



Republic of the Philippines
Province of Bohol
Municipality of Jagna
THE 5TH SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 13-11-2004

**AN ORDINANCE ENACTING A MARKET CODE OF
THE MUNICIPALITY OF JAGNA, BOHOL**

Be it ordained by the 5th Sangguniang Bayan of Jagna, Bohol that:

TITLE 1. GENERAL PROVISIONS

Section 1 – Title - This ordinance shall be known as **THE JAGNA MARKET CODE OF 2004**.

Section 2. Coverage.

- a. Provisions of this code shall govern the establishment, classification, administration & operation of Jagna Public Market & the imposition & collection of market rental fees for occupancy thereof.
- b. To establish a self-reliant & viable eco enterprises, through the operation of public markets 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 vendors – are those vendors who sell their merchandise by moving from one place to another and are not occupying a permanent stall or space in the public market.
- b) Bagsakan – refers to an open area, which served as a service landing area for goods in bulks delivered by suppliers and producers for wholesale purposes.
- c) Board – Refers to the Jagna Market Board
- d) Carenderia - refers to any public eating-place, where pre-cooked foods are served and sold.
- e) Cargador/Carrier – refers to any person who for a fee carries goods or merchandise from one place to another for the convenience of vendors and consumers.
- f) Charge – refers to a pecuniary liability imposed against property and persons 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 where perishable goods are stored and preserved.

- i) Dealer –means one whose business is to buy and sell merchandise, goods, and chattels as a merchant. He stands immediately between the producer or manufacturer and the consumer and depends for his profit not upon the labor he bestows upon his commodities but upon the skill and foresight with which he watches the market.
- j) Dry Goods – refers to all kinds of textiles, ready made dresses and apparels, toiletries, novelties, shoes, laces, kitchenwares, utensils and other household articles, handbags and supplies of the same nature.
- k) Extension area – refers to an area utilized by the stall/space holder for the display of their goods or service to its customer beyond the original area covered by the lease.
- l) Lease – refers to a written agreement through which the Municipality of Jagna conveys possession and occupancy for a specified period and for a specified rent of any portion of its market buildings or spaces to another person who binds and accepts the same.
- m) Lessee – refers to a person having in his/her possession a duly executed contract of lease for a specified rental, granted in his/her favor by the Municipality of Jagna.
- n) Lessor – refers to the Municipality of Jagna or its authorized representative who transfers, conveys and assigns the temporary possession and occupancy of any real property or any portion thereof, for specified rental and period by an agreement or contract of lease.
- o) License or permit – refers to a privilege or permission granted in accordance with law or ordinance by a competent authority to engage in some businesses, occupations or transactions.
- p) Market premises – refers to any space in the market compound including the bare ground not covered by market buildings.
- q) Market sections- refers to classified stalls and spaces selling the same nature and kind of goods and services in a specified area.
- r) Market stalls – refers to any specified and assigned area or booth in the public market where merchandises or services are sold or offered.
- s) Public Market – refers to any space, building or structure of any kind owned and/or operated by the Municipality of Jagna, constructed for the purpose of providing space and/or stalls where goods of any kind 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 or agency in the form of money or otherwise for the enjoyment or use of a thing.
- v) Stallholders – refers to those who have been granted the permission or privilege to use a stall or booth, where they can display and sell their goods and pay rentals thereon.

- w) Support facilities – refers to service areas provided, to support operations of the market including the Bagsakan, waste collection station, poultry dressing area, ice and cold storage facilities, warehouse and storage rooms, toilets, parking area, slaughterhouses, trading posts.
- x) Vendor – refers to a person who sells goods, commodities or foodstuff.

TITLE 2 – THE JAGNA 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 Jagna Public Market Board.

Section 5 – Composition – The Board shall be composed of the following:

Municipal Mayor	- Chairman
Municipal Vice Mayor	- Vice Chairman
Market Administrator	- Member
SB Market Committee Chairman	- Member
President of Market Vendors Association	- Member
SB Chairman on Ways and Means	- Member
Municipal Treasurer	- Member
Municipal Planning and Development Officer	- Member
Municipal Engineer	- Member

Section 6. – Power and Functions.

- a) Conduct the drawing of lots and opening of bids in connection with the adjudication of vacant or newly constructed stalls or booth in the Municipal Market and award market stalls to qualified parties.
- b) Formulate policies, rules and regulations for market operations and administration.
- c) Conduct periodic review of municipal market operation.
- 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 Jagna Public Market Board shall hold office for the duration of the terms of the office to which they were elected or appointed. In the case of the SB representatives, they shall hold office for as long as they are still the Chairperson of the respective SB committees, which they head.

