



GENERAL ORDINANCE NO. 58  
Series 2015

**AN ORDINANCE ADOPTING THE MUNICIPAL ECONOMIC ENTERPRISES  
CODE OF TUNGAWAN, ZAMBOANGA SIBUGAY, CREATING THE MUNICIPAL  
ECONOMIC ENTERPRISES DEVELOPMENT OFFICE AND FOR OTHER  
PURPOSES**

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**Authored by: Hon. Maximo L. Medado**  
**Co-Authored by: Hon. Ivan N. Balano**

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Be it ORDAINED by the 17<sup>TH</sup> Legislative Council of Tungawan, Zamboanga Sibugay in Session Assembled, that:

**ARTICLE I**  
**TITLE, COVERAGE AND STATEMENT OF POLICY**

Section 1. **Title** – This ordinance shall be known and referred to as the Municipal Economic Enterprises Code of Tungawan, Zamboanga Sibugay, Creating the Municipal Economic Enterprises Development Office and for Other Purposes.

Section 2. **Coverage** - This Municipal Economic Enterprises Code of the Municipality of Tungawan shall cover the economic enterprises operated and managed by the Municipal Government, such as: 1). Tungawan Public Market; 2). Tungawan Integrated Bus Terminal; 3). Tungawan White House Pension and Resort; 4). Tungawan Recreation and Cultural Center; 5). Tungawan Slaughterhouse & Livestock Center; 6). Tungawan Public Cemetery; 7). Tungawan Rubber Trading; 8). Agricultural and Marine Trading Center; and 9). Tungawan Livelihood Center, and other economic enterprises that maybe established by the Sanggunian through an ordinance.

Section 3. **Statement of Policy** – It is the policy of the Municipal Government of Tungawan to be self-reliant, and self-sustaining by engaging in viable and stable economic enterprises that provide a wide range of opportunities that will uplift the socio-economic well being of its constituents, improve fiscal management and enhance good governance.

**ARTICLE II**  
**DEFINITION OF TERMS AND ACRONYMS**

Section 4. **Definition of Terms** - As used in this code the following terms would mean as stated.

1. *Ambulant Enterprise* – refers to vendors or sellers who does not permanently occupy a definite place, but who comes either daily, certain time of the day or occasionally to sell his/ her goods.

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(Pg 2 of General Ordinance No. 58 Series 2015).

2. *Ante – Mortem Inspection* – The services in examining the animals prior to slaughter to select for food animals those which are adequately rested and are apparently free from diseases or abnormal conditions, to isolate for further examination of a suspected disease or of suspected abnormal animal, to prevent contamination of personnel, premises and equipment by an animal suffering from disease which is communicable, and to gather information for post-mortem inspection, diagnosis and judgment of carcass and offal.
3. *Brand* – Any mark or stamp approved by the controlling authority and includes also any tag or label bearing such mark or stamp. A meat branding gadget may be used for the purpose.
4. *Carcass* – The body of any slaughtered animal after bleeding and dressing.
5. *Chiller* – Is an equipment used to lower the temperature of the carcass so as to delay the reproduction of bacteria and to prolong its freshness.
6. *Certificate of Ownership Fee* – In TSLC, refers to the fee imposed as payment for the proof of ownership of a cattle inclusive of the service charge, also referred to as “credential fee”.
7. *Corral Pen* – In TSLC, refers to the area where livestock and poultry products are kept awaiting for butchering.
8. *Downer* – Refers to a crippled or weakened animal unable to stand or showing abnormal locomotion.
9. *Halal Products* – Goods of any kind which are culturally and religiously acceptable to Muslim Communities.
10. *Dressing* –
  - a) In relation to slaughtered animals except for pigs, sheeps and lambs, goats and kids – means the removal of head, hide or skin, viscera (including or not including kidneys), genital organs, urinary bladder, udders in the case of lactating animals, animals that calved or are in advanced pregnancy.
  - b) In relation to slaughtered pigs – means the removal of hair and bristles or skin, claws, eyelids, viscera (including or not including kidneys), genital organs, urinary bladder, udders in the case of lactating animals, animals that have farrowed or are in advanced pregnancy, and the external acoustic duct unless in respect of that part an alternative effective form of cleaning is carried out.
  - c) In relation to sheeps and lambs, goats and kids - means the removal of the head, except in the case of young lambs and young kids, the pelt of skin viscera (including or including the kidneys), genital organs, urinary bladder and fell up to the carpal and tarsal joints, and udders or lactating animals, animals that have lambed or are in advanced pregnancy; and

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(Pg 3 of General Ordinance No. 58 Series 2015).

