.00/head others 2.00/head

TITLE 8. GENERAL AND ADMINISTRATIVE PROVISIONS

Civil Remedies for Collection of Revenues

Section 64. Municipal Government's lien. –Municipal taxes, fees, charges and other revenue constitute a lien, superior to all liens, charges or encumbrances, in favor of any person, enforceable by appropriate administrative or judicial action, not only upon any property or rights therein which may be subject to the lien but also upon property used in business, occupation, practice of profession or calling, or exercise of privilege with respect to which the liens is imposed. The lien may only be extinguished upon full payment of the delinquent taxes, fees and charges including related surcharges and interest.

GENERAL PENAL PROVISIONS FINAL PROVISIONS

Section 65. Separability Clause - If, for any reason, any provision, section or part of this Code is declared not valid by a court of competent jurisdiction, such judgment shall not affect nor impair the remaining provisions, sections, or parts which shall continue to be in effect and enforced.

Section 66. Repealing Clause – All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Code are hereby repealed or modified accordingly.

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. MANNY R. MARTINEZ RA, MPRT
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
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Sangguniang Bayan Member

HON. ROLLON CINCO
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. ANGELO R. LUMBRE
Sangguniang Bayan Member
PPSK President

Section 67. Mandatory Increase. A Ten percent (10 %) increase shall be imposed on all stalls/booth every 5 years.

Section 68. Mandatory Review. A review shall be done every 4 years upon approval of this Ordinance.

Section 69. Effectivity – This Ordinance shall take effect upon approval.

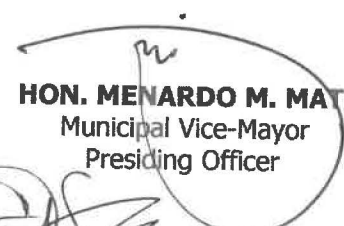
ENACTED: This 12th day of September 2022

THIS MUNICIPAL MARKET ORDINANCE WAS UNANIMOUSLY APPROVED.


Certified Correct:


CONSUELO R. LUMBRE
Sangguniang Bayan Secretary

ATTESTED:



HON. MENARDO M. MATE
Municipal Vice-Mayor
Presiding Officer


HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member


HON. EDILBERTO R. ZABALA JR.
Sangguniang Bayan Member


HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member


HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member



HON. MELANIE FELISA M. VIVERO
Ex-Officio Member/ABC President


HON. MANNY R. MARTINEZ, RN, MPRM
Sangguniang Bayan Member


HON. MANUEL B. BALLEDO
Sangguniang Bayan Member


HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member


HON. ROLLY V. CINCO
Sangguniang Bayan Member


HON. ANGELO R. LUMBRE
Ex-Officio Member/SK Fed. President

APPROVED:


HON. ERWIN C. OCAÑA
Municipal Mayor



Republic of the Philippines
Province of *Leyte*
Municipality of Tolosa

Office of the Sangguniang Bayan

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to **CERTIFY** that pursuant to paragraph (a) of Article 114 of RA 7160 Posting of Ordinance with Penal Sanctions, the undersigned has complied the said provision last October 3, 2022. Re: **Ordinance No. 8, Series of 2022 "AN ORDINANCE AMENDING ORDINANCE NO. 3, SERIES OF 2017, RE: AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE"** was posted in three (3) conspicuous places.

This **Certification** is issued in compliance of Article 114 of RA 7160.

Given this **25th** day of **October 2022**.


CONSUELO R. LUMBRE
Sangguniang Bayan Secretary



Republic of the Philippines
 Province of Leyte
 Municipality of Tolosa

Office of the Sangguniang Bayan

**MINUTES OF PUBLIC HEARING HELD IN TOLOSA INTEGRATED
 PUBLIC TRANSPORT TERMINAL, TOLOSA, LEYTE,
 ON AUGUST 26, 2022, @ 9:00 A.M.**

ATTENDANCE:

Hon. Menardo M. Mate	-	-	Municipal Vice-Mayor
Hon. Felicito C. Beltran III	-	-	Sangguniang Bayan Member
Hon. Manny R. Martinez, RN, MPRM.-	-	-	Sangguniang Bayan Member
			Moderator
Hon. Edilberto R. Zabala, Jr.	-	-	Sangguniang Bayan Member
			Reading of Ordinance
			Chairman Committee on Market
Hon. Manuel B. Balledo	-	-	Sangguniang Bayan Member
Hon. Felipe V. Canonigo III	-	-	Sangguniang Bayan Member
Hon. Virman Jessie O. Pundavela-	-	-	Sangguniang Bayan Member
Hon. Ireneo Rolando A. Lumbre-	-	-	Sangguniang Bayan Member
Hon. Rolly A. Cinco	-	-	Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero	-	-	Ex-Officio Member/ABC President
Hon. Angelo R. Lumbre	-	-	Ex-Officio Member/SK Fed. President
Mr. Jandell M. Pica	-	-	Market Supervisor
Ms. Ma. Hermie Remandaban	-	-	LEDIPO
Ms. Belen P. Fumar	-	-	RCC II
Mr. Jerver Pica	-	-	Engineering Staff
Stalls Applicants	-	-	

SUBJECT:

- **PROPOSED ORDINANCE AMENDING ORDINANCE NO. 3, SERIES OF 2017, RE: AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE**

Emcee: Ms. Meagan Joy O. Roa

Invocation: Computer Generated

Philippine National Anthem: Computer Generated

Tolosa Hymn: Computer Generated

Opening Remarks:

Mr. Jandell Pica gave his opening remarks and expressed his thanks to the public for attending this public hearing especially to the stakeholder, Vice Mayor, SB Members present especially to Hon. Edilberto R. Zabala, Jr. who is the sponsor, Hon. Manny R. Martinez – OIC Mayor. He added to improve the economic development and standard of life since charges will be imposed so the regulations of the Market Code will be discussed and asked if there are questions under open forum and for harmonious relationship and responsibilities of the market for local governance so he reiterated not to hesitate to asked questions under open forum.