Section 8. Meeting. The Jagna Public Market Board shall have its regular meeting every first Wednesday of the month, however the Chairman may call a special meeting anytime for the purpose of taking up specific matters upon request from any of its members.

Section 9. Excerpt of Meetings. Results of proceeding in every meeting must be fully documented and a copy shall be furnished to each member not later than 5 working days after each meeting held.

**TITLE 3. SUPERVISION, ADMINISTRATION & ENFORCEMENT
OF RULES AND REGULATIONS.**

Section 10. General Supervision & Control. The Municipal Mayor shall exercise general supervision, administration and control over the operations of public markets and the personnel complement assigned therewith, including those whose duties concern the maintenance, upkeep of sanitation and the peace and order in the market premises in accordance with laws, rules and regulations of public markets and ordinances pertaining thereto.

Section 11. Immediate and Direct Supervision. There shall be a Market Administrator, who shall exercise immediate and direct supervision and control over the operation of public market and who shall enforce all ordinances and regulations in all matters relative to the operations of the public market.

Section 12. Duties and Functions – The Market Administrator shall:

- a) Implement and execute the plans and policies of the Board, in the operation of the public markets, concerning sanitation, cleanliness, security and order within the market premises.
- b) Supervise and evaluate the activities and performance of his subordinates and investigate all complaints relative thereto and recommend to the Municipal Mayor on proper actions to be taken.
- c) Supervise, evaluate and administer market properties, including the acquisition, maintenance, utilization and disposal thereof.
- d) Coordinate/cooperate with the Municipal Treasurer on matters of collection and imposition of fees and charges.
- e) Recommend to the Municipal Mayor the opening of necessary positions in the public market for effective and efficient delivery of the needed services in its operation.
- f) To render Monthly Report to the Board on the market operations for appropriate action.

TITLE 4. MARKET RULES AND REGULATIONS

Section 13. Enforcement of Rules And Regulations – The Municipal Mayor through the Market Administrator shall have the authority to enforce and implement these market rules and regulations.

Section 14. Coverage. These market rules and regulations shall apply to all employees of the market, market vendors and the general public who do business inside the public market.

Section 15. Business Permit Regulations. No person shall be allowed to engage in any kind of business inside the public market or in the immediate premises thereof, without first securing a business permit. All market vendors engaged in the business of food handling must secure a sanitary permit every six (6) months and a health certificate ID in addition thereto. Food servers hired are also required to secure Health Certificate.

Section 16. Prohibited Acts by market vendors in the conduct of business:

- a. Selling of goods not designated in assigned areas.
- b. Unauthorized making of extensions of stalls beyond leased areas and/or utilizing pathways for display of goods.
- c. Short weighing and false measuring including tampering of standard weights and measures.
- d. Bringing in motorcycles, bicycles, pushcarts and the like inside the market compound.
- e. Utilizing any of the stalls or market spaces as residence or living quarters
- f. Littering, vandalism and improper use of comfort rooms and non-observance and cooperation on cleanliness and orderliness.
- g. Selling or transferring the privilege to lease the stalls or spaces or permitting another person to conduct business therein.
- h. Bringing in of children below 10 years old by market vendors inside the market premises.
- i. Operation of Videoke machines and the like.
- j. Display and selling of illegal products/items.

Section 17. Obligatory Duties and Responsibilities of The Market Vendors.

- a. To have his/her picture and that of his/her helpers conveniently framed and hung up conspicuously in the stall.
- b. To secure business permit and have it renewed upon expiration. The same must be conspicuously displayed at his/her stall for ready inspection.
- c. To keep his/her stall in good sanitary condition at all times, by having a garbage can or receptacle of his/her own.
- d. To pay promptly without demand his/her market dues and other fees at the market Office. In case of his/her failure to do so, pay all fines and penalties accruing thereto.
- e. To present and have their weighing scales calibrated and sealed at the Market Office.

Section 18. Sanctions and Penalties for Violation. – Violations committed on any of these market rules and regulations, not otherwise covered by the existing law and ordinance, rules and regulations shall be dealt with in accordance with the following:

- | | |
|---------------------|--|
| a) First violation | - Fine of PhP1,000.00 |
| b) Second violation | - Fine of PhP1,500.00 |
| c) Third violation | - Fine of PhP2,000.00 plus revocation of permit and termination of lease contract. |

Section 19. Temporary Closure and Monitoring of Violation. - A temporary closure of stall or business shall be summarily made upon non-payment of fines on any and all violations committed, upon due investigation and hearing conducted by the Market Administrator. In case of the revocation of permit or termination of lease, the hearing shall be investigated and heard by the Board.