- d) In relation to cattle, pigs and solipeds, includes where necessary splitting of the carcass. To split means the dividing of the carcass length wise on the medial line.
11. *Economic Enterprises* – In this Code referred to as the Enterprises. These are the income generating facilities, activities and services operated and managed by the municipality as those enumerated in Section 2 of this code, which are not only contributing revenues/ income to the municipality but also provide services to the people.
  12. *Fit for Human Consumption* – means, in relation to meat, an article which has been passed and appropriately branded by a slaughterhouse inspector and in which no changes due to diseases, decomposition or contamination have subsequently been found.
  13. *Fish Inspector* – A personnel of the MEEDO whose duty is to regularly inspect and monitor the sale of fish and other aquatic food products for sale within the TPM and those intended for resale within and outside the territorial jurisdiction of Tungawan Municipality to insure the protection of the consuming public.
  14. *Food Animals* – Include all domestic livestock slaughtered for human consumption, such as cattle, carabao, horse, sheep, goat, hog, rabbit, and poultry (Chicken, duck, geese, turkey and pigeon).
  15. *Holding Pen* – Is a corral used for the lair age of food animals prior to slaughter.
  16. *Hot Meat* – Refers to meat from food animal and poultry clandestinely slaughtered and sold to the public.
  17. *Inspected and Condemned* –Signifies that the carcasses or parts of carcasses so marked are unsound, unhealthy, unwholesome or otherwise unfit for human food that can be rendered into animal feed shall be dyed (food-grade blue color) and cooked or rendered, while those unfit for both human and animal consumption shall be denatured with strong chemical disinfectants prior to final disposition.
  18. *Inspected and Passed* – Signifies that carcasses or parts of carcasses so marked have been inspected and passed in accordance with the regulations, and at the time they were inspected passed and so marked they were found to be sound, healthful, wholesome and fit for human consumption.
  19. *Inspection Fee* – In TSLC, refers to the fee imposed for inspecting/ grading the livestock of poultry products.
  20. *Meat Handling* – Includes slaughter, preparation, inspection, cutting, chilling, transporting of meat.
  21. *Offal* – The by-products, organs, glands and tissue other than the meat of the food animal. Such offal, in relation to slaughtered animals may or may not be edible.



(Pg 4 of General Ordinance No. 58 Series 2015).

22. Occupant – Refers to the qualified and bonafide stall holder equipped with all the necessary permit and license.
23. *Post Abattoir Inspection* – Refers to the inspection of the meat and offal as they are prepared and transported from TSLC to the markets.
24. *Post Mortem Inspection* – The services in examining the animals after slaughter to ensure the detection of lesions and abnormalities and to pass only meat and edible offal fit for food.
25. *Scale House* – In TSLC, refers to the area where livestock and poultry products are brought for weighing.
26. *Stall* - Shall mean the generic or synonymous term for booth, room or space in the buildings and premises of the economic enterprises;
27. *Stockyard* – Is a pen where animals are collected, taken care of, and inspected prior to slaughter.
28. *Suspect* – Means an animal suspected of being affected with a disease or condition which may require its condemnation, in whole or in part when slaughtered, and is subject to further examination to determine its disposal.
29. *Tabo* – A generic term for market day, tabo-tabo or occasional shopping day designated as free market day for buying and selling of goods/ products and allowing stall holders to display outside their regular stall.
30. *Transient Vendor* – For purposes of “Tabo Sa Tungawan”, transient vendor refers to a vendor who comes from outside and within the municipality to avail of the opportunity to sell goods/ products.
31. *Transfer of Ownership Fee* – In TSLC, refers to the fee imposed for the transfer of ownership of a cattle from one person to another inclusive of the service charge.
32. *Transfer Permit* – A certificate issued by the Fish Inspector indicating the declaration of the shipper/ buyer of fish or aquatic product bought from TPM including the value of such product. It also indicates the fee or charges collected by the enterprise for such transaction.
33. *Inspection and Weighing Fee* – In TSLC, refers to the fees imposed for inspection and weighing the livestock or poultry products respectively.

#### Section 5. Definition of Acronyms

1. TPM - Tungawan Public Market
2. TIBT - Tungawan Integrated Bus Terminal
3. TWHPR - Tungawan White House Pension & Resort

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(Pg 5 of General Ordinance No. 58 Series 2015).

4. TRCC - Tungawan Recreation and Cultural Center
5. TSLC - Tungawan Slaughterhouse and Livestock Center
6. TPC - Tungawan Public Cemetery
7. TRT - Tungawan Rubber Trading
8. AMPTC - Agricultural and Marine Products Trading Center
9. TLC - Tungawan Livelihood Center

### ARTICLE III

#### MANAGEMENT ORGANIZATION: REGULATORY, ADMINISTRATIVE AND SUPERVISORY FUNCTION

Section 6. **Administrative and Supervisory Functions.** The Municipal Mayor being the Local Chief Executive has the overall administrative and supervisory authority, power and control over the economic enterprises operation and management and may issue office/ administrative/ executive orders for the smooth, effective and efficient implementation of this code. The Municipal Mayor may also delegate some of these functions which are routinely in nature to the Municipal Economic Enterprises Development Officer.

### ARTICLE IV

#### CREATION OF MUNICIPAL ECONOMIC ENTERPRISES DEVELOPMENT OFFICE (MEEDO)

Section 7. **The Municipal Economic Enterprises Development Office.** There shall be created the MEEDO who shall exercise direct Administration, Supervision, Maintenance and Control of all economic enterprises of the municipality as enumerated under Section 2 of this code, including all the funds earmarked for the personal services (PS), current operating expenditures and capital outlays for the offices under it are hereby transferred to the Municipal Economic Enterprises Development Office (MEEDO).