HON. MENARDO M. MATE
 Municipal Vice-Mayor

CONSUELO R. LUMBRE
 SB Secretary

HON. FELICITO C. BELTRAN III
 Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, RN, MPRM
 Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
 Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
 Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
 Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA
 Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
 Sangguniang Bayan Member

HON. ROLLY A. CINCO
 Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
 Sangguniang Bayan Member
 ABC President

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 Sangguniang Bayan Member
 PPSK President

Hon. Menardo M. Mate, Municipal Vice-Mayor added the statement of Mr. Jandell Pica. The use of the terminal stalls the executive and legislative agreed to conduct a public hearing since it is one of the requirements in passing the ordinance to the province. He also expressed to the public especially the occupants of the stalls for attending this public hearing so as they will be clarified and enlightened once the ordinance will be enacted. He added that it is one of the experience of the Sangguniang Bayan that once the ordinance will be approved by the province the problem arised since there are several questions is experienced by the Sangguniang Bayan once the ordinance is already approved.

Hon. Edilberto R. Zabala, Jr. read the proposed ordinance and he emphasized for the stall owners that before it falls to unfinished business then it was forwarded to his committee. He added that the rental of the stall shall be collected every 2 months advance and stall be raffled. The applicants must submit their application to the Local Chief Executive and the project proposal and the PhP 500.00 is not refundable based on the letter of intent 15 days after awarding the stalls they will immediately occupy and the certificate of award will be given to the occupant.

He also read Section 40 which is the public terminal.

Hon. Manny R. Martinez is the moderator and he explained that the terminal was separated to the market code. For the terminal it is still to be discussed by the Sangguniang Bayan and requested for an open forum.

Open Forum:

The resident from Canmogsay Mr. Rolando P. Encina occupant of one stall asked that the PhP 3,500.00 be reduced since before they were informed it was PhP 2,500.00 so the rental is excessive.

Hon. Edilberto R. Zabala, Jr. clarified that the reason why this public hearing was called that the rental or amount is not yet fixed.

Ms. Ma. Hermie Remandaban explained that the amount is small compared in Palo, since they agreed some information to other municipalities like in Palo which is PhP 3,500.00 or PhP 500.00 sq. meters.

Hon. Manny R. Martinez explained that at the public market upstairs the rental is PhP 2,00.00 and at the lower portion is PhP 1,200.00 but the area is small compared to the terminal stalls. He added that the terminal stalls is accessible and the area is 36 sq.m.

Hon. Manny R. Martinez requested to take note the suggestion and complaints.

For Canmogsay PhP 2,000.00

Mr. Kenneth Barbasan PhP 2,500.00 and after 3 months 3,500.00 or go back to the original rental.

Hon. Manny R. Martinez said they requested the business proposal.

Mr. Ritchie Pundavela requested to decrease PhP 2,500.00 since it is not yet operational and implement the proposed rental after one year and request to interpret the ordinance in our dialect so that the public will know the provisions.

Hon. Manny R. Martinez said that is the reason to submit the business proposal to avoid duplication of the business and one stall owner is allowed and to reduce the PhP 500.00 for the application reduce it to PhP 200.00 or PhP 100.00.

Ms. Ma. Hermie Remandaban clarified that is why their attendance is a must for the public hearing.

Mr. Rolando P. Encina asked if they have a CR since most of the user are the applicants and if they have to pay PhP 5.00 per usage.

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Municipal Vice-Mayor

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Sangguniang Bayan Member
ABC President

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Sangguniang Bayan Member
PPSK President

Mr. Advincula suggested that the stall owner is exempted to pay the comfort room and the suggestion was carried.

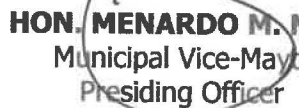
Hon. Manny R. Martinez clarified once this ordinance will be approved it might 6 weeks or 6 months and to amend the ordinance it takes every 5 years.


Closing Remarks – Hon. Virman Jessie O. Pundavela gave the closing remarks and extended thanks to the public for attending the public hearing and requested the cooperation of the stalls owners.

Certified Correct:


CONSUELO R. LUMBRE
Sangguniang Bayan Secretary

ATTESTED:


HON. MENARDO M. MATE
Municipal Vice-Mayor
Presiding Officer


HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member


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Ex-Officio Member/ABC President


HON. ANGELO R. LUMBRE
Ex-Officio Member/SK Fed. President



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

ATTENDANCE SHEET

Public Hearing

August 26, 2022




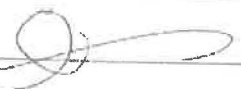
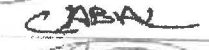

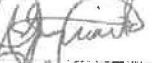
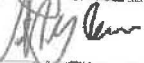



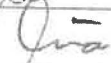
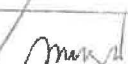
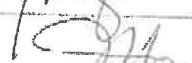


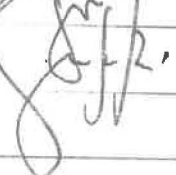
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Tolosa Integrated Public Transport Terminal
Tolosa, Leyte

SUBJECT:

- PROPOSED ORDINANCE AMENDING ORDINANCE NO. 3, SERIES OF 2017, RE: AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE

No.	Name	Address	Signature
1.	AUSNE P. ZABALA	BRGY. DOÑA BRIGIDA	
2.	ROLANDO P. ENCINA	CANMOGSAY	
3.	JERVEL C. PICA	BUTAK	
4.	IRENEO ROLANDO X. LUMBRIS	SB	
5.	RC CERRO	LGU TOLOSA	
6.	MARIA TERMIT G. ROMANABAN	QUILAO - LGU TOLOSA	
7.	ANITA ROMANABAN	IMORDA	
8.	Debrae Limpiano		
9.	ANU MARGARET B. LERROS	BRGY. POBLACION	
10.	JANDEL M. PICA	LGU-TOLOSA	
11.	Manny Macfley	SB OFFICE	
12.	Ildebrando C FOR	BRGY. QUILAO	
13.	Cecille Tingson	BRGY. BRIGIDA	
14.	E. ZAPATA JR.	SP.	
15.	BARMOGA, KENNETH J.	BRGY. OLOT	
16.	RITCHIE PUNDAVELA	Brgy Poblacion	
17.	Rodolfo Dumaguít	Rodolfo Dumaguít	
18.	GOILLERMO BALIÑA	OPONG	