For the effective monitoring, the Market Administrator shall always keep an updated vendor's conduct record where all violations will be recorded for ready reference.

Section 20. Wearing of Uniforms and Identification Cards – All market personnel shall wear uniforms and identification cards.

Section 21. Recognition of Cargadors or Carrier– The recognition of carriers in the public market for the convenience of vendors and consumers alike is given equal importance in the Jagna market operation. Relative thereto, each carrier must be provided by the Market Administrator with registration certificate and identification card which shall be worn conspicuously while working as carrier, provided that the carrier is a resident of Jagna, Bohol, in good health and has not been convicted of any crime against property.

Section 22. Special Provision –This market rules and regulations shall be supplementary only to laws, rules, and regulations, ordinances, resolutions and memorandum, which govern the operation of public market.

TITLE 5. STALL ADJUDICATION

Section 23. Vacancy of Stall/Booth; Adjudication to Applicant. – Vacant market stalls/booth shall be adjudicated to qualified applicant in the following manner:

- a) Notice of vacancy of vacant stalls shall be made for a period of not less than (10) days immediately preceding the date fixed for their award to qualified applicants. Such notice shall be posted conspicuously on the unoccupied booth stall and the bulletin board of the market. This notice of vacancy shall be written on cardboard, thick paper or any suitable material and shall be in the following form:

NOTICE

Notice is hereby given that Stall/Booth No. ____ of the Jagna Public Market is vacant or will be vacated on _____19____. Any person, 21 years of age or more who is not legally incapacitated, desiring to lease this Stall/Booth, shall file an application therefore on the prescribed form (copies may be obtained from the Office of the Market Administrator) during office hours and before 12:00 o'clock noon of _____, 200____. In case there are more than one applicant, the award of the vacant Stall/Booth shall be determined thru drawing of lots/bidding to be conducted on _____ 200____ at _____ by the Market Board. This Stall/Booth is located in the _____ section and is intended for the sale of _____.

MARKET ADMINISTRATOR

- b) The application shall be under oath and shall be submitted by applicant or through his or her Attorney in following subscribed form:

APPLICATION TO LEASE THE MARKET STALL.

The Honorable Mun. Mayor
Jagna, Bohol

Checked area:

_____ Grocery/Sari Sari	_____ Lechon/Barbecue
_____ Dry Goods	_____ Checherias
_____ Cafeteria	_____ Vegetable spices
_____ Local Beverage/Liquor	_____ Marine Products
_____ Local Delicacies	_____ Dried meat/fish
_____ Fruit & Flowers	_____ Rice /Corn
_____ Audio/Video products	_____ Agri Supplies
_____ Communication products	_____ Others (specify)

I hereby apply under the following contract for the lease of Stall No.(s) _____ in the market. I am ____ years of age, married/single, a citizen of the Philippines and residing at _____. Should the above-mentioned stall be leased to me in accordance with the market rules and regulations, I promise to hold the same under the following conditions:

1. That while I am occupying or leasing this stall(s), I shall at all times have my picture and that of my helpers conveniently framed and hung up conspicuously in the stall.
2. I shall keep the stall(s) at all times in good sanitary condition and comply strictly with all sanitary and market rules and regulations now existing or which may hereafter be promulgated.
3. I shall pay the corresponding rents for the booth(s) or stall(s) in the manner prescribed by existing rules and regulations.
4. The business to be conducted in this stall(s) shall belong exclusively to me and may only sell goods and commodities as authorized per established sectioning as indicated on the above list of my choice.
5. In case I engage helpers, I shall nevertheless and be present at the stall(s) or booth(s), I shall promptly notify the market authorities of my absence, giving my reason or reasons therefore.
6. I shall not sell or transfer my privilege to the stall(s) or booth(s) or otherwise permit another person to conduct business therein.
7. Any violation on my part or on the part of my helpers of the foregoing conditions shall be sufficient cause for the market authorities to cancel the contract.

Very respectfully,

Applicant

Date: _____

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

Applicant

T.I.N. _____

SUBSCRIBED AND SWORN to before me in the Municipality of Jagna, Bohol, Philippines this ____ day of _____, 200__ applicant-affiant exhibiting to me his/her Residence Certificate No. _____ A/B issued on _____ at _____ Philippines.

Official Title

Section 24. Vacancy of Stall Before Expiration of Lease – Should for any reason, stallholder or lessee discontinue his business before his lease of the stall expires, such shall be considered vacant and its occupancy thereafter shall be adjudicated in the manner herein prescribed.