Section 8. **Composition, Duties and Functions, and Plantilla of MEEDO.** There shall be created the composition with the corresponding positions, salary grades, and job descriptions of MEEDO as follows:

1. (1) *Municipal Government Department Head I (Municipal Economic Enterprise Development Officer [MEEDO])* SG-24. The MEEDO shall take charge of the Municipal Economic Enterprises Development Office and shall:
  - a. Prepare specific plans and strategies for the efficient and effective operation of the enterprises of the municipality and upon approval by the Municipal Mayor, implement the same;
  - b. Act as a collection deputy of the Municipal Treasurer for the collection of charges, tolls, and fees in the operation of the enterprises;
  - c. Maintain peace, order and sanitation inside and outside the premises of the enterprises.

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(Pg 6 of General Ordinance No. 58 Series 2015).

- d. Enforce existing laws and other laws enacted/ promulgated for the protection and safety of the consuming and riding public;
  - e. Recommends to the Municipal Mayor for the approval of the Sangguniang Bayan, measures designed to improve the operation and maintenance of the enterprises.
  - f. Exercise such other duties and functions as may be prescribed by law or ordinance.
2. *Administrative & Support Services Division.* Shall be responsible on matters pertaining to personnel, collections, disbursements, records, controlling and recording of repairs, request and maintenance support of the enterprise. The Plantilla Positions with corresponding salary grades of personnel under this division are as follows:

ADMINISTRATIVE STAFF

1 – Administrative Officer III	SG – 14
1 – Data Controller IV	SG – 13
1 – Administrative Officer I (Cashier I)	SG – 10
1 – Administrative Assistant II (Bookkeeper)	SG – 08

SUPPORT SERVICES STAFF

1 – Administrative Asst. II (Public Relations Asst)	SG – 08
1 – Administrative Asst. II (Labor General Foreman)	SG – 08
2 – Administrative Aide IV (Electrician I)	SG – 04
2 – Administrative Aide III (Carpenter I)	SG – 03
10 – Security Guard	SG – 03
1- Administrative Aide I (Utility Worker I)	SG – 01

3. *The Tungawan Public Market Division.* Responsible on matters relative to the daily management of field operations of the market enterprise.

2 – Market Supervisor I	SG – 10
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MARKET OPERATION SECTION

3 – Market Inspector I	SG – 06
1- Meat Inspector I (Halal)	SG – 06
1 – License Inspector I	SG – 06
4 –Revenue Coll. Clerk I	SG – 05
4- Administrative Aide I (Utility Worker I)	SG – 01

4. *Tungawan Integrated Bus Terminal Division.* Responsible on matters relative to the daily management and operations of the TIB





(Pg 7 of General Ordinance No. 58 Series 2015).

**OPERATION SECTION**

1 – Administrative Assistant I	SG – 07
4 – Revenue Collection Clerk I	SG – 05
8 – Parking Aide I	SG – 02
2- Administrative Aide I (Utility Worker I)	SG – 01

5. *Tungawan White House Pension and Resort, and Tungawan Recreation and Cultural Center Division*- Responsible on matters relative to daily management and operation of TWHPR & TRCC

**OPERATION SECTION**

1- Recreation & Welfare Services Assistant	SG-07
1-Administrative Aide II	SG- 04
4- Security Guard I	SG- 03
6- Administrative Aide I (Utility Worker I)	SG -01

6. *Tungawan Slaughterhouse and Livestock Center (TSLC) Division*. Responsible on matters relative to the daily management and operations of the Tungawan Slaughterhouse.

1 – Slaughterhouse Master I	SG –10
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**OPERATION SECTION**

1- Meat Inspector I (Halal)	SG– 06
1 – Revenue Collection Clerk I	SG – 05
2 – Administrative Aide III (Utility Worker II) (Halal)	SG – 03
2 – Administrative Aide III (Utility Worker II)	SG – 03
1 – Administrative Aide I (Utility Worker 1 (Halal)	SG – 01
1 – Administrative Aide I (Utility Worker 1)	SG – 01

7. *Tungawan Public Cemetery Division*. Responsible on matters relative to the daily management and operation of the TPC.

1 – Administrative Aide VI	SG – 06
2 – Cemetery Care Taker	SG – 02

8. *Tungawan Rubber Trading, Agricultural & Marine Products Trading Center and Tungawan Livelihood Center Division*. Responsible on matters relative to the daily management and operations of the TRT, AMPTC and TLC.

1- Administrative Assistant II	SG- 08
2- Administrative Aide VI ( Buyer II)	SG -06
1 - Administrative Aide III	SG- 03
2 – Security Guard I	SG- 03
1- Administrative Aide II	SG- 02
4 – Administrative Aide I (Utility Worker I)	SG -01



(Pg 8 of General Ordinance No. 58 Series 2015).

Section 9. The MEEDO assisted by the Municipal Human Resource Management Officer shall prescribe the job descriptions and qualifications of Plantilla Positions as enumerated in Sections 8 of this code in conformity with the Qualification Standards and existing provisions set forth by the Civil Service Commission (CSC) and Organization, Position Classification and Compensation Bureau (OPCCB), and the Revised Index of Occupational Services, Position Title and Salary Grade under Local Budget Circular No. 61 dated March 18, 1996.

Section 10. **Personal Services Limitation-** The Total Personal Services budget of the enterprises shall not exceed 45 % of its total income of the preceding budget calendar year.