19.	REYNALDO C. ADUNCULA	TELEGRATO	
20.	BONIFACIO A. ZETA	QUILAB	
21.	LITO BARRALO		
22.	IGNACIO SERVANA	QUILAB	
23.	CARLO ABAL	MALBOG	 CABAL
24.	FREDDIE C. REYNERA	TELEGRATO	
25.	ROLANDO S. ARZOSIBA	TANGHAS	
26.	MYLENE TIOZON		
27.	Lenin Achil		
28.	Teresita Obarratiguo	Emelda	
29.	LITO CERENA	TELEGRATO	
30.	Lolita C. Serrana	BRIGIDA	
31.	Mellnda A. Vargas	Doña Brigida	
32.	NUMERIANO K. NOVA JR.	POPULACION	
33.	JAY-R E. UNTALASCO	TELEGRATO	
34.	Lyn Suzanne A. Acerdin	Malbog	
35.	Margan Joy O. Rom	Brigida	
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Republic of the Philippines
Province of Leyte
 Municipality of Tolosa



Office of the Sangguniang Bayan

MINUTES OF THE 33RD REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE SESSION HALL, ON MARCH 17, 2017 AT 9:00 A.M.

PRESENT:

Hon. Rodolfo B. Legaspi	-	-	Municipal Vice-Mayor/Presiding Officer
Hon. Manny R. Martinez	-	-	Sangguniang Bayan Member
Hon. Menardo M. Mate	-	-	Sangguniang Bayan Member
Hon. Felicito G. Beltran	-	-	Sangguniang Bayan Member
Hon. Rexinor A. Verecio	-	-	Sangguniang Bayan Member
Hon. Pilar Remandaban-Bueno	-	-	Sangguniang Bayan Member
Hon. Elizabeth S. Eracho	-	-	Sangguniang Bayan Member
Hon. Virgilio A. Flores	-	-	Sangguniang Bayan Member

ABSENT:

Hon. Belen P. Tacoy	-	-	Sangguniang Bayan Member
Hon. Godofredo V. Cinco	-	-	SB Member/ABC President (OB)

RESOLUTION NO. 03-18-2017

RESOLUTION ADOPTING ORDINANCE NO. 3, SERIES OF 2017 – AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE

WHEREAS, the Sangguniang Bayan of Tolosa, Leyte in session assembled is hereby adopting Ordinance No. 3, S. 2017, An Ordinance Enacting A New Market Code of the Municipality of Tolosa, Province of Leyte;

WHEREFORE, on motion of Hon. Menardo M. Mate, and duly seconded unanimously, be it;

RESOLVED, as it is hereby resolved, to enact An Ordinance Enacting A New Market Code of the Municipality of Tolosa, Province of Leyte;

ORDINANCE NO. 03
 Series of 2017

AN ORDINANCE ENACTING A NEW MARKET CODE OF THE MUNICIPALITY OF TOLOSA, PROVINCE OF LEYTE

BE IT ORDAINED by the Sangguniang Bayan of Tolosa, Leyte That:

TITLE 1. GENERAL PROVISIONS

Section 1. This Ordinance shall be known as THE NEW TOLOSA MARKET CODE OF 2017

Section 2. COVERAGE.

- a. Provisions of this code shall govern the Establishment, Classification, Administration & Operation of the New Tolosa Public Market and the imposition, collection of market rental fees for occupancy thereof.
- b. To establish a self-reliant & viable eco enterprise, through the operation of the public market equipped with facilities for the services of the buying public.

Section 3. Definition of Terms. Whenever used in this code, the following terms shall mean:

- a. Ambulant/transient or Itinerant – are those vendors who sell their merchandise by moving from one place to another and not occupying a permanent stall or space in the public market.
- b. Bagsakan – refers to an open area, which serves as a service landing area for goods in bulks delivered by suppliers, producers and wholesalers.
- c. Board – refers to Tolosa Public Market Board.
- d. Booth – refers to two or more stalls enclosed for selling of merchandise or offering services to the public.
- e. Carrier or Kargadors – refers to a person who for fee carries goods or merchandise from one place to another for the convenience of the vendors and customers.
- f. Charge – a pecuniary liability imposed against property or person/s in a form of rent or fee.
- g. Cereals – refers to rice, corn and other marketable and consumable grains.
- h. Cold storage – refers to a place or piece of equipment where perishable goods are preserved and stored.
- i. Dealer – means ones whose business is to buy and sell merchandise, goods and chattels as a merchant.
- j. Dry Goods – refers to all kinds of textiles, ready to wear (RTW, apparels, toiletries, novelties, laces, shoes, kitchen wares, utensils and other household articles, handbags and supplies of the same nature.
- k. Extension Area – an area utilized by the stall/ space holder for the display of their goods or service to its customer beyond the original space covered by the lease.
- l. Lease – refers to a written agreement through which the municipality of Tolosa conveys possession and occupancy for a specific period and rental of stalls or space.
- m. Lessee – refers to a person having in his/her possession a duly executed contract of lease for specified rental, granted in his/her favor by the municipality of Tolosa, Leyte.
- n. Lessor – refers to the Municipality of Tolosa or its authorized representative who transfer, conveys and assigns the temporary possession and occupancy of stalls/space or any portion thereof for a specified rental/fee and period by an agreement or lease of contract.
- o. License of Permit – refers to a privilege or permission granted in accordance with the law or ordinance by an authority to engage in business, occupation or transactions.
- p. Market Premises – any space in the market compound not covered by the market buildings.
- q. Market sections – refers to classified stalls and spaces selling goods or offering services in same nature in a specified area.
- r. Market stalls – refers to any specified and assigned area or booth in the public market where merchandize are sold or offered.
- s. Public Market – refers to any space, building or structure of any kind owned and operated by Local Government of Tolosa, constructed/ repaired/rehabilitated for the purpose of providing space/ stalls where goods and services maybe sold or offered.
- t. Peddler – refers to a person who, either for himself or on commission travels from one place to another in order to sell his goods.
- u. Rental Fee – means a charge fixed by law.
- v. Stallholder – refers to those granted the permission or privilege to occupy a stall/booth used to display goods or offer services.
- w. Support facilities – refers to service areas provided, to support operations of the market including the Bagsakan, waste collection station, slaughterhouse, Comfort rooms.....
- x. Vendors – person who sells goods, commodities and foodstuffs.