Section 25. Lease Contract Agreement – For every stall awarded, the successful applicant must signed a contract of lease and observe the terms and conditions set forth therein. Documentation shall be at the expense of the lessee. The Contract shall be in the following form:

CONTRACT OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT OF LEASE made and entered into by and between:

The Municipality of Jagna represented by the Municipal Mayor and in his behalf as Chairman of the Jagna Market Board hereinafter 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 Jagna, Bohol is the owner of the Jagna Public Market.

That for and in consideration of the agreement hereinafter stipulated, the herein named LESSOR do hereby lease unto the LESSEE, a space/stall/block at the _____ sector.

That under Ordinance No. _____ duly adopted and approved by the Sangguniang Bayan has awarded to him/her by the Jagna Public Market Board through raffle/bidding conducted for the purpose, 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.
- 2) That the rental of the space/stall/block shall be _____ PESOS per square meter per day payable every day/weekly/monthly. In case rental is payable everyday, said payment shall be made before 5:00 o'clock P.M. If by weekly, payment shall be made every Saturday from 1:00 P.M. to 5:00 o'clock P.M. and subsequent thereto and if on a monthly basis, shall be paid on the 30th of the month following the execution of this contract and thereafter;
- 3) That the selection of the mode of payment shall be determined by the Jagna Public Market Board thru the Market Administrator;
- 4) That all ordinary repair within the premises that may arise in that daily use of the facilities therein shall be for the sole account and expense of the LESSEE without right of reimbursement.
- 5) Before any repair could be done, the LESSEE has to file an application specifying the area to be repaired which shall be indicated in the permit to repair issued by the Mayor thru the Market Administrator;
- 6) That the LESSEE shall use the leased premises exclusively for the business applied for and shall have no right to use the same for dwelling purposes, sleeping quarter, "BODEGA" or storage and the like;
- 7) That the LESSOR and LESSEE hereby agree and covenant to fully comply with the provisions of Ordinance, laws, duress, rules and regulations affecting the operations of the lessee's business/or occupancy in the market;
- 8) That by occupying or leasing said space, the LESSEE shall at all times have his/her picture including his/her helpers conveniently framed and displayed conspicuously in the premises to include the business permit;
- 9) That the LESSEE keep the premises at all times in good sanitary condition and comply strictly with all sanitary market rules and regulations now existing or which may hereinafter be promulgated. Any violation thereof maybe subject to cancellation of the lease contract;

- 10) That the LESSEE shall notify the LESSOR at least thirty (30) days in advance should the former decides to abandon and/or vacate the leased premises and surrender his/her business at the office of the Market Administrator;
- 11) That the LESSEE shall personally conduct his/her business and be present personally at the stall. In case of his/her inability or absence, he/she shall promptly notify the Market Administrator by giving his/her reason thereon;
- 12) That the LESSEE shall pay the corresponding rents and all other fees on time. All overdue account shall be subject to 25% interest plus 2% penalty.
- 13) That the cost of installation of lighting and water facilities shall be at the expense of the LESSEE to include the monthly lighting and water bills;
- 14) That the Lessee shall not sell, sublease or transfer his/her right or privilege to occupy the leased premises or permit another person to conduct business therein; Violation hereof shall be fined PhP2,500.00 and confiscation of the subject stall by the LGU;
- 15) That the lease contract shall be subject to a three (3) months rental deposit which shall be refundable without delay upon surrender and or termination of occupancy which shall answer for any unpaid obligation by the lessee in favor of the lessor. All actions arising from this contract shall be brought and heard by the Jagna Public Market Board;

For adjudication and resolution, any court action shall be filed with the Municipal Circuit Trial Court of Jagna, Bohol. Documentation shall be at the expense of the Lessee.

IN WITNESS WHEREOF, parties have hereunto set their hands this ____ day of _____ 200__ at Jagna, Bohol, Philippines.

MUNICIPALITY OF JAGNA
Lessor

By:

Mayor

CTC No. _____
Issued at _____
On _____, 200__

Lessee

CTC No. _____
Issued at _____
On _____ 200__

SIGNED IN THE PRESENCE OF:

1. _____

2. _____

Republic of the Philippines)
Province of Bohol) S.S.
Municipality of Jagna)

BEFORE ME, Notary Public for and in the Province of Bohol, this ____ day of _____ 200__ personally appeared Exuperio C. Lloren 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

Section 26. Certificate of Award to Successful Applicant of Vacant Market Stall – To authenticate the results of the adjudication of the vacant stall(s), a certificate of award shall be issued to the successful applicant.

The date of the issuance in 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 operation by stallholder begins.

