



Republic of the Philippines  
**QUEZON CITY COUNCIL**  
Quezon City  
16<sup>th</sup> City Council

85<sup>th</sup> Regular Session

ORDINANCE NO. SP-**1786**, S-2007,  
(PO2007-33)

AN ORDINANCE PROVIDING REGULATORY MEASURES ON PRIVILEGE-STORE/TIANGGE AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

*Introduced by Councilors FRANZ S. PUMAREN, BERNADETTE HERRERA-DY, ELIZABETH A. DELARMENTE, VICTOR V. FERRER, JR., ROMMEL R. ABESAMIS, JOSEPH P. JUICO, RAMON P. MEDALLA, VOLTAIRE GODOFREDO L. LIBAN III, ERIC Z. MEDINA, ALLAN BUTCH T. FRANCISCO, JORGE B. BANAL, JR., WENCEROM BENEDICT C. LAGUMBAY, EDCEL B. LAGMAN, JR., ANTONIO E. INTON, JR., RESTITUTO B. MALANGEN and BAYANI V. HIPOL.*

*WHEREAS, the growth of "privilege-stores", popularly known as tiangges which are temporary stalls or outlets where goods/services are sold only for a brief duration, is now a familiar sight in various areas of the country, especially in places like the shopping malls, open spaces or lobbies of office buildings, hospitals, hotels, parks, churches, subdivisions or even along the streets of the metropolis and in other public areas;*

*WHEREAS, what used to be a seasonal affair has now evolved into a recurring event for the most part of the year. Thus, from this emerged a new breed of profitable business enterprise that has invariably managed to operate in a nomadic fashion thereby making it difficult for the city government to track it down and/or compel its owners to pay the rightful fees and/or taxes due to the government;*

WHEREAS, it is imperative that the local government of Quezon City provide the needs of its constituents, pursuant to the provisions of Article 16 of Rep. Act No. 7160, the Local Government Code of 1991, and Section 6 (oo) R.A. 537, the Revised Charter of Quezon City, as amended, "for the promotion of the general welfare", among other things, enhance economic prosperity and social justice;

WHEREAS, under the Local Government Code, the City Council has the authority to enact ordinances granting franchises and authorizing the issuance of permits or licenses, and levying taxes, fees and other charges;

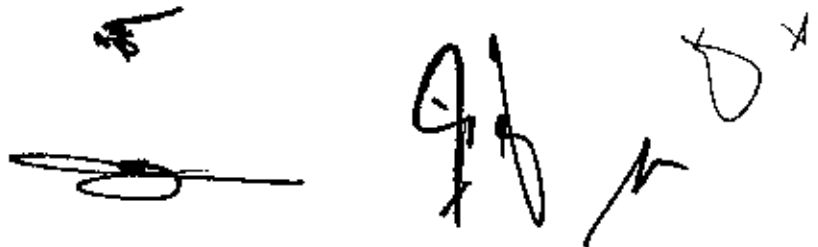
NOW, THEREFORE,

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

SECTION 1. DEFINITION OF TERMS. - For purposes of this Ordinance, the following terms are defined:

a.) *Privilege-Store/Tiangge* refers to the sale of goods or services for a brief duration in a stall or outlet which is not permanently fixed to the ground and is normally set up in places like the shopping malls, hospitals, office buildings, hotels, villages or subdivisions, churches, parks, streets and other private or public places.

b.) *Exhibitor or Organizer* refers to the primary lessee of the entire space where the operations of privilege-stores are held by virtue of a lease contract executed between the owner of the leased property and the organizer who subsequently sub-leases the same to the privilege-store operators during the entire duration of the lease contract. In case the owner of the real property is the one directly leasing to the privilege-store operator defined in letter par. "c" below, such owner shall be constituted as the exhibitor or organizer, for this purpose.

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c.) *Privilege-Store Operator refers to the person or entity sub-leasing from the exhibitor or organizer a space upon which privilege-stores are erected for the purpose of selling goods or services. In the event that the privilege-store operator is based outside the City, the privilege store shall be considered as a branch of such operator.*

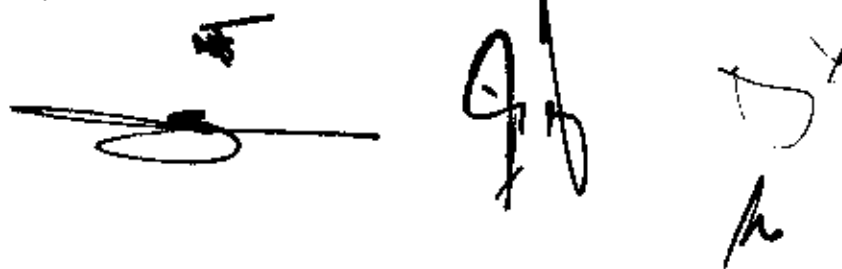
**SECTION 2. DURATION OF TIANGGE.** - *To be considered as a tiangge the aggregate number of days shall not exceed fourteen (14) days in a month; Provided, that, the organizer or exhibitor must observed at least five (5) days interval before conducting a subsequent tiangge.*