TITLE 2 – THE TOLOSA PUBLIC MARKET BOARD

Section 4. Creation – for the attainment of the objectives enunciated by this code, a body is hereby created which shall henceforth be known as the Tolosa Public Market Board.

Section 5. Composition – the board shall be composed of the following:

MAYOR
VICE MAYOR
SB CHAIR COMMITTEE on MARKET & SLAUGHTERHOUSE
MUNICIPAL TREASURER
SB COMMITTEE on WAYS and MEANS
MARKET ADMINISTRATOR
MPDO
MEO

CHAIRMAN
VICE CHAIRMAN
MEMBER
MEMBER
MEMBER
MEMBER
MEMBER
MEMBER

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PRESIDENT of MARKET VENDORS ASSOCIATION
ABC PRESIDENT
SANITARY HEALTH OFFICER

MEMBER
MEMBER
MEMBER

Section 6. Powers and Functions.

- a. Conduct drawing of lots in connection with the adjudication of vacant or newly constructed stalls or booth in the New Tolosa Public Market and award stalls to qualified applicants.
- b. Formulate policies, rules and regulations for market operations and administration
- c. Conduct periodic review of municipal market operations.
- d. Determine and fix market rates and fees at levels in order to render market operations economically viable and self-reliant.
- e. Hear and settle grievances arising out of market operations and administration.

Section 7. Term of Office – All members of the Tolosa Public Market Board shall hold office for the duration of the terms of the office to which they are appointed or elected. In case of The SB Representatives, they shall hold office for as long as they are still the chairperson of the respective SB Committee.

Section 7A. Term of Office - of the President of the Vendors association shall hold office for a 2 term 2 years only once re-elected.

Section 8. Meetings – The Tolosa Public Market Board shall have its regular meeting every first _____ of the month, however the Chairman/Mayor may call a special meeting anytime for the purpose of taking up important or urgent matters upon request from any of its members.

Section 9. Excerpts of the Meeting. Results of the proceeding in every meeting must be fully documented and a copy shall be furnished to every member within 7 working days after each meeting held.

**TITLE 3. SUPERVISION, ADMINISTRATION and ENFORCEMENT
of the RULES and REGULATION.**

Section 10. General Supervision and Control – The Municipal Mayor shall exercise general supervision, administration & control over the operations of Public Markets and the personnel compliment assigned therewith, including those whose duties concern the maintenance, upkeep of sanitation and peace and order in the market premises in accordance with the laws, rules and regulations of Tolosa Public Market Code.

Section 11. Collection of Fees and Charges. - It shall be the duty of the Municipal Treasurer or his/her authorized collection officer to collect fees and charges relevant to the provisions of the Market Code of 2017.

Section 12. Immediate and Direct Supervision – There shall be Market Administrator, who shall exercise all immediate and direct supervision and control over the operation of the public market and shall enforce all ordinances and regulations in all matters relative to the operations of the public market.

Section 13. Duties and Functions. – The Market Administrator shall:

- a. Implement and execute the plans and policies of the Board, in the operation of the public market, concerning sanitation, cleanliness, security and order with in the market premises.
- b. Supervise and evaluate the activities and performance of the market personnel, investigate all complains relative thereto, recommend to the Municipal Mayor for proper actions to be taken.
- c. Supervise, evaluate and administer market properties, including the acquisition, maintenance, utilization and disposal.
- d. Coordinate with the Municipal Treasurer on matters of collection and imposition of fees and charges.
- e. Recommend to the Public Market Board any matters necessary that shall make the market operations effective and efficient.
- f. Render monthly report to the Market Board

TITLE 4. MARKET RULES AND REGULATIONS

Section 14. Enforcement of Rules and Regulations – the Municipal Mayor through the Market Administrator with the cooperation of the Municipal Treasurer shall have the authority to implement and enforce the Public Market Code of 2017.

Section 15. These Market Rules and regulation shall apply to all market personnel/employees, market vendors and the general public who engaged business within the New Tolosa Public Market.

Section 16. Business Permit Regulations. No entity shall be allowed to engage business within the premises of the New Public Market without securing permits and other mandatory requirements.

Section 17. All market vendors engaged in food handling must secure a Sanitary and Health permit every 6 months, likewise food servers are required to secure Health certificate.

Section 18. Prohibited acts by market vendors in the conduct of business:

- a. Selling of goods/commodities not in the designated area.
- b. Unauthorized extensions of space beyond the leased area and or utilizing pathways for display of goods.
- c. Short weighing and false measurement including tampering of weights and measuring scales.
- d. Bringing in motorcycles, bicycles, pushcarts inside the market building.
- e. Utilizing stall or market spaces as residence or living quarters.
- f. Littering and vandalism
- g. Improper use of comfort rooms, laundry washing and dish washing inside the toilet.
- h. Selling or transferring of privilege of leased stalls and spaces, allowing another person to take over his her leased space.
- i. Selling of illegal items/product and prohibited drugs.
- j. Selling of any kind of Firecrackers.

Section 19. Obligations, Duties and responsibilities of the Market Vendors:

- a. To secure permits and renew upon expiration.
- b. To pay promptly without demand his/her dues and other fees.
- c. To conveniently framed or hung proprietor's picture, permits inside the stall.
- d. To keep stalls/space in good sanitary condition at all times, must have a garbage can or receptacle with in his/her leased stall.
- e. To present and have their weighing scales calibrated and sealed at the Municipal Treasurers Office.
- f. To pay dues, surcharges, fine and penalties accrued thereto.
- g. To secure a fire extinguisher upon order of the BFP if necessary.