The Certificate of Award shall be issued within 10 days after the drawing of lots/bidding as the case maybe.

The Certificate shall be on the following form:

CERTIFICATE OF AWARD

(on vacant stall/booth lease to successful applicant)

This Certificate is hereby issued to _____, a resident of _____ and a qualified applicant for the lease of stalls no. _____, at the public market by the Jagna Public Market Board conducted last _____ 200__ at the Office of the _____. This stall/booth is located/found in the ___ section and is intended for the sale of _____.

Issued this ____ day of _____ 200__
Jagna, Bohol, Philippines.

Municipal Mayor

Section 27. Stall/Space Vacancy. – A market stall/space is deemed vacant under any of the following condition:

- 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 reason of abandonment of the Lessees, and violations by the Lessee of any of the terms and conditions of the contract of lease, policies, rules and regulations promulgated for their observance.
- c) Death of the Lessee
- d) Voluntary surrender by the Lessee
- e) Physical incapacity of the Lessee to personally administer the stalls.

Section 28. Effect of Death of Lessee/stallholder – Upon the death of the holder of stall/Lessee, the contract of lease covering the stall shall be deemed terminated. However, the surviving spouse, direct heirs and/or estate of the deceased who desire to continue to the lease and business of the deceased may apply and the lease maybe then transferred to the qualified legal heir applicant; provided that the Board be notified within 30 days after the death of the Lessee/Stallholder and upon payment of all necessary rents or fees due at the time of death of the original Lessee by the legal heir applicant.

Section 29. Idle or Inactive Stalls. –Any stall/space that shall be idle for 1 month or 30 consecutive days for whatever reason shall be declared abandoned or vacant and shall be subject to bidding and be awarded to the qualified bidder upon payment of accrued rental dues and other fees;

Section 30. Losses of Stallholders. – The Municipality shall not be responsible for any loss or damage, which stallholders may incur in the municipal market, by reason of fire, theft or robbery or force majeure.

It shall be the duty of the Market Administrator to exercise utmost vigilance and care to prevent any loss in the municipal market. For this purpose, the Market Administrator shall have authority to apprehend and turn-over to the Police any person caught stealing or committing any offense in the public market and file appropriate legal action/complaint for the prosecution of the offender.

Section 31. 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 summarily. The market administrator must see to it that appropriate boundary markings shall be made to monitor and effectively implement the extension of stall charging.

Section 31 (A)- Restaurant section facing the wet market area is allowed a 1.5 meter extension subject to the above rate of rental on extension.

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

Section 32. Direct and Immediate Supervision on Collections. – The Market Administrator shall exercise direct and immediate supervision, administration and control over the collection of all market fees as authorized by this approved ordinance or code.

Section 33. 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 34. 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. INCENTIVE

Section 35. Stall occupants acquiring stalls through the open public bidding 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 to a REFUND of the portion of his winning bid price as herein provided. However, said refund shall be paid out of the proceeds of the rebidding of the same stall being surrendered.

Section 36. The Refund Scheme. The refund shall be on the following scheme:

(NUMBER OF YEARS IN OPERATION)	(PERCENTAGE REFUND)
1 year operation	80% of the winning bid
2 years operation	70% of the winning bid
3 years operation	60% of the winning bid

4 years operation	50% of the winning bid
5 years operation	40% of the winning bid
6 years operation	30% of the winning bid
7 years operation	20% of the winning bid
8 years operation	10% of the winning bid
9 years operation	5% of the winning bid

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

TITLE 8. OCCUPANCY PRIVILEGE and FEE

Section 37. Stall occupants of the burnt Jagna public market shall by way of raffle/drawing of lots be afforded first priority to occupy stall in the new Jagna 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 subject stall is awarded to him/her. He/she is likewise obliged to pay his/her 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 Rental. The occupancy fee for stalls to be awarded to the dislocated stall occupants of the burnt Jagna Public Market and rental fee are as follows:

A) WET MARKET

(STALL)	(OCCUPANCY PRIVILEGE FEE)	(RENTAL FEE)
1. Meat stalls (I-J) 8 stalls	PhP 10,000.00	PhP 4.00/sq. meter/day
2. Meat stalls (G,H,K) 24 stalls	6,000.00	4.00/sq. meter/day
3. Fish stalls (A to F) 60 stalls	5,000.00	4.00/sq. meter/day
4. Dried/salted fish stalls (P to R) 11 stalls	4,000.00	4.00/sq. meter/day
5. Vegetable stalls (L to O) 22 stalls	4,000.00	4.00/sq. meter/day

B) MAIN MARKET BUILDING. The fixed Occupancy Privilege Fee for the stalls at the Main Building shall be at PhP30,000.00

STALL RENTAL FEE at PhP4.00/sq. meter/day.

