



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-395

87th Regular Session

ORDINANCE NO. SP- 3116, S-2022

AN ORDINANCE AMENDING SECTIONS 2, 3.10, 4.3 OF ARTICLE I, SECTION 2.1.7 OF ARTICLE II, SECTIONS 1.4 AND 4 (4.3, 4.10, 5.1, 5.4, 5.8) AND SECTION 6 (6.5) OF ARTICLE III, SECTIONS 1.2, 2.1, 3.1, AND 4 (4.3.1, 4.3.2) OF ARTICLE VI AND SECTION 4d OF ARTICLE VII OF ORDINANCE NO. SP-2459, S-2015, ENTITLED "AN ORDINANCE REVISING THE QUEZON CITY MARKET CODE REGULATING THE ESTABLISHMENT, CLASSIFICATION, OPERATION, AND ADMINISTRATION OF PUBLIC MARKETS AND ALL OTHER MARKET-RELATED ACTIVITIES IN QUEZON CITY."

Introduced by Councilors WENCEROM BENEDICT C. LAGUMBAY, FRANZ S. PUMAREN, ERIC Z. MEDINA, DONATO "Donny" C. MATIAS, EDEN DELILAH "Candy" A. MEDINA, TANY JOE "TJ" L. CALALAY, VICTOR V. FERRER, JR., BERNARD R. HERRERA, IMEE A. RILLO and PATRICK MICHAEL VARGAS.

Co-Introduced by Councilors Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Nicole Ella V. Crisologo, Winston "Winnie" T. Castelo, Atty. Bong Liban, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Kate Galang-Coseteng, Matias John T. Defensor, Jorge L. Banal, Sr., Peachy V. De Leon, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Kari Castelo, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, the City Council as the legislative body of the City and pursuant to the mandate of the Local Government Code of 1991 has enacted and approved ordinances including Ordinance No. SP-2459, S-2015, otherwise known as the Revised Quezon City Market Code, Regulating the Establishment, Classification, Operation, and Administration of Public Markets and all other Market-Related Activities in Quezon City;

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

Article I
General Provisions

SECTION 1. SHORT TITLE. - This Ordinance shall be known as the "Revision and Addendum of the Quezon City Revised Market Code."

SECTION 2. COVERAGE. - This Code shall govern the establishment, operation, management, administration, and regulation of public markets and market-related activities, such as flea markets/tiangges and street vending within Quezon City.

SECTION 3. DEFINITION OF TERMS. - The following words used in this Ordinance shall mean:

3.10 Market related activities - refers to retail or commercial activities outside the premises of a public, private or city market which are carried out either by (a) street vendors, hawkers or peddlers or (b) organizers, exhibitors or traders in tiangges or flea market.

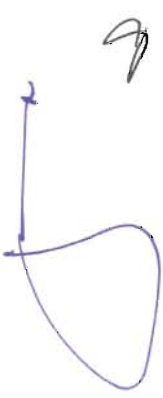
Hawkers, Peddlers and Street Vendors - refer to "ambulant mobile or stationary vendors who sell their goods outside the premises of a public, private or city market usually on sidewalks, streets, thoroughfares, government or and other public areas.

SECTION 4. SECTION 4.3 of Ordinance No. SP-2459, S-2015 which reads:

SECTION 4.3 - Computation of Time - the time within which an act is to be done as provided in this Code in any rule or regulation issued pursuant thereto, when expressed in days, shall be computed by excluding the first day and including the last day.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

"SECTION 4.3 - Computation of Time - The time within which an act is to be done as provided in this Code in any rule or regulation issued pursuant thereto, when expressed in days, shall be construed as working days and shall be computed by excluding the first day and including the last day."



Article II
The Market Development and Administration Department

SECTION 5. SECTION 2.1.7 of Ordinance No. SP-2459, S-2015 which reads:

SECTION 2.1.7 - Recommend the revocation of business permits, suspension of business operations, issuance of cease-and-desist order or (CDO), permanent or temporary closure of business establishment of any other persons covered by this Code.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 2.1.7 - Recommend to the Business Permits and Licensing Department (BPLD) the revocation of business permits, suspension of business operations, issuance of cease and desist order (CDO), permanent or temporary closure of business establishment of any other persons covered by this Code.”

Article III
Basic Policies and Regulations

SECTION 6. SECTION 1.4. No person, partnership, or corporation, shall operate a private market within Quezon City without first securing a franchise from the City Council.

- 1.4.1. X X X
- 1.4.2. X X X
- 1.4.3. X X X
- 1.4.4. X X X

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 1.4. No person, partnership, or corporation, shall operate a private market within Quezon City without first securing a franchise from the City Council.

- 1.4.1. X X X
- 1.4.2. X X X
- 1.4.3. X X X
- 1.4.4. X X X



1.4.5. Talipapa/Satellite Markets with less than fifty (50) vending stalls are allowed to operate without a market franchise provided that it can acquire the necessary permits and licenses from Market Development and Administration Department (MDAD) and Business Permits and Licensing Department (BPLD) as well as regulatory permits and clearances from ancillary departments/offices.”

SECTION 4. RESTRICTIONS AND PROHIBITIONS

~~SECTION 7.~~ SECTION 4.3. No person shall drink, serve or dispense liquor or any intoxicating drink within the premises of any public market.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 4.3 The sale, service, and consumption of any liquor shall be prohibited in public markets.”

~~SECTION 8.~~ SECTION 4.10 There should be no slaughterhouse inside any public or private market.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 4.10 No slaughterhouses shall be allowed to operate inside any public or private markets.”