Section 11. **Budget** - Budgetary allocations for the personal services/ salaries and other fringe benefits shall be determined through an appropriation ordinance by the Sangguniang Bayan which shall be included in the municipal regular budget.

#### ARTICLE V GENERAL/COMMON PROVISIONS

Section 12. **Permit and Licenses.** All stallholders/ vendors and other business operators doing business/ operating within the Economic Enterprises of the Municipality are required to secure the necessary permit and license before their operation pursuant to the Revenue Code of the Municipality of Tungawan.

Section 13. **Committee on Award** - There shall be created Committee on Award who has exclusive authority to award stall/space/room/booth in any enterprises in the municipality, to be composed of the following:

Chairman	:	Local Chief Executive
Vice Chairman	:	SB Chairman of Committee on Economic Enterprises
Member	:	MGDH-I (Municipal Treasurer)
	:	MGDH-I (Municipal Economic Enterprise Development Officer)
	:	3 Representatives coming from different CSOs accredited by the Sangguniang Bayan engaging businesses within the municipality.

Section 14. **Manner and System in the Awarding of Stalls in any Economic Enterprises of the Municipality.**

1. No person shall operate stall, room, booth, space in any Economic Enterprises without first securing the permit and license required by the municipality. All application and pertinent documents thereto for the award of stall shall be filed in the office of the MEEDO.
2. The stallholder/vendor shall be assigned a stall according to the nature of the merchandise/line of business he/ she intends to sell/do.





(Pg 9 of General Ordinance No. 58 Series 2015).

3. A stallholder/vendor shall not be allowed to occupy a stall/ space other than those leased to him/her, and it shall be the duty of the MEEDO or his duly authorized representative to see to it that the stallholder does not occupy other stalls/ spaces.
4. No person shall be allowed to lease more than one (1) stall in all enterprises of the municipality. It shall be a violation of this section for more than one member of a family consisting of the father, mother, sons and daughters to hold more than one stall in all economic enterprise unless these sons and daughters are already of legal age and are living by themselves and independently from their parents.
5. In case of a couple having two or more legitimate stalls, they shall be allowed to retain only one of those stalls and register the same in the name of either the husband or the wife, while the rest shall be waived to their nearest kin up to the 4<sup>th</sup> civil degree or to other interested and qualified applicants.
6. The awarding of stalls, room, both or space shall be done through raffle by a raffle committee organized for this purpose. However, if there is only one qualified applicant, the stall, room, both or space will be awarded to him.
7. A Contract of Lease Fee. An amount of Php 500.00 Contract of Lease Fee shall be collected from the lessee for a period of 3 years and a Renewal Fee of Php 500.00 thereafter.

Section 15. **Award/Adjudication and the Contract of Lease** – All awards or adjudication of newly constructed or vacant stalls in the Economic Enterprises shall be made pursuant to the provisions of this code. That after the award of any stall, room, booth or space, a contract of lease shall be executed by the Municipal Mayor representing the

Municipal Government and the awardees' after the latter has complied with all other requirements. The contract of lease shall be substantially in the following form but may be modified to conform to the needs of a particular MEEDO as contained herein:

### CONTRACT OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

This Contract of Lease is made and entered into by and between:

MUNICIPALITY OF TUNGAWAN, a public corporation existing under and by virtue of the law of the Philippines, represented in this act by its Municipal Mayor \_\_\_\_\_, hereinafter called the LESSOR;

and

MR./MRS./MS. \_\_\_\_\_ of legal age, married/ single, Filipino Citizen, and a resident of \_\_\_\_\_, Municipality of Tungawan, Zamboanga Sibugay, Philippines hereinafter called the LESSEE.



(Pg 10 of General Ordinance No. 58 Series 2015).

**WITNESSETH**

The LESSEE is an awardee of Stall No. \_\_\_\_\_ Bldg. \_\_\_\_ of the TPM/TIBT/TWHPR /TRCC/TSLC/TPC/TRT/AMPTC/TLC during the raffle of stalls conducted on \_\_\_\_\_ at \_\_\_\_\_ . The Lessor hereby leases the aforesaid stall in favor of the aforementioned LESSEE, subject to the following terms and conditions:

1. That this Contract of Lease shall be valid on \_\_\_\_\_, 20\_\_\_\_, to \_\_\_\_\_, 20\_\_\_\_, and renewable every 3 years thereafter unless sooner cancelled or revoked for cause.
2. That LESSEE at all times keep the stall in good sanitary condition, provide receptacles and cleaning materials according to the system as provided by the Municipal Ecological Solid Waste Management Program, and shall comply strictly with the provision of this code, and all laws, Ordinances, Rules and Regulations now existing or which may hereafter be promulgated. Failure to maintain the stalls in good sanitary condition after (2) warnings by the MEEDO shall be a ground for revocation of the Lease of Contract.
3. The LESSEE shall pay the corresponding rent for the stall and shall secure Business Permit and License in the manner and amount prescribed by this code and the Municipal Revenue Code.
4. The LESSEE shall be allowed to take possession over his/her awarded stall only upon compliance with all prescribed requirements.
5. That the business to be conducted in the stall shall belong exclusively to the herein LESSEE.
6. That in case herein LESSEE shall engage the services of a helper/helpers, herein LESSEE shall promptly notify the MEEDO of their presence.
7. The LESSEE shall not sublease his/her privilege to the stall nor permit another to conduct business therein;
8. Relinquishing/ Transferring of privilege over the stall to another person is hereby recognized provided that the following procedures are strictly followed:
  - a.) Affidavit or Waiver or Relinquishment of Rights shall be executed by the legal awardee or occupant.
  - b.) The relinquisher/transferor shall pay the amount of One Thousand (P1,000.00) Pesos as Transfer Fee. This amount shall be used solely for the improvement of the operations of the Economic Enterprises, most specifically from its particular division.