Section 39. Vacant and other designated stalls for bidding. Remaining stalls after the award to dislocated stall occupants and other designated stalls as herein provided shall be submitted to an open (viva voce) BIDDING, in full cash basis and the STARTING BID PRICE shall be as follows:

1. WET SECTION: (KIND OF STALL/LOCATION) (STARTING PRICE)
 - a) Meat stall PhP8,000.00
 - b) Fish stall PhP5,000.00
 - c) Dried/Salted Fish & Vegetable stalls PhP4,000.00
2. MAIN BUILDING (STARTING PRICE)
 - a) Stalls facing highway (11 stalls) PhP100,000.00; Back thereof PhP30,000.00
 - b) East side (6 stalls) PhP 50,000.00; Back thereof PhP30,000.00
 - c) West side (6 stalls) PhP 50,000.00; Back thereof PhP30,000.00
3. OTHER STALLS – to be determined by the Sanggunian

Section 40. 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.

Section 41. Market Sections – for purposes of this Article, the public market of the Municipality of Jagna shall be divided into the following sections:

WET MARKET

1. Fish – Stall A-F
2. Meat/Chicken -Stall G-K
3. Dried/Salted fish- Stall P-R
4. vegetable- Stall L-0

MAIN BUILDING

1. Dry goods
2. Eatery
3. Rice & Corn
4. Grocery
5. Miscellaneous

- 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, garlicks, 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 goods.

Section 42. 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 43. Toilet Fee – To regulate the sanitation and use of market comfort rooms, there is hereby imposed a fee of PhP1.00 for the use of the facility.

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 from the Office of the Municipal Mayor and after payment of PhP 300.00 at the Office of the Market Administrator. The mayor’s permit for transient vendors and salesmen shall be renewable on or before January 20th of each year.

Section 45. Registration Fee For Carriers – There shall be collected a registration fee of PhP 50.00 per year and renewable on or before January 20th of each year for carriers (Cargadores) duly registered and recognized by the Office of the Market Administrator.

Section 46. Entrance Fee for goods, commodities and other items for sale brought inside the Public Market. –There shall be collected an entrance fee for all goods, commodities and other items for sale inside the public market by transient vendors according to the following schedule:

(a)	Sea Products (Fresh fish)	
	1. Bansikol, Tabudlos, Mangsi, Bangus, Kutob, Barungoy and all other similar fish.	..... P 0.50/kilo
	2. Lapu-Lapu, Tangigi, Kitong, Tolingan, Bariles, and all considered first class fishes.	..... P1.00/kilo
	3.Prawns, Shrimps,Crabs (Alimango), Lambay and all other similar species.	..... P1.00/kilo
	4. Sea shells.	..... P 0.25/kilo
	5. Dried, salted and smoked fish.	..... P 0.50/kilo
(b)	Meat, Beef & Pork	..... P 1.00/kilo
(c)	Vegetable and Spices	..... P 0.25/kilo
(d)	Cereals, rice, corn and etc.	..... P 0.10/kilo
(e)	Animal Feeds.	..... P 0.25/kilo
(f)	Forest product	
	1. Firewood	..... P 0.25/bundle
	2. Charcoal	..... P 0.10/kilo
(g)	Fruits:	
	1.Local	..... P 0.50/kilo
	2. Imported	..... P 5.00/box
(h)	Novelties, Farm Implements, Kitchen utensils, Fashion accessories and similar products	..... P 0.25/kilo
(i)	Egg	..... P 2.00hundred
(j)	Noodle, Tanghon, Powder milk other similar product	..... P 2.00/cartoon
(k)	Edible Oil	..... P 0.25/liter
(l)	Softdrinks	..... P 0.50/case
(m)	Liquors	..... P 1.00/cartoon
(n)	Cigarettes	..... P 0.50/ream
(o)	Tuba, Bahalina and Lambanog	..... P 0.10/gal
(p)	Wheat/Flour	..... P 0.10/kilo
(q)	Sugar	..... P 0.10/kilo
(r)	Iodized salt	..... P 0.10/kilo

(s)	Salt (ordinary)	.....	P 0.20/kilo
(t)	Coconut	.....	P 0.10/piece
(u)	Goat and Sheep meat	.....	P.0.50/kilo
(v)	Dressed Chicken or other fowls	.....	P 0.50/kilo

Section 47. Payment of Entrance Fees and Violation Thereof. - Payment of the entrance shall be payable in advance before any person can sell or offer to sell any commodity or goods within the public market or its premises. Any person, whether transient vendor, supplier or consignee, who brings any commodity or merchandise into the public market or their surrounding premises for sale without first paying the entrance fees herein provided, shall be subjected to a penalty equivalent to 3 times as much as the regular rate of entrance fee on commodities and goods brought into the public market. In case of the non-payment of penalty, commodities or merchandise shall be confiscated in favor of the Municipality of Jagna until payment of the penalty imposed is paid.