Section 20. Sanctions, Penalties for Violation – violations committed on any of these market rules and regulation and other existing laws and ordinance in relation the Public Market operations shall be dealt with In accordance with the following:

- | | |
|-------------------|--|
| 1. First Offense | A fine of ₱ 1,000.00 or one (1) hour community service. |
| 2. Second Offense | A fine of ₱ 1,500.00 and undergo seminar |
| 3. Third Offense | A fine of ₱ 2,000.00 and suspension of business permit and termination of Lease Agreement. |

Section 21. Wearing of Uniform and Identification Card. – all market personnel shall wear uniform and identification card.

Section 22. Recognition of Kargadors or carriers. – The recognition of the Kargadors/Carriers in the public market is for the convenience of the vendors and consumers alike is given importance in the New Tolosa Public Market operations. Carriers or Kargadors must secure a Registration Certificate and Identification Card, shall be provided through the Market Administrator upon paying a minimal fee of P 30.00 (thirty pesos) to cover the expense of ID card and Certificate. ID's must be worn while working as carrier/kargador, he must be a resident of Tolosa, Leyte, has not been convicted of any crime, must be 18 years of age.

Section 23. Special Provision – Market rules and Regulation shall be supple only to laws, rules and regulations, ordinances, resolutions and memorandum which govern the operations of the Tolosa Public Market.

TITLE 5 – Stall Adjudication

Section 24. Vacancy of Stalls, Booths and Vacant spaces of the newly constructed market building and other structure owned by the Municipality of Tolosa, shall be adjudicated to qualified applicants in the following manner.

NOTICE

- a. Notice of vacancy of vacant stalls, booth or space shall be posted for period of not less than TEN (10) days prior to the date of awarding to qualified applicants. Notice shall be posted conspicuously at the vacant Stall/Booth at the Market bulletin Board and at the Municipal Building. It shall be written in a thick paper or any suitable material and shall be in the following form:

FORM N

Notice is hereby given, that Stall/Booth No. _____ of the New Tolosa Public Market, located at Brgy. Imekda, National Highway cor. San Miguel St. Tolosa, Leyte, is vacant or will be vacated on _____ 20____. Any person, 21 years of age, Filipino Citizen, a Resident of the Municipality of _____, who is not legally incapacitated, desiring to Lease a Stall/Booth or Space, shall file an application therefore in the form prescribed by the New Market Code, copies may be obtained at the Municipal Treasurers Office or at the Market Administrator Office. In case there are more than one applicant, the awarding of stall/booth shall be done by drawing of lots/bidding to be held on _____, 20____. Time: _____, at _____, to be conducted by the Public Market board. The Stall is located at the _____ section and intended for _____.

MARKET ADMINISTRATOR

- b. The Application shall be under oath to be submitted by the applicant or his/her authorized representative in the following subscribed form.

FORM L

APPLICATION TO LEASE

Date:

The Hon. Municipal Mayor
Tolosa, Leyte

Sir/Madam:

I hereby apply under the following contract for the Lease of Stall/s or Booth No. _____, located at the _____, Tolosa, Leyte. I am _____ year's old, Filipino citizen, residing at _____, _____, Tolosa, Leyte. Should the above stated Stall be leased to me in accordance with new Market Rule and Regulations and other laws as provided for under the New Market Code 2016, I promise to hold the same under the following conditions:

1. That while I am leasing or occupying the Stall/Booth or Tienda, I shall at all times post my picture, permits and other necessary documents posted in a conspicuously place in the Stall.
2. I shall keep the area at all times in good sanitary condition and comply the Market Rules and Regulations and may hereafter be promulgated.
3. I shall pay the corresponding monthly rental in a manner prescribed by the Market Rules and Regulations.
4. I shall renew my business permits, pay business tax and other corresponding fees as prescribed law and ordinance in relation to market operations.
5. The business to be conducted in this stall/s shall exclusively belong to me and may only sell goods & commodities or render services as authorized per sectioning.
6. In case I will hire helpers, I shall personally conduct my business and be present at all times and promptly notify the market authority my absences, giving reason or reasons therefore.

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7. I shall not sell or transfer my privilege to the stalls, booth or tienda or otherwise allow another person to conduct business therein.
8. Any violations on my part or on the part of my helpers of the foregoing conditions shall be sufficient cause to penalize or cancel the lease contract.

Very Respectfully,

Date: _____

I, _____ do hereby state that I am the person who signed the foregoing application, that I have read the same, that the contents stated above are true and correct to the best of my knowledge.

Applicant

TIN NO. _____

SUBSCRIBED AND SWORN to before me at the Municipality of Tolosa, Leyte, Philippines this ___ day of _____, 20___. Applicant-affiant exhibiting to me his/her Residence Certificate No. _____ issued on _____ at _____, Philippines.

Signature and Title

Section 25. Vacancy of Stall Before the Expiration of Lease – Should for any reason, stall holder or Lessee discontinue before the expiration of his/her lease, such shall be considered vacant and its occupancy thereafter shall be adjudicated in the manner herein prescribed.

Section 26. Lease Contract Agreement – For every stall awarded the successful applicants must sign a Contract of Lease and observe the terms and conditions of the code. Documentation shall be at the expense of the lessee. The contract shall be in the following form.

FORM CL

CONTRACT OF LEASE

KNOWN ALL MEN BY THESE PRESENTS:

This Contract of Lease made and entered into by and between:

The Municipality of Tolosa, represented by the Municipal Mayor and in his behalf as Chairman of the Tolosa Market Board herein after referred to as LESSOR and _____ of legal age, Filipino, Single/Married/widow, resident of _____ Philippines, hereinafter referred to as the LESSEE;

WITNESSETH:

The Municipality of Tolosa, Leyte is the owner of the New Tolosa Public Market. That for in consideration of the agreement stipulated, herein named LESSOR do hereby lease unto the LESSEE, a space/stall, booth or tienda at the _____ section.