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(Pg 11 of General Ordinance No. 58 Series 2015).

- c.) The transferee shall pay the amount of Twenty Thousand (P 20,000.00) Pesos as Occupancy Fee. This amount shall be solely used for the improvement of the operations of the Economic Enterprises, most specifically to the category of its particular division.
9. That the LESSEE shall not use his/her right or Contract of Lease as his/her collateral or security for any loan agreement with any public or private entity.
  10. That at any given time, should the stall/s be used for purposes other than that which is intended, or remain closed or idle for at least thirty (30) consecutive days without prior written notice, the same be declared abandoned and the lease shall be automatically revoked by the Municipal Mayor.
  11. That non-payment of monthly rental within the first (15) days after it has become due and demandable shall be sufficient cause for revocation of the lease.
  12. That the LESSEE shall not in any manner alter the structure and/or make any extension on the stall without prior approval of the MEEDO.
  13. That the LESSEE shall secure Electrical Permit for the installation of electric meter in the stall leased to him/her and shall correspondingly pay its bills.
  14. That the LESSEE shall provide padlocks and other protective devices to ensure safety of goods and products inside his/her stall.
  15. That the LESSEE shall provide a signboard/billboard in front of his/her stall, the size and design of which shall be prescribed by the MEEDO.
  16. That the LESSEE shall provide a Fire Extinguisher (at least 2 pounds) in each stall except for fish, meat and vegetable stalls.
  17. That the LESSEE shall not use the stall as bodega, store room or stock room of any merchandise/personal properties be it temporary or short period of time.
  18. That violation of any of the foregoing terms and conditions and other applicable laws, ordinances, rules and regulations shall be sufficient cause for the cancellation or revocation of this Contract of Lease, and revocation/forfeiture of occupancy rights the simultaneous closure and/ or padlocking of the stall.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ at Tungawan, Zamboanga Sibugay, Philippines.

BY:

\_\_\_\_\_  
Municipal Mayor/Lessor

\_\_\_\_\_  
Stall Holder/Lessee



(Pg 12 of General Ordinance No. 58 Series 2015).

SIGNED IN THE PRESENCE OF:

\_\_\_\_\_ and \_\_\_\_\_

**ACKNOWLEDGEMENT**

REPUBLIC OF THE PHILIPPINES)  
PROVINCE OF ZAMBOANGA SIBUGAY) S.S  
MUNICIPALITY OF IPIL )  
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BEFORE ME, a Notary Public, for and in the Municipality of Ipil, Zamboanga Sibugay, Philippines, this \_\_\_ day of \_\_\_\_\_, \_\_\_ personally appeared Municipal Mayor \_\_\_\_\_ with Community Tax Certificate No. \_\_\_\_\_ issued at Tungawan, Zamboanga Sibugay on \_\_\_\_\_, \_\_\_ and MR./ MRS./ MS. \_\_\_\_\_ with Community Tax Certificate No. \_\_\_\_\_ issued at Tungawan, Zamboanga Sibugay, Philippines on \_\_\_\_\_, \_\_\_, both known to me to be the same persons who executed the foregoing instrument and they acknowledge that the same is of their free act and voluntary deed.

This instrument consisting of three (3) pages including this page have been signed by the parties and their instrumental witnesses.

WITNESS MY HAND AND SEAL at the place and on the date first above-written.

\_\_\_\_\_  
NOTARY PUBLIC

Doc No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of \_\_\_\_\_

Section 16. **Duration of Contract of Lease-** The Contract of Lease of any stall, room, booth or space in the economic enterprises shall be valid and subsisting from the time of its execution until the same month and day of the next 3 years, and renewable every 3 years thereafter, unless sooner revoked or cancelled for cause.

Section 17. **Subleasing and Selling of Privilege Not Allowed** - No awardee shall sublet or sublease the stall so awarded nor shall any privilege acquired be sold. Any person other than the stallholder found selling in the latter's stall shall be considered prima facie evidence of subleasing and shall subject the stallholder outright revocation of his/ her lease award.





(Pg 13 of General Ordinance No. 58 Series 2015).

Section 18. **Transfer of Privilege Over Stall** – Transfer of privilege over stall maybe allowed, provided the transferor shall pay the amount of One Thousand (Php 1,000.00) Pesos as Transfer Fee and the transferee shall pay an amount of Twenty Thousand (Php 20,000.00) Pesos as Occupancy Fee in full payment or at monthly or quarterly installment for one year. Such fees shall be used solely for the improvement of the operation of the Economic Enterprise, most especially to the particular division.

Section 19. **Revocation of Lease** - The revocation of the lease contract of the stallholders shall be effected for cause or causes as provided in the lease contract and those provided in pertinent provisions of this code.

