



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
21st City Council

PO21CC-293

30th Regular Session

ORDINANCE NO. SP- **2945**, S-2020

AN ORDINANCE WAIVING THE RENTAL FEES FOR QUEZON CITY OWNED PUBLIC MARKET STALLHOLDERS, CLASSIFIED AS NON-ESSENTIAL/DRY GOODS STALLHOLDERS AND NON-OPERATIONAL, DURING THE ENHANCED COMMUNITY QUARANTINE (ECQ) AND MODIFIED ENHANCED COMMUNITY QUARANTINE (MECQ) FROM MARCH 16 TO MAY 31, 2020.

Introduced by Councilors WENCEROM BENEDICT C. LAGUMBAY, FRANZ S. PUMAREN, ERIC Z. MEDINA, EDEN DELILAH "Candy" A. MEDINA, DOROTHY A. DELARMENTE, M.D., KATE GALANG-COSETENG and WINSTON "Winnie" T. CASTELO.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Atty. Bong Liban, Estrella C. Valmocina, Matias John T. Defensor, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Karl Castelo, Patrick Michael Vargas, 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, Donato "Donny" C. Matias and Noe Dela Fuente.

WHEREAS, Section 2(2) of Republic Act No. 11469 or the "Bayanihan to Heal as One Act," states that, a State of National Emergency is declared over the country "[i]n view of the continuing rise of confirmed cases of COVID-19, the serious threat to the health, safety, security, and lives of our countrymen, the long-term adverse effects on their means of livelihood, and the severe disruption of economic activities";

WHEREAS, for all other businesses, establishments and offices that are not covered by DTI Memorandum Circular 20-04, even if they are closed and/or not allowed to operate during the ECQ, payment of rental is not suspended and/or waived, as of this time under any of the ECQ guidelines, although there may be remedies under the relevant lease contracts or other applicable laws/regulations;

WHEREAS, public market spanning stalls and other establishment would need to close their doors in order to help prevent the spread of the virus;

WHEREAS, Markets revenue has dramatically decreased due to the impacts of COVID-19 and therefore this measure will serve as a rent relief by granting moratorium on their rents for the duration or any extension due to COVID-19.

NOW, THEREFORE,

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

SECTION 1. TITLE. - This Ordinance shall be known as the "Rental Fee Waiver Ordinance for Quezon City Owned Public Market During the Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) from March 16 to May 31, 2020."

SECTION 2. DEFINITION OF TERMS. - For purposes of this Ordinance, the following definitions shall apply:

- A. PUBLIC MARKET - refers to any structure, building or place of any kind which has been established, designated, or authorized by the City Council, whether government or privately-owned and operated, dedicated to the service of the general public, where wet and dry products may be bought and sold. It shall embrace the whole plot of ground intended for, or assigned to, such market site, as delimited by their respective technical descriptions, location plans, subdivision surveys and building plans, and shall include all market stalls, kiosk, booths, buildings, roads, subway, waterways, and drainage and other connections, parking spaces, and other appurtenances, which are integral parts thereof. Sec. 5-5.16 of ORD. NO. SP-2549, S-2015 (REV. MARKET CODE OF QC);

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B. OPERATIONAL (ESSENTIAL/ BASIC NECESSITIES)

B.1. MEAT, PORK, DRESSED CHICKEN SECTION refers to the area where only all kinds of meat and other meat products allowed by law are sold, with meat, pork and dressed chicken separately displayed and properly labeled. (Sec 5-5.12.1 of ORD. NO. SP-2549, S-2015 (REV. MARKET CODE OF QC));

B.2. FISH SECTION refers to the area where only fish, clams, oysters, crabs, lobster, shrimps, seaweeds and other seafoods and marine products. (Sec, 5-5.12.2 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC));

B.3. VEGETABLE AND FRUIT SECTION refers to the area where only all kinds of vegetables and fruits and root crops allowed by law, such as camote, cassava, ube and the like are sold. (Sec. 5-5.12.4 of ORD. NO. SP-2459, S-2015 (REV MARKET CODE OF QC));

B.4. GROCERIES/ SARI-SARI SECTION refers to the area where only all kinds of cakes, biscuits, pastries, crackers, butter, cheese, confections, candies, canned or bottled foods, beverages, soft drinks, cigarettes, flour, oatmeal, ham, bacon, sugar, nuts, sauce, all kinds of cereals, such as rice, corn, mongo, and the like, eggs, sausages, starch, smoked fish, dried fish, salt feeds, soap and other household and food products including firewood and charcoal are sold. (Sec. 5-5.12.7 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC));

B.5. EATERY SECTION refers to the area where only all kinds of cooked/ prepared food shall be sold. This includes carinderias, refreshment parlors, cafeterias, snack counters and kiosks where delicacies are sold. (Sec. 5-5.12.8 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC));

C. NON-OPERATIONAL (NON-FOOD ESSENTIAL)

C.1. DRY GOODS SECTION refers to the area where only kinds of textiles, ready-made dresses and apparels, native products, toiletries, novelties, footwear, laces, kitchen wares, utensils and other household articles, handbags, and school and office supplies are sold. (Sec. 5-5.12.3 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC);

C.2. PLANTS AND GARDEN SECTION refers to the area where only all kinds of plants and flowers, whether fresh or artificial, garden accessories and implements, or tools are sold. (Sec. 5-5.12.6 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC);

D. MARKET STALL refers to any allotted stand, space, compartment, store or booth in the public market where merchandise is sold or offered for sale, or intended for such purposes. (Sec. 5-5.13 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC);

E. STALLHOLDER refers to the awardee of a stall/s within a public market, who has been granted the right of privilege to use the stall/s, and pays the rentals thereon, for the purpose of selling his goods, commodities or service. (Sec. 5-5.18 of ORD. NO. SP-2459, S-2015 (REV. MARKET CODE OF QC);

SECTION 3. RENTAL FEES. - Rental fees of Quezon City Owned Public Markets shall be subject to the following:

a. The market stall must be in a Quezon City Owned Public Market, to wit: Galas, Kamuning, Murphy, Vendors from Camarilla Street transferred inside Murphy Market, Frisco, Project 4, Roxas, San Jose and Project 2;

- b. *The Stallholder must be an awardee of Quezon City to operate in a Quezon City owned public market;*

- c. *The market stall herein is classified to be selling non-essential/Dry Goods and was not operational during the period of Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) from March 16 to May 31, 2020.*

SECTION 4. UNCOLLECTED RENTAL FEES. - Quezon City is waiving the Twenty-Five Percent (25%) on Uncollected Rental Fees from Market Stalls and Stallholders who are operating and catering essential goods during the period of Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) from March 16, 2020 to May 31, 2020.

SECTION 5. ALREADY PAID IN ADVANCE. - The rental fees will be adjusted from the months covering from March 16 until May 31, 2020, then the advance payment shall be used for succeeding months.

SECTION 6. NON-ENFORCEMENT OF EVICTION. - No eviction for failure to pay the commercial rent due may be enforced within the thirty (30)-day period after the lifting of the ECQ and MECQ.

SECTION 7. REPEALING CLAUSE. - All Ordinances, Resolutions, Local Executive Orders, or Administrative Issuances or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

SECTION 8. SEPARABILITY CLAUSE. - If, for any reason/s, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

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SECTION 9. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.

ENACTED: June 1, 2020.




GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



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

APPROVED: 24 JUN 2020



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 1, 2020 and was PASSED on Third/Final Reading on June 8, 2020.



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