That under the New Market Code of Tolosa, duly enacted by the Sangguniang Bayan and approved by the Municipal Mayor has awarded to him/her through the Tolosa Market Board by way of raffle/bidding conducted for the purpose, Stall No. ____, subject to the following terms and conditions:

1. That the term of the Lease shall be for one (1) year, or maybe less, from the date of execution to December 31st of the current year, renewable at the option of both parties for the same period.

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Section 30. Idle or Inactive stalls - any space that shall be idle for one (1) month for whatever reason shall be declared abandoned or vacant and shall be subject for bidding and awarded to qualified applicant.

Section 31. The municipality shall not be held responsible for any loss or damage, which stall holders may incur by reason of fire, theft or force majeure.

Section 32. It shall be the duty of the Market Administrator to exercise utmost vigilance and care to prevent any loss in the municipal market. He/she shall have the authority to apprehend and turn over to the Police any person caught stealing or committing any offense and file appropriate legal actions.

Section 33. Extension of Stall Spaces - There shall be no extension of stall spaces other than those already covered by plans previously approved by the Board. However, areas utilized as extension for the display of the stallholders goods that do not obstruct the flow of traffic or the passage of the buying public may be allowed, provided that stallholder be charged double the rates based on a per square meter daily rate basis imposed on the area concerned in addition to the monthly rentals already imposed on the stalls where the extension was made. Extensions that obstruct the free passage of the buying public shall be removed. The market administrator must see to it that appropriate boundary markings shall be made to monitor and effectively implement the extension of stall charging.

TITLE 6. COLLECTION, ASSESSMENT AND PAYMENT OF STALL RENTALS AND MARKET FEES

Section 34. Direct and Immediate Supervision on Collections. - The Market Administrator or Market Collector shall exercise direct and immediate supervision, administration and control over the collection of all market fees as authorized by law (New Tolosa Public Market Code).

Section 35. Manner of Payment and Assessment of Rental Dues. - Rental dues shall be assessed in a daily basis regardless of the manner and term of payment. The Stallholder may pay their rent obligation on a daily, weekly or monthly basis at the option of the lessor.

Section 36. Imposition of Penalty and Interest. - Overdue or delinquent account on market stall rentals are hereby imposed a 25% penalty plus 2% monthly interest.

TITLE 7. OCCUPANCY PRIVILEGE and FEE

Section 37. Stall/Space occupants of the defunct Tolosa Public Market shall by way of raffle/drawing of lots be afforded first priority to occupy stall in the New Tolosa Public Market assigned in proper section by the LGU without need of participating in the bidding process. However, he/she shall pay a fixed Occupancy Fee herein prescribed before the stall is awarded to him/her. He/she is likewise obliged to pay the stall rental also provided herein. Previous delinquencies must also be paid. These occupants are not entitled to the Incentive as provided in the preceding Section. But must surrender also their stall once they cease to operate business. Otherwise, penalty herein provided shall be imposed upon them.

Section 38. The Fixed Occupancy Privilege Fee and Rentals. The OCCUPANCY AND RENTAL FEE for stalls of the New Tolosa Public Market and the vacant stalls/space of the New Tolosa Civic Center are as follows:

PUBLIC MARKET	OCCUPANCY FEE	RENTAL
A. GROUND FLOOR - Booth/Tiendas (fish/meat-chicken) Booth/Tienda No. ___-___	Php 3,000.00	600.00/mo.
B. GROUND FLOOR - Stalls ___-___	Php 6,000.00	1,300.00/mo.
C. SECOND FLOOR - Stall ___-___	Php 6,000.00	2,000.00/mo.
D. OPEN SPACE (within the Market bldg.) kikiam, potato corner, Hotdog/ waffles stands and likes] FRUIT/VEGETABLES STALLS	Php 2,500.00 Php 3,000.00	100.00/sq.mt (not to exceed 4 sq.mts) 600.00/mo.

Section 38A. Vacant Space outside the New Market building – rentals and fees shall be determined by the Market Board.

Section 39. ROOF TOP – rentals/usage and rates shall be determined by the Market Board upon concurrence of the Sangguniang Bayan approved by the Municipal Mayor.

Section 40. Basketball Court and Space rentals.

CIVIC CENTER		OCCUPANCY FEE	RENTAL
A. STALLS G1 to G4 (location: N. VIVERO ST.)		Php 2,000.00	600.00/mo.
B. STALL G5		Php 2,000.00	600.00/mo.
Basketball Court		Rentals Day Time (fixed)	Night Time
a. First two (2) hours		Php 400.00	700.00
b. Extension rate per hour		Php 200.00	300.00
c. Tournaments		Php 2,000.00	3,000.00
2nd Floor			Rental per day
a. VIP lounge stage (air conditioned)			Php 1,200.00
b. Balcony (entrance)			Php 1,000.00

Section 40A. Vendors who acquired Stall/Tienda or Space and paid the corresponding occupancy fee who for one valid reason or another cease to operate his/her business shall surrender his/her stall to the LGU and upon presentation of documents, qualifies him/her a REFUND a portion of his occupancy fee as herein provided under the Refund Scheme.

Section 40B. Refund Scheme shall be in a following manner:

<No. of Years in Operation>	
1 – 2 years in operation	90%
3 – 5 years in operation	80%
6 – 8 years in operation	70%
9 years onwards	50%

Section 40C. Business operators/stallholders who have availed of the refund incentive shall not be allowed to participate in any future bidding/acquisition for the occupancy of market stalls.

Section 41. Other Provisions.

- a.) Occupancy of stall shall strictly observe market rules and regulations specially payment of previous delinquency/ies otherwise, his/her privilege over the stall shall be forfeited and a penalty is imposed upon them.
- b.) Awarding of stalls to dislocated occupants of the burnt public market is limited only to one stall per awardee. Should he/she wish to acquire one more space/stall he/she may participate in the open bid and abide with the pertinent rules and regulations.
- c.) Tenants can avail a rebate of 10 % on monthly rental if paid before the due date.