Section 20. **Effect of Death of Lessee** - Upon the death of the stallholder/ lessee, the contract of lease covering said stall shall be deemed terminated. However, if the deceased leaves a surviving spouse or legal heirs who are not disqualified under the provisions of this Code and who desire to continue the business of the deceased, the lease may be transferred to the decease's spouse or legal heirs upon application therefore; provided, that the MEEDO shall be notified within thirty (30) days after the death of the original lessee of the desire of the spouse or legal heirs to succeed and upon payment of all necessary rents or lease due at the time of the original lessee provided that no occupancy fee shall be exacted if the transferee is a relative of the deceased within 4<sup>th</sup> degree of consanguinity or affinity.

Section 21. **Abandoned Stall/Articles**

1. Unless requested in writing any room, booth or stall in any Economic Enterprises of the Municipality which has been closed for thirty (30) consecutive days, and after serving 2 due notices, shall be considered abandoned and the lease to such booth/stall be automatically revoked by the Municipal Mayor.
2. Any articles abandoned in a stall, booth or space in the economic enterprises in violation of any provision of this code shall be deemed a nuisance, and it shall be the duty of the MEEDO or his/her staff/s to take custody thereof. In case, the articles are claimed within seventy two (72) hours thereafter, they shall be returned to their owners upon payment of actual expenses incurred in their safekeeping unless they have so deteriorated as to constitute a menace to public health, in which case, they shall be disposed through the order of the Municipal Mayor, who may also, at his/her discretion, cause the criminal prosecution of the guilty party, or merely warn him/ her against future violation. If the articles have not deteriorated and are not claimed within (30) days the time herein fixed, said articles shall be sold through public auction, and the proceeds thereof be disposed of in accordance with law.

Section 22. **Adjudication of Vacant Stall to Applicants** - Vacant stalls shall be leased to applicants in the following manner

1. Notice of vacancy of the stalls or booths shall be posted in the Municipal Hall/ Building, MEEDO Bulletin Board and bulletin board of the market or enterprises it belongs for a period of not less than ten (10) days prior to the date of the actual award to qualified applicants to appraise the public of the fact that such stall or booth is vacant and available for lease.





(Pg 14 of General Ordinance No. 58 Series 2015).

2. Notice of Stall Vacancy to be posted or published shall be written in the following form:

**NOTICE OF STALL VACANCY**

Notice is hereby given that stall/room/space/booth No. \_\_\_\_\_, Building \_\_\_\_\_ of \_\_\_\_\_ Section of the Municipal Economic Enterprise is vacant or will be vacant on \_\_\_\_\_. Any person duly qualified and desiring to lease this stall/ room/ space/booth shall file an application therefore on the prescribed form (copies may be obtained from the MEEDO during office hours) on or before 12:00 noon of \_\_\_\_\_, \_\_\_\_\_, after which time no more applications shall be issued. The award of the lease of the vacant stall/room/booth/ space shall be determined through raffle to be conducted on \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ o'clock AM/ PM at the MEEDO.

3. An Application Fee of One Hundred (P100.00) Pesos, non refundable, shall be collected from each applicant. Such collection shall accrue to the Special Account-General Fund of the municipality. The application shall be substantially in the following form.

**APPLICATION TO LEASE STALLS IN THE ECONOMIC ENTERPRISES OF THE MUNICIPALITY**

Address: \_\_\_\_\_

Date: \_\_\_\_\_

The Municipal Mayor  
Municipality of Tungawan

Sir;

I, \_\_\_\_\_, hereby apply to lease Stall No. \_\_\_\_\_ Building \_\_\_\_\_ of TPM/TIBT/TWHP/TRCC/TSLC/TPC/TRT/AMPTC/TLC. I am \_\_\_\_\_ years old, single/married/widow/widower, a Filipino citizen, with residence and postal address at \_\_\_\_\_.

Should the above-mentioned stall/room/booth/space be leased to me in accordance with the Municipal Economic Enterprises Code, I promise to hold the same under the following conditions:

- 1) That while I am occupying or leasing this stall/room/booth/space, I shall at all times have my picture and that of my helper (or helpers) conveniently framed and hanged up conspicuously in the stall/ room/booth/space.
- 2) I shall keep the stall/room/booth/space at all times in good sanitary condition, and comply strictly with all pertinent economic enterprises ordinances, code, laws, rules and regulations, now existing or which may hereafter be promulgated.
- 3) I shall pay the corresponding rents for the stall/room/booth/space in the manner prescribed by existing ordinance/code.





(Pg 15 of General Ordinance No. 58 Series 2015).

- 4) I shall not sell my privilege to the stall/ room/ booth/space, or otherwise permit another to conduct business thereon.
- 5) Any violation on my part or on the part of my helpers of the foregoing conditions shall be sufficient ground for the suspension or revocation of the lease contract by the Municipal Mayor.

Very truly yours,

\_\_\_\_\_  
Applicant

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 knowledge.

\_\_\_\_\_  
Applicant

SUBSCRIBED AND SWORN to before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ at Tungawan, Zamboanga Sibugay, Philippines, Affiant applicant exhibiting to me his/her Community Tax Certificate No. \_\_\_\_\_, issued on \_\_\_\_\_ at Tungawan, Zamboanga Sibugay, Philippines.

