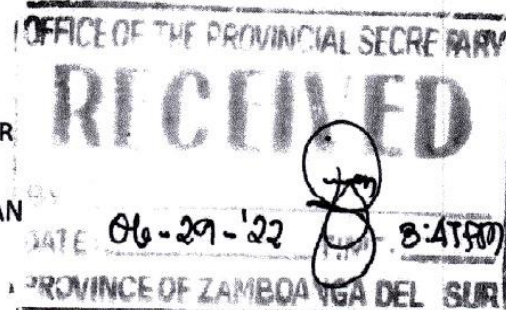




Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of San Pablo
OFFICE OF THE SANGGUNIANG BAYAN



EXCERPT FROM THE MINUTES OF THE 93RD REGULAR SESSION OF THE 10TH MUNICIPAL COUNCIL (Under the Local Government Code of 1991) HELD AT THE OFFICE OF THE MUNICIPAL VICE MAYOR, SAN PABLO, ZAMBOANGA DEL SUR ON JANUARY 26, 2022.

MUNICIPAL ORDINANCE NO. 2022-01-002

"AN ORDINANCE REGULATING THE OPERATION AND MANAGEMENT OF THE NEWLY CONSTRUCTED BUS AND JEEPNEY TERMINAL-CUM-PUBLIC MARKET LOCATED AT POBLACION, SAN PABLO, ZAMBOANGA DEL SUR."

Be it ordained by the Sangguniang Bayan of San Pablo, Zamboanga del Sur assembled and in session constituting quorum to promulgate the following ordinance.

Section 1. Coverage. This ordinance shall cover and only be implemented in the newly constructed Bus and Jeepney Terminal-Cum-Public Market located at Poblacion, San Pablo, Zamboanga Del Sur.

Section 2. Contract of Lease. The lease contract contains rental agreement, which specifies the tenant's right to use the space/unit and the landlord's right of ownership. The two parties must enter this agreement to legally bind them both. The occupant must complete this document before assuming his/her stall/unit.

Section 3. Occupancy Requirement. Occupant must be of legal age and a bonafide resident of the Municipality of San Pablo, Zamboanga del Sur. Former market stall/unit/space tenants/occupants should be treated as priority.

Section 4. Occupancy Fee. Stall occupant is subject to a one-time payment of Occupancy Fee amounting Seventy Thousand Pesos (P70,000.00) for big stall, and Thirty Thousand Pesos (P30,000.00) for small stall to be paid after completion of the Contract of Lease. The said amount is non-refundable and non-transferrable.

Section 5. Monthly Rental. The occupant shall pay a monthly rental of Three Thousand Pesos (P3,000.00) for big stall and One Thousand Five Hundred Pesos (P1,500.000) for small stall on or before the 10TH of every month. The rent for the first three (3) months is free after signing the Contract of Lease and paying the Occupancy Fee, hence the payment of rental will start on the fourth month of occupancy.

Section 6. Water and Electricity. Charges for the Installation of water lines, pipes, electric cables and meter shall be shouldered solely by the occupant as well as the monthly consumption payment of the said services.

Section 7. Extension and Modification. Permanent construction of extension is not allowed. Minor modification of the stall can be done as long as it preserves its original form, however major modification of the space shall require permission from LGU and is subject to the approval of the Municipal Engineer's Office.

Section 8. Other Party Renting, Mortgaging and Selling. Renting, mortgaging and selling of the stall/space to other party aside from the occupant himself is strictly prohibited. Violator may face charges and fines aside from having his/her contract being terminated and his/her business permit shall be deemed revoked.

Section 9. Utilization of the Stall. Fifteen (15) days after 3 months of occupancy, unutilized stall/space will be confiscated with notice by the LGU and would result to termination of contract. The confiscated unit shall be declared vacant and shall be awarded to any qualified bidder.

Section 10. Proper Use of Stall. The space shall be used exclusively as store/office and shall not be utilized as store-room or bodega and for residential purposes. Sleeping in the stall at night is not allowed. Violator will be warned and may face fines and charges which could result to termination of contract and revocation of business permit.

Section 11. "1 Stall 1 Tenant Policy". The person who signed as the occupant of the stall in the Contract of Lease shall only be the sole occupant of the space. If one is proven to have rented multiple stalls/spaces, he/she may face charges and fines aside from having his/her contract being terminated and his/her unit/s shall be declared vacant and shall be awarded to any qualified bidder.