Section 42. Market Sections – for purposes of this Article, the New Public Market of the Municipality of Tolosa shall be divided into the following sections:

GROUND FLOOR

1. Fish –
2. Meat/chicken
3. Dried Fish
4. Fruit & Vegetable
5. Rice Dealer
6. Hardware
7. Groceries
8. Gen. Merchandize
9. Meat Shop
10. Drug Store
11. Bakery
12. Agrivets
13. Electronic Shop

2ND FLOOR

- Eatery/Café Bars
- Amusement/Recreational
- Computer shop
- Textiles/Okay-Okay
- Flower Shops
- Salon
- RTW

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- a) Dry goods section- refers to the area where dry goods like footwear's textiles, kitchen utensils, checherias, glassware, native products and school bags shall be sold.
- b) Eatery section – refers to the area where carenderia, refreshment parlor, restaurant, cafeteria, panceteria, and other cooked and prepared foods shall be sold.
- c) Rice and corn section-refers to the area where rice, corn, feeds, hogmash, and other cereal shall be sold.
- d) Groceries section- refers to the area where bakery products, canned goods, flour, onions, garlics, pasta products, all kinds of cereals, preserved foods, and other household products shall be sold.
- e) Fish section- refers to the area where fresh fish, seaweeds, or other marine product shall be sold.
- f) Meat section- refers to the area where dressed chicken, pork, beef meat and all kinds of meat, properly inspected by the meat inspector shall be sold.
- g) Dried and salted fish - refers to the area where dried and salted fish shall be sold.
- h) Vegetables section- refers to the area where leafy and fruit vegetables shall be sold.
- i) Fruit section- refers to the area where all kinds of fruit shall be sold.
- j) Flower shop section- refers to the area where fresh flowers and other artificial flowers shall be sold.
- k) Miscellaneous section- refers to the areas where not classified business are allowed to display their

Section 42A. Declaration of Stalls, Tiendas-Booths:

GROUND FLOOR

- a. GS1 – Office of the Market personnel/ LGU product showcase.
- b. GS2 – GS3 Bakery
- c. GS4 – GS8 Groceries
- d. GS9 – GS10 Hardware's
- e. GS11 – GS12 Agrivets
- f. GS13 – GS14 Rice retailers/dealers
- g. GS15 – GS16 Gen. Merchandise
- h. GS17 – GS18 Drug Stores
- i. GS19 – GS20 Gen. Merchandise
- j. GS21 – GS25 Gen.Merchandise (sari-sari store)
- k. GS26 – GS27 Vegetables/Gen. Merchandise/Grocery goods
- l. GS28 – Dried Fish/ Cured Marine products
- m. GS29- GS30 Meat Shops
- n. FISH STALLS – Tables 1 – 10
- o. MEAT STALL – Tables 11 – 18
- p. FRUITS & VEGETABLES (annex bldg.) FV1 – FV8

2ND FLOOR

- a. 201 – AMUSEMENT/recreational parlor
- b. 202 – SALON
- c. 203 – DRY GOODS
- d. 204 – BUSSINESS CENTER/ DTI NEGOSYO CENTER
- e. 205 – DRY GOODS
- f. 206 – EATERY /SNACK BAR
- g. 207 – MINI THEATER/ MOVIE HOUSE
- h. 208 – 209 EATERY
- i. 210 – KTV BAR
- j. 211 – COMPUTER/INTERNET SHOP
- k. 212 - DRY GOODS
- l. 213 - DRY GOODS
- m. 214 - JEWELRIES STORE
- n. 215 - DRY GOODS / school supplies
- o. 216 - DRY GOODS/ RTW

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Section 43. Excess and Underpayment Stall Rentals. – Stall rental fees paid by the Stallholders in excess of what is imposed in this ordinance shall be credited and fully applied against future rental obligation and underpayment as a result thereof shall be considered deficiencies and shall be collected without penalty and interest.

Section 44. Toilet Fee – To regulate the sanitation and use of market comfort rooms, there is hereby imposed a fee of PhP5.00 for the use of the facility.

Section 45. Transient Vendors and Rolling Business – Transient vendors and roving salesmen shall not be allowed to do business in the public market unless they have secured first a Mayor's Permit Fee of P 100.00. The mayor's permit for transient vendors and salesmen shall be renewable on or before January 20th of each year.

Section 46. Fees for Calibration, Sealing and Licensing of Weights and Measures Every person before using instruments of weights and measures within this municipality shall first have them sealed and licensed annually and pay therefore to the Municipal Treasurer the following fees: (refer to New Revenue Code 2016)

TITLE 8. MEAT FOR PUBLIC CONSUMPTION AND REGULATION

Section 47. Food Borne Animals. – These are group of animals (livestock and poultry products) generally accepted for use as human food. Such animals include and are limited to the following:

- a.) Cattle;
- b.) Carabao/Buffalo;
- c.) Horse;
- d.) Goat/Sheep/Deer;
- e.) Hog; and
- f.) Poultry products such as Chicken, Turkey, Geese, Guinea, Fowl, Ducks and Quail

Section 48. Non-Food Animals. – The following are not generally accepted and recognized by law as human food and their sale prohibited:

- a.) Dogs;
- b.) Cats;
- c.) Monkeys;
- d.) Crocodiles/lizards;
- e.) Kangaroos; and
- f.) Rats/Bats/Snakes

Section 49. Confiscation and Disposition of Hot Meat and/or Illegally slaughtered Food Animals/Non-Food Animals. – Any and all hot meat or illegally slaughtered food/non-food animals sold and distributed within the territorial jurisdiction of Tolosa, Leyte shall be confiscated and forfeited in favor or the Municipal Government which shall in appropriate cases, be used as evidence in prosecuting any violation of this ordinance. Any hot meat or illegally slaughtered food animals found to be fit for human consumption by the Municipal Veterinary Officer shall be, at the discretion of the Municipality, be sold for public consumption or donated immediately to orphanage, rehabilitation center/correctional institution or similar situation. Unfit meat and products and other non-food animals shall be condemned /disposed by the Municipal Veterinary Officer. A certificate of acknowledgement from these institution who accepted donated meat shall be submitted by Municipal Veterinary Officer to the Municipal Mayor's Office. Owner of the confiscated meat shall be furnished of this certificate. (in the absence of a Municipal Veterinary the Sanitary office shall act as Municipal Vet)

Section 50. Accreditation of Private Abattoirs –The Municipal Mayor may, upon a resolution of the Sangguniang Bayan of the Municipality, acting on the recommendation of the Municipal Veterinary/Sanitary Officer accredit any private abattoir within its territorial jurisdiction but only for lechon suppliers and meat processors.