\_\_\_\_\_  
Municipal Mayor

OR No. \_\_\_\_\_  
Amount \_\_\_\_\_  
Date Issued \_\_\_\_\_

4. The application shall be made under oath. It shall be submitted to the MEEDO by the applicant either in person or through his/her authorized representative.
5. It shall be the duty of the MEEDO to keep a Registry Book showing the names and addresses of all applicants for vacant stall/room/booth/ space, the number and description, of the stall/room/booth/space applied for by them, and the date and hour of receipt of each application. It shall be also the duty of the MEEDO or his duly authorized representative to acknowledge receipt of the application setting forth therein the time and date of receipt thereof.
6. Applicants who are residents of Tungawan Municipality and a Filipino Citizen shall have preference in the lease of economic enterprises stalls rooms/booths/spaces. If on the last day

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(Pg 16 of General Ordinance No. 58 Series 2015).

set for filing of applications, there is no application from resident applicants, the posting of the notice of vacancy prescribed above shall be reposted for another ten (10) days period. If after the expiration of that period there is still no resident applicant, the stall affected may be leased to any non-resident applicant who filed his/ her application first. If there are several applicants, the adjudication of the stalls shall be made through the drawing of lots, raffles to be conducted by an assigned committee on the date and hour specified in the notice. The result of the drawing of lots/ raffles shall be reported immediately by the committee to the Municipal Mayor and copy furnished the MEEDO and the Office of the Sangguniang Bayan for information.

7. The successful applicant shall furnish the MEEDO with the two (2) copies of his/ her recent picture immediately after the award of the lease. It shall be the duty of the MEEDO to affix one (1) copy of the picture to the application and other copy to the record card kept for the purpose.

#### Section 23. **Cleanliness and Sanitation**

1. All enterprise premises and buildings/offices must at all times be kept clean and in sanitary condition to safeguard the health and safety of the buying public and clientele as well as the stallholders, vendors and personnel thereof.
2. Stallholders/ vendors shall keep and maintain their stalls in clean and sanitary condition. They shall likewise be responsible for the cleanliness of the passageway, alleys or spaces immediately in front or behind or by the side of their stalls, booth or spaces.
3. A "No Littering" sign shall be posted in conspicuous places of the enterprises to warn vendors, buyers and other person(s) that the same is punishable by law.
4. It shall be the responsibility of all stallholders to secure their garbage according to the system as provided by the Municipal Ecological Solid Waste Management scheme and must dispose the same according to the kind of material segregated and the schedule of collection.

#### Section 24. **Water and Drinking Facilities**

1. All economic enterprises shall have available ample water for cleaning. There shall be separate drinking facilities to prevent contamination.
2. All water supply lines and electrical lines, including its bills and installation costs, shall be shouldered by the stallholder, provided that the written consent of the MEEDO is secured before installation shall take place.

Section 25. All telecommunication lines, cables and electrical lines shall conform to the National Building Code, Philippine Electrical Code and other applicable laws.

Section 26. **Ambulant Vendors** - Shall be allowed to sell their commodities within the premises of the Economic Enterprises duly designated by the MEEDO. Specifically an Ambulant Fish Vendor shall not be allowed to sell within 1 kilometer radius from the public market.





(Pg 17 of General Ordinance No. 58 Series 2015).

Section 27. **Loafing or Loitering, Begging and Gambling in the Enterprises Premises Prohibited.** No person, who does not have any legitimate business or transaction in the Economic Enterprises shall idly sit, lounge, walk, lie, tarry, loaf or loiter in or about the premises of enterprises. No person shall likewise be permitted to solicit alms or voluntary contributions, within the premises. Gambling of any form or kind or whatsoever and playing of "dama", "domino", "tong-its", or any other similar games are strictly prohibited within the enterprises premises.

Section 28. Except where the operation of the enterprises is on a 24-hour basis, no stallholder/ person is allowed to stay, loiter and sleep after closing time within the economic enterprises premises.

Section 29. **Public Toilets**

1. Public toilets with adequate lavatories, at least one for men and for women shall be provided and installed in strict conformity with the sanitation code and the same shall, at all times, be kept clean and sanitary.
2. The operation and maintenance of the enterprise's public toilets may be leased or rented to any individual party/association/cooperative which shall be determined by the Municipal Mayor and subject to the approval of the Sangguniang Bayan.
3. A Memorandum of Agreement (MOA) shall be executed by both parties for that matter, subject to the authority of the Sangguniang Bayan.
4. Schedule of Fees and Charges:

a. Urination	-----	P 3.00
b. Stooling	-----	5.00
c. Bathing	-----	15.00
d. All of the above	-----	20.00

Section 30. **Losses of Stallholder** - The Municipal Government shall not be responsible for any loss or damaged that any stallholder or vendor may incur in the Enterprises by reason of fire or force majeure. The management, however, shall encourage the stallholders to save their commodities.

Section 31. **Fire Safety, Peace and Order**

1. Fire extinguisher and other fire fighting equipments must be placed in strategic places of the enterprises' premises by the MEEDO. A stallholder themselves may be required and encouraged to provide and place such fire extinguisher or firefighting equipment in their stall.
2. In case of fire/ conflagration in or near the vicinity, it shall be the duty of the stall occupants to report such incident to the proper authorities.
3. It shall be the duty of stallholder/vendor or his/her representative to report to the enterprises security guard and local police (PNP) any untoward incident, accident or crime that may occur within or near his/ her vicinity.