An additional of P100.00 is charged to the owner of the commodity if redeemed after 4 hours and P50.00 per hour additional penalty for every hour thereafter from the time it was confiscated. In case of non-redemption within 12 hours the same shall be auctioned and proceeds of the sale be considered as to the income from sale of confiscated goods of the market and any excess of the proceeds from the auction sale shall be turned over in favor of the owner of the auctioned products.

Section 48. 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:

a)	For sealing metric measures of capacity:		
	Not over 1 meter	...	P 10.00
	Over one meter	...	20.00
b)	For sealing metric measures of capacity:		
	Not over ten liters	...	10.00
	Over 10 liters	...	20.00
c)	For sealing metric measurements of weights:		
	with capacity of 30 kgs. or less	...	25.00
	with capacity of over 30 kgs. but not more than 300 kgs.	...	30.00
	with capacity of over 300 kgs. but not more than 3,000 kgs.	...	50.00
	with capacity over 3,000 kgs.	...	60.00
d)	For an apothecary balance or other balance of precision, the fee shall be double:		
	With each scale or balance, a complete set of weights for use therewith shall be sealed free of charge. For each extra weight, the charge shall be	...	P 5.00

The fees levied herein shall be paid to the Municipal Treasurer or at the place where the business is conducted during inspection whichever is practicable.

The receipt for the fee charge for the sealing of weights and measures shall serve as a license to use such instrument up to January 31st of the following year and shall be exhibited upon demand by the Municipal Treasurer or his/her authorized representative upon renewal or inspection.

Any person using the instrument of weights and measure that has not been renewed on or before January 31st shall be fined P500.00 and in case the instrument has been found tampered causing the short weighing and false measuring of value, a fine of P1,000.00 or imprisonment of not more than one year or both shall be imposed aside from the summary confiscation of the instrument in question.

Unsealed instrument of weight and measure that has been presented for sealing by owner and found to be defective causing the short weighing and false measuring of value shall be confiscated and user/owner shall be fined P500.00. In case the instrument is found to be in order, the same shall be sealed and calibrated.

TITLE 7. MEAT FOR PUBLIC CONSUMPTION AND REGULATION THEREOF.

Section 49. 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 50. 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 51. 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 Jagna Bohol 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 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.

Section 52. 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 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 an annual accreditation fee in the amount of P3,000.00 for any and all private slaughterhouse for meat processors operating within the territorial jurisdiction of the Municipality of Jagna, Bohol. 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 53. 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:

Classification	Registration	Licensing/Accreditation
1) Meathandlers/cutters/butchers/helpers/vendors	P100.00	P50.00
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 54. 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 diseases 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 Jagna shall secure business permit prior to his/her application for licensing/accreditation.

The meat handler/cutter, meat butcher/helper, meat vendors, meat dealers/suppliers, meat stall/shop operators whose applications for licensing/accreditation have been approved by the Municipal Veterinary Officer shall be issued the corresponding license and identification cards by the Municipal Mayor.

Section 55. Transportation.-

- a) Only official municipal meat van and government –accredited meat van shall serve as delivery vehicles of dressed carcasses and offals from the Municipal accredited Abattoir to the different outlets for public sale.

- b) Private establishment like hotels, malls, supermarkets, cold storage facilities and private client markets with supply requirement of 10 heads or more in case of hogs and 2 heads or more in case of cattles, may provide their own delivery vehicles provided specifications of the same have passed government standard for meat hygiene.
- c) No person shall be allowed to hitch ride in government meat wagons while transporting dressed carcasses and offals from the Municipal Abattoir except government employed "Cargadores" and a meat dispatcher who shall see to it that meat and offals are properly delivered.
- d) All private meat delivery van shall apply a yearly registration and accreditation. Meat delivery vans intended for transport or commerce of meat and meat products within the Municipality shall be close type and preferably made of aluminum material. Small type delivery van (tricycle) shall be of closed type and preferably made of aluminum or stainless steel materials.
- e) There shall be charged a yearly registration and accreditation fee for all types of meat delivery van involved in the delivery/transport of meat and meat products within the Municipality of Jagna at the rate prescribed below:

Classification	Registration	Accreditation
1) Tricycle	P100.00	P100.00
2) Van, Jeep or similar type	150.00	100.00
3) Truck	200.00	150.00

Section 56. 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 57. 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 58. Hauling Fees. – There shall be collected a hauling fee for the transportation of all dressed meat and carcasses by the Municipal –owned meat van in accordance with the following rates:

Large Cattle	P 20.00/head
Hog: 100 kls. and above	15.00/head
50 kls. - 99 kls.	10.00/head
50 kls. And below	8.00/head
Goats, sheeps and other members of bovine family	2.00/head
Domestic poultry	.25/head

Section 59. 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

Section 60. Regulatory Service Fee. – There shall be charged a regulatory service fee for inspection whether the carcass or meat is fit for human consumption at the rates prescribed below:

Large cattle	P0.20/kilo
Hogs	0.10/kilo

For meats coming from abattoirs other than those owned by the Municipality of Jagna and sold in the public market of Jagna, a regulatory fee for re-inspection is charged at the rates prescribed below:

Large cattle	P10.00/ head
Hogs	5.00/ head

TITLE 8. GENERAL AND ADMINISTRATIVE PROVISIONS

Collection and Accounting of Municipal Revenues

Section 61. Tax period and manner of payment – Unless otherwise provided in this Code, the tax period of all taxes, fees and charges shall be the calendar year.

Section 62. Accrual of tax. – Unless otherwise provided in this Code, all taxes, fees or charges shall accrue on the first (1) day of January of each year. However, new taxes, fees or charges, or changes in the rate thereof, shall accrue on the first (1) day of the quarter next following the effectivity of the ordinance imposing such new levies or rates.

Section 63. Time of payment. Unless otherwise provided in this Code, all taxes, fees and charges shall be paid within the first twenty (20) days of January or each subsequent quarter as the case may be. The Sangguniang Bayan may, for justifiable reason or cause, extend the time of payment of such taxes, fees or charges without surcharges or penalties, but only for a period not exceeding six (6) months.

Section 64. Surcharges and penalties in unpaid taxes, fees or charges and discount. – A surcharge of twenty-five percent (25%) of the amount of taxes, fees or charges not paid on time and an interest at the rate of two (2) percent per month of the unpaid taxes, fees or charges including surcharges, until such amount is fully paid but in no case shall the total interest on the amount or portion thereof exceed thirty-six (36) months.

Any payment of dues made in advance, i.e. within 20 days before due date, shall be entitled to a 25% discount.

Section 65. Interest on unpaid revenues.- Where the amount of any other revenue due to the municipality except voluntary contributions or donations, is not paid on the date fixed in the ordinance, or in the contract, expressed or implied, or upon the occurrence of the event which has given rise to its collection, there shall be collected as part of that amount an interest at the rate of two (2%) per month from the date it is due until it is paid, but in no case shall the total interest on the unpaid amount or a portion thereof exceed thirty-six (36) months.

Civil Remedies for Collection of Revenues

Section 66. 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

Section 67. Penalty - Any violation to the provisions of this Code not herein otherwise covered by a specific penalty, shall be punishable by a fine of:

- 1st violation - P1,000.00
- 2nd violation - 1,500.00
- 3rd violation - 2,000.00 and revocation of license and permit

FINAL PROVISIONS

Section 68. 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 enforce and effect.

Section 69. 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 70. Effectivity – This Code shall take effect upon approval.

Enacted : November 2, 2004

AFFIRMATIVE:

SGD. BONIFACIO GO VIRTUDES
Municipal Councilor

SGD. JESUS B. ACEDILLO
Municipal Councilor

SGD. VICTORINO M. NAYGA, SR.
Municipal Councilor

SGD. PACHECO LL. RANCES
Municipal Councilor

SGD. GODOFREDO P. OKIT, SR.
Municipal Councilor

SGD. ALBERTO Y. CAFÉ
Municipal Councilor

SGD. SENEN C. LLOREN
Municipal Councilor

SGD. ALFONSO R. GALES, SR.
Municipal Councilor

SGD. ANDREW G. TADENA
Municipal Councilor (ABC Pres.)

NEGATIVE: N O N E

ABSENT: DEXTER LITO N. RANIS Municipal Councilor (SKMF Pres.)

CERTIFIED CORRECT:

SGD. EFRENA A. BUENAFE
HRMO 1/Recorder

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

SGD. ENGR. TEOFISTO C. PAGAR
Presiding

APPROVED: November 19, 2004
Date Signed

APPROVED:

SGD. EXUPERIO C. LLOREN
Municipal Mayor