Any and all accredited private abattoirs shall be provided with Municipal Meat Inspectors; which the owner/operator will provide with a suitable place within the abattoir for easy, convenient and prompt meat inspection of the slaughtered animals. Slaughterhouse for lechon suppliers and meat processors with corresponding business permits and with facilities and operational procedures of minimum adequacy shall be allowed to apply for accreditation yearly; Periodic evaluation every 6 months by the Municipal Veterinary Officer shall be required and such facilities and operational procedures shall be sanitarily maintained. Failure to meet sanitary standard shall cause the cancellation of permit/accreditation. There shall be imposed and

collected and annual accreditation fee in the amount of ₱3,000.00 for any and all private slaughterhouse for meat processors operating within the territorial jurisdiction of the Municipality of Tolosa, Leyte. An inspection fee in the amount of P35.00 shall also be imposed for any and all hogs slaughtered in private slaughterhouse for lechon and meat processors.

Section 51. Registration and Licensing/Accreditation. - All meats handlers, butchers, meat vendors, meat dealers, meat processors and meat stall/shop operation who are involved in the orderly, safe and hygiene handling of meat and meat products shall be required yearly to register and apply for license/accreditation annually not later than January 20 of every year and thereafter. There shall be an annual fee for registration, licensing/accreditation for the following classification at the rates prescribed as follows:

1)	Meathandlers/cutters/butchers/h elpers/vendors	P100.00	P 50.00
2)	Meat Stallholders (Public Market)	150.00	100.00
3)	Meat Shop Operator (Outside Public Market)	200.00	150.00
4)	Meat dealers/Suppliers	150.00	200.00
5)	Meat by-Product Processors	150.00	200.00

Section 52. Qualification and Requirements for Registration and Licensing/Accreditation. - Any person applying for a license as meat handler, butcher, meat vendor, meat dealer, meat processor, meat stall/shop operated or helper must possess the following qualifications:

- a.) He must be not less than 18 years old.
- b.) He must be free from tuberculosis and/or highly communicable deceases and a certificate from Municipal Health Office shall be secured prior to the filing of the application.
- c.) He must secure a police clearance prior to his application.
- d.) Meat dealer, meat stall/shop operators operating within the territorial jurisdiction of Municipality of Tolosa, Leyte, shall secure business permit prior to his/her application for licensing/accreditation.

Section 53. Slaughter Fees. - Subject to the provisions enunciated herein, there shall be collected for every head of animal slaughtered for human consumption the following fees:

	For commercial purposes /head	For house consumption
Carabao	P 50.00	P 25.00
Cow	40.00	25.00
Hogs	20.00	10.00
Goats	10.00	5.00
Sheep/Others	10.00	5.00

Section 54. Permit Fee to Slaughter. - Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the Municipal Veterinarian thru the Municipal Treasurer, and the corresponding fee collected at the rates fixed below: Per head Large Cattle P 10.00 Hogs 5.00 Goats 5.00 Sheep 5.00 Others 5.00

Section 55. Corral Fees. - There shall be collected a corral fee for the animals to be slaughtered, which are to be kept in a corral owned by the Municipality at the rates per day as prescribed below: Large cattle P 5.00/head Hogs 3.00/head Goats 2.50/head Sheep 2.00/head others 2.00/head

TITLE 8. GENERAL AND ADMINISTRATIVE PROVISIONS

Civil Remedies for Collection of Revenues

Section 56. Municipal Government's lien. -Municipal taxes, fees, charges and other revenue constitute a lien, superior to all liens, charges or encumbrances, in favor of any person, enforceable by appropriate administrative or judicial action, not only upon any property or rights therein which may be subject to the lien but also upon property used in business, occupation, practice of profession or calling, or exercise of privilege with respect to which the liens is imposed. The lien may only be extinguished upon full payment of the delinquent taxes, fees and charges including related surcharges and interest.

GENERAL PENAL PROVISIONS

FINAL PROVISIONS

Section 57. Separability Clause - If, for any reason, any provision, section or part of this Code is declared not valid by a court of competent jurisdiction, such judgement shall not affect nor impair the remaining provisions, sections, or parts which shall continue to be enforce and effect.

Section 58. Repealing Clause - All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Code are hereby repealed or modified accordingly.

Section 59. Mandatory Increase. A Ten percent (10 %) increase shall be imposed on all stalls/booth every 5 years.

Section 60. Mandatory Review. A review shall be done every 4 years upon approval of this Code.

Section 61. Effectivity - This Code shall take effect upon approval.

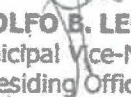
ENACTED: MARCH 17, 2017

THIS MUNICIPAL MARKET ORDINANCE WAS UNANIMOUSLY APPROVED.

Certified Correct:


CONSUELO R. LUMBRE
Sangguniang Bayan Secretary

ATTESTED:


RODOLFO B. LEGASPI
Municipal Vice-Mayor
(Presiding Officer)


HON. MANNY R. MARTINEZ
Sangguniang Bayan Member

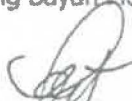

HON. MENARDO M. MATE
Sangguniang Bayan Member


HON. REXINOR A. VERECIO
Sangguniang Bayan Member


HON. ELIZABETH S. ERACHO
Sangguniang Bayan Member

(OB)
HON. GODOFREDO V. CINCO
SB Member/ABC President

(Absent)
HON. BELEN P. TACOY
Sangguniang Bayan Member


HON. FELICITO G. BELTRAN
Sangguniang Bayan Member


HON. PILAR REMANDABAN-BUENO
Sangguniang Bayan Member


HON. VIRGILIO A. FLORES
Sangguniang Bayan Member

APPROVED:


HON. ERWIN C. OCAÑA
Municipal Mayor