**SECTION 3. SPECIAL PERMIT.** -

a) *It shall be unlawful for an organizer or exhibitor to operate a tiangge, within Quezon City, without first securing a special permit from the City Council, at least sixty (60) days before the start of the tiangge, in addition to the regular business permit issued by the City government; Provided, that the permit shall be required whether the organizer or exhibitor is only a branch. Among the documents to be submitted by the organizer or exhibitor shall be the current business permit of the owner of the property, as well as a certification that the real property taxes on such property and the business taxes are paid; Provided, further, that any government or charitable institution shall, likewise, secure the special permit. Provided, finally, that a government entity shall submit an authorization from its board or head of office for the conduct of the tiangge.*

b.) *All interested organizers or exhibitors must file their applications to the Office of the City Secretary and must pay to the Office of the City Treasurer the corresponding application fee of Fifty Pesos (P50.00).*

c.) *Each privilege-store operator shall secure a business permit before engaging in the tiangge.*



d.) The special permit referred to herein shall be effective only for the duration of the "tiangge"; Provided, that in no case shall the permit be valid for more than one (1) month.

e.) The fees to be paid in securing the special permit shall be, as follows, to wit:

Less than 100 sq.ms.....	P 50.00
100 to less than 300 sq.ms.....	100.00
300 to less than 600 sq.ms.....	150.00
600 to less than 1,000 sq.ms.....	250.00
1,000 sq.ms. and above .....	500.00

f.) The fees to be paid in securing the business permit shall be in accordance with Article 21 of City Ordinance No. SP-91, S-1993, otherwise known as the Quezon City Revenue Code of 1993, as amended.

g.) It shall be unlawful for the exhibitor or organizer to allow a privilege-store operator to engage in the tiangge without securing the required business permit.

h.) Any tiangge without a special permit shall immediately be closed by the Market Development and Administration Department without prejudice to the filing of other complaint(s) for violation of this Ordinance.

i.) Any privilege-store operator who shall engage or conduct its business in the tiangge without the required business permit shall be immediately closed by the Market Development and Administration Department without prejudice to the filing of other complaint(s) for violation of this Ordinance.

j.) The failure by any responsible person to implement this Ordinance shall be construed as a violation thereof and shall make such persons criminally liable here-under, without prejudice to their administrative liability.

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k.) The Market Development and Administration Department shall provide the necessary rules and regulations to implement the provisions of this Ordinance.

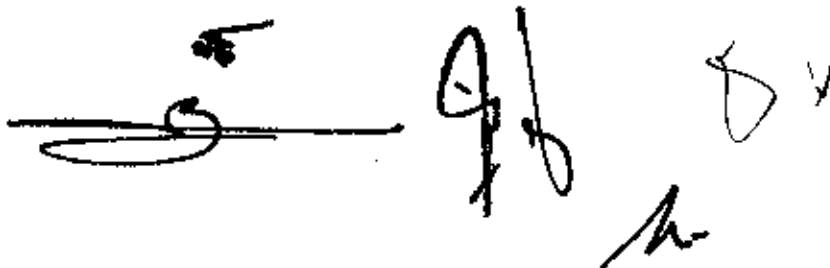
SECTION 4. NON-ISSUANCE OF SPECIAL PERMIT. - The Special Permit may be refused on the ground that the person applying for a permit has violated and continues to violate any Ordinance or regulation relating to such permit.

SECTION 5. REVOCATION OF SPECIAL PERMIT. - Upon proper and written notice, the City Mayor may revoke the permit and close the establishment for any of the following reasons:

- a.) Violation and continued violation of any ordinance or regulation relating to such permit;
- b.) Violation of any condition set forth in the permit;
- c.) Abuse of privilege to do business or pursue an activity to the injury of public morals and peace; and
- d.) When the place of business becomes a nuisance or is allowed to be used by disorderly characters, criminals or persons of ill repute.

SECTION 6. PENALTY CLAUSE. -

a. Any violation of this Ordinance shall be penalized with a fine of not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) month but not more than six (6) months or both at the discretion of the Court. Provided, that should the exhibitor or organizer allow two (2) or more privilege store operators without business permits to engage in the tiangge, the maximum penalty shall be imposed. Provided further, that if the exhibitor/organizer and privilege store operators are juridical persons, the penalty shall be imposed on the general manager, president, director or trustee and such other person who authorized or committed the offense.

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**SECTION 7. REPEALING CLAUSE.** - Any ordinance, rules and regulations, issuances or circulars inconsistent with the provisions of this Code are hereby repealed or modified accordingly.

**SECTION 8. SEPARABILITY CLAUSE.** - If Any provisions of this Ordinance are declared by a competent Court to be null and void, it shall not affect the other provisions which shall continue to be in full force and effect.

**SECTION 9. EFFECTIVITY.** - The provisions of this Ordinance shall take effect upon its approval.


ENACTED: March 5, 2007.

  
HERBERT M. BAUTISTA  
Vice Mayor  
Presiding Officer

ATTESTED:


  
EUGENIO V. JURILLA  
City Secretary

APPROVED: May 17, 2007

  
FELICIANO R. BELMONTE, JR.  
City Mayor

**CERTIFICATION**

This is to certify that this Ordinance which was APPROVED on Second Reading on March 5, 2007, was finally PASSED on Third/Final Reading by the City Council under Suspended Rules on the same date.

  
EUGENIO V. JURILLA  
City Secretary