Section 12. Proof of Business. Business proof of the occupant must be kept visible at all times by hanging his/her picture and his/her business license, conveniently framed in a conspicuous place in the stall.

Section 13. Operation Time. Schedule of the opening and closing of the stall/space must abide faithfully with the rules and regulations and all existing market and ordinances of the LGU of San Pablo.

Section 14. Order and Sanitation. The occupant must comply that his/her unit/space and its premises be kept in good sanitary condition at all times and all existing sanitary and market rules and regulations and/or those which may hereafter promulgated be strictly complied with.

Section 15. Closure of Stall. After the failure of payment of stall/table rental for 3 months and after appropriate notices are sent reminding such non-payment, the Municipal Mayor shall order the closure of subject stall/space and padlock it aside from having his/her contract being terminated and his/her unit/s shall be declared vacant and shall be awarded to any qualified bidder after a manner of paying the balance.

Section 16. Manner of Paying the Balance-Rent. Everything inside the padlock stall/space shall be auctioned to the public to offset the balance of rental. If the sales from auction is still not enough, the Municipal Mayor shall initiate small claims in proper court to collect the balance-rent. If the sales from auction is more than the balance-rent, the sales more than the balance-rent shall be given to the former stall/table owner.

Section 17. End of Contract. After the expiration period of the contract of lease it is the obligation of the tenant/occupant (as the Second Party) to apply for renewal of the Lease Contract and the LGU (as the First Party) has the option to renew or deny the said renewal.

Section 18. Implementing Rules and Regulations (IRR). For the smooth implementation of this ordinance, the Municipal Mayor shall issue Implementing Rules and Regulations on, but not limited to, percentage of incentives, if there is a need; amount for the issuance of IDs for market tenants; manner of auction; and procedure on filing small claims in proper court.

The IRR issued by the Municipal Mayor shall only take effect after the approval of the Sangguniang Bayan of San Pablo, Zamboanga Del Sur.

Section 19. Penalties. Unless otherwise provided and/or specified in any Article and/or Section of this Ordinance, neglect or failure of stallholders and other violators of this ordinance to comply with the provision hereof shall be penalized as follows:

- a. For the first offense, a fine of two hundred Fifty Pesos (P250.00) or Five Days imprisonment

- b. For the Second offense, with or without connection to the first offense, a fine of Five Hundred Pesos (P500.00).
- c. For the Third offense, with or without connection to the first and Second offenses a fine of One Thousand Five Hundred Pesos (P1,500.00), cancellation of the Business Permit and the stall, space or booth shall be forfeited and be forthwith declared vacant to be advertised for lease to any qualified and interested applicant.

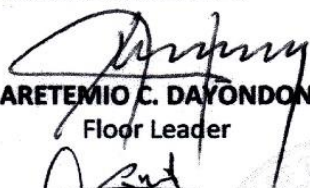
Section 20. Repealing Clause. Other related issuances inconsistent with this ordinance is hereby repealed and modified accordingly.

Section 21. Effectivity. This Ordinance shall take effect immediately upon its approval.

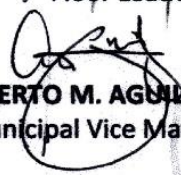
Enacted and Approved on this 26TH day of January, 2022 during the 93RD Regular Session of the 10TH Sangguniang Bayan of San Pablo, Zamboanga del Sur.

"UNANIMOUSLY ADOPTED".

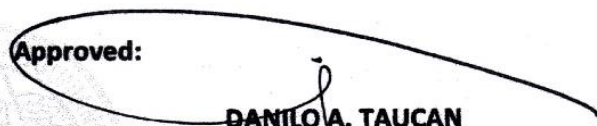
Verified:


ARETEMIO C. DAYONDON
Floor Leader

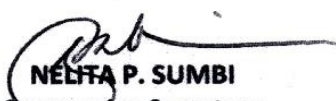
Attested:


ROBERTO M. AGUILAR
Municipal Vice Mayor

Approved:


DANILO A. TAUCAN
Municipal Mayor

I HEREBY CERTIFY that the foregoing is accurate and a true excerpt of the Minutes of the Session specified above per available records of this office.


NELITA P. SUMBI
Sanggunian Secretary