SECTION 9. SECTION 5. PERMITS AND LICENSES

Section 5.1 Any person who shall conduct or operate a business in public markets and establishments covered by this Code, shall first secure a business permit from Business Permits and Licensing Department (BPLD) after application, evaluation, assessment and favorable recommendation from the Market Development and Administration Department (MDAD), and payment of corresponding taxes and fees to the City Treasurer, in accordance with the provisions of the Quezon City Revenue Code.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 5.1 Any person who shall conduct or operate business in public markets and establishments covered by this Code, shall first secure a business permit from Business Permits and Licensing Department (BPLD) subject to the issuance of a Market Clearance from the Market Development and Administration Department (MDAD), and payment of corresponding taxes and fees to the City Treasurer, in accordance with the provisions of the Quezon City Revenue Code.”

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SECTION 10. SECTION 5.4 All applicants for new or renewal of business permits shall secure a barangay clearance from the barangay where they are located before a business permit may be issued.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 5.4 All applicants for new or renewal of business permits shall secure a barangay clearance from the barangay where they are located.”

SECTION 11. SECTION 5.8 Any person who discontinues or closes his business operation shall, within twenty (20) days upon closure of the business, apply for the retirement/surrender his business permit. No business shall be retired or terminated unless all the past and current taxes are paid.

Failure to surrender the business permit/retire the business within the prescribed period shall be subject to a twenty-five percent (25%) surcharge.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

“SECTION 5.8 Any person who discontinues or closes his business operation shall, within twenty (20) days upon closure of the business, apply for the retirement/surrender his business permit. No business shall be retired or terminated unless all the past and current taxes are paid.

Strictly enforced when failure to surrender the business permit/retire the business within the prescribed period shall be subject to a twenty-five percent (25%) surcharge.”

SECTION 12. SECTION 6. MONITORING AND INSPECTION.

SECTION 6.5 Upon proper and due notice by the City Market Administrator, the Business Permit and Licensing Office shall cause the suspension of the business operations and close business for any of the following violations: x x x

NOW SHALL BE AMENDED AND READS AS FOLLOWS:

SECTION 6.5 The Head of the Business Permit and Licensing Department (BPLD) be given the full authority to determine the violation and whether there is substantial basis prior to suspending a business operation or closure of an establishment for any of the following violations: x x x

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ARTICLE VI. REGULATION OF STREET VENDING

SECTION 13. SECTION 1.2 No vending activity shall be allowed in footbridges or pedestrian overpasses and places not designated as vending sites.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

SECTION 1.2 Vending shall be allowed at footbridges and overpasses duly declared and approved by MDAD as a vending site, provided that uniformity in look is observed. Further, only vendors duly registered with and approved by MDAD shall be allowed.

Section 2. Registration of Street Vendors

SECTION 14. SECTION 2.1 Street vendors in designated vending sites shall register with MDAD and pay city taxes, vending fees of One Hundred Fifty Pesos (Php150.00) per square meter per day, and other corresponding fees in accordance with the provisions of the QC Revenue Code.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

SECTION 2.1 Street vendors in designated vending sites shall register with MDAD and pay vending fees of Twenty-Five Pesos (Php25.00) per square meter per day, and other corresponding fees in accordance with the provisions of the QC Revenue Code.

SECTION 3. Violation and Penalties

SECTION 15. Section 3.1 Vendors in areas not designated as vending areas shall be cleared, with their goods confiscated and vending paraphernalia demolished by concerned agencies, in accordance with existing applicable laws.

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

"SECTION 3.1 Vendors without Hawker's permit found vending in no vending zone areas shall be cleared and meted with penalties as follows:

- First Offense - a fine of Three Hundred Pesos (Php300.00)
- Second Offense - a fine of Five Hundred Pesos (Php500.00)

Third Offense - a fine of One Thousand Pesos (Php1,000.00) and or imprisonment of not more than thirty (30) days or both at the discretion of the court."

INCLUSION:

SECTION 16. Section 4. Guidelines in Field Enforcement against Illegal Vending and Handling of Abandoned Merchandise and Vending Paraphernalia:

- 4.1. No confiscation of items and vending paraphernalia;
- 4.2. Violators shall be issued with Ordinance Violation Report (OVR);
- 4.3. Merchandise or items and vending paraphernalia abandoned by vendors who escaped to avoid being issued with Ordinance Violation Report (OVR) may be collected by enforcement operatives for safekeeping and disposal;
 - 4.3.1 Perishable goods maybe claimed by the owner from MDAD office within eight (8) hours. Failure to claim within the given grace period, such perishable goods shall be considered or treated as garbage and shall be disposed as such;
 - 4.3.2 Non-perishable goods maybe claimed by the owner at MDAD office within twenty-four (24) hours. Failure to claim within the given grace period, such non-perishable goods shall likewise be treated and disposed as garbage.

ARTICLE VII. FINAL PROVISION

SECTION 17. Section 4d. Business Permits and Licensing Department (BPLD).

NOW SHALL BE AMENDED AND READ AS FOLLOWS:

"SECTION 4d. Business Permits and Licensing Office (BPLO) be recognized as Business Permits and Licensing Department (BPLD)."




SECTION 18. REPEALING CLAUSE. - All Ordinances which are inconsistent with any of the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 19. EFFECTIVITY CLAUSE. - This Ordinance shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation.

ENACTED: January 31, 2022.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: APR 13 2022


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on January 31, 2022 and was PASSED on Third/Final Reading on February 7, 2022.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

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