(Pg 18 of General Ordinance No. 58 Series 2015).

**Section 32. Prohibition in the Storage of Highly Combustible or Explosive Materials**

The stallholder/ vendor shall not be allowed to store gasoline or any other highly combustible or explosive material or substance nor toxic materials, such as agricultural insecticides, pesticides and similar toxic chemicals, firecrackers and pyrotechnics within their stalls, except those selling agriculture chemicals and other related products.

**Section 33. Ramps and Stairways** - Ramps shall be strategically located for purposes of viability near the approach point to the enterprises structure and shall conform to the provisions of the existing accessibility law which requires buildings, institutions, establishments and public utilities to install facilities and other devices to entrance the mobility of different abled persons. They shall provide convenience to related functional activities. Regular stairway shall complement the economic enterprises system.

**Section 34. Enterprises Aisles** - To facilitate mobility, security and safety at all times, economic enterprises aisles shall be free from any obstruction. MEEDO personnel, enterprises security guards and policemen detailed in the vicinity shall exercise strict vigilance on this matter and enjoin strict compliance with this provision.

**Section 35. Proper Identification** - All stallholders/ vendors, laborers and helpers are required to pin their identification card. The identification card shall be duly signed by the Municipal Mayor, SB-Chairman Committee on Economic Enterprises and the MEEDO. It shall be provided by the Municipal Government of Tungawan free of charge.

**Section 36. Peddling and Hawking** - No person or persons shall peddle, hawk and offer for sale or expose for sale any article in the passageways or aisles of the enterprises used by the purchasers or open spaces and landscapes or islands within the enterprises premises which are not designated for display or vending.

**Section 37. Dispensing and Serving Intoxicating Drinks** - No person or persons shall drink or dispense liquor or any intoxicating drink within the premises of the economic enterprises, except in the duly designated areas. Any violation hereof shall subject the offender to the penal provisions of this code and his/ her lease award shall be subject to revocation.

**Section 38. Loose Animals** - The MEEDO shall make sure that no dogs or other animals are left astray in the enterprises premises.

**Section 39. Illegal Construction** - The construction of living quarters within the enterprises premises or buildings shall not be allowed. Likewise, no lessee shall remove or construct, after the original structure, any stall, booth or space, including electrical wiring or water connection, without prior permit from the MEEDO and approved by the Municipal Building Official. Any unauthorized/illegal construction shall immediately be subjected to demolition by the management.

**Section 40. Utilization of Stall as Bodega** - The stalls in the Economic Enterprises shall not be utilized as bodega/stock room/store room of any merchandise or personal belongings, be it temporary or a short period of time.





(Pg 19 of General Ordinance No. 58 Series 2015).

Section 41. **Ejected Stallholders and Transferor of Stall are Disqualified to Participate in the Drawing of Lots**- After due notice and hearing, should the stallholder be ejected from his/ her stall/booth/space for cause as provided for in this code and those who waive/transferred their stall ownership, shall be disqualified from subsequently filing another application for the lease of any stall/booth/space in the enterprises of the municipality.

Section 42. **Dummy or Dummies** - Any person who acts as dummy for another and the person who employs the dummy in connection with the enjoyment of any privilege provided in this Code shall be subject to the penalty provided in the provision of this code.

Section 43. **Use of Video Karera Machines** - The use of video karera machines in any portion within any economic enterprises is strictly prohibited.

Section 44. **Ambulant Enterprises** - Vendors who do not occupy a permanent space but are doing business daily or occasionally must pay an arkabala equivalent to Php 5.00 per sq. m. per day.

Section 45. **Citation Ticket** – The MEEDO is given the discretion to devise the appropriate form and style of citation ticket to be used.

#### ARTICLE VI TUNGAWAN PUBLIC MARKET (TPM)

Section 46. The Municipality of Tungawan shall operate a Public Market in strategic locations within the municipality.

#### Section 47. **Market Management**

1. The market management shall be headed by a Market Supervisor I who shall exercise direct and immediate supervision, administration and control over the TPM and Public Toilets and the personnel thereof including those whose duties, concern the maintenance, upkeep of peace and order of the market premises subject to the supervision of the MEEDO and in accordance with the existing laws, local ordinances, this code and other rules and regulations pertinent thereto.
2. Other Market and Public Toilet personnel are those enumerated under Section 8 par. 3 of this Code.

Section 48. **Definition of Terms** - As used in this Code, the following terms shall be construed, understood and shall mean as follows:

1. **Market** – A public place, building or structure operated and dedicated to the service of the general public where basic commodities are displayed, offered for sale and for profit.
2. **Night Market** – A government regulated market conducted at specific time and duration of the night located in government property, portions of designated places or streets in the Municipality of Tungawan legally and temporarily close to vehicular traffic to accommodate

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(Pg 20 of General Ordinance No. 58 Series 2015).

people indulged in the business of selling goods or offer services to the public for profit, maybe located outside the public market.

3. *Occupants* – Refers to interested person or persons allowed to display and sell goods or offer services after his/ her application has been approved and definite space has been assigned on a temporary basis and has paid the nightly fee.
4. *Collector* – Is the revenue collection clerk who is properly bonded representing the MEEDO and who collects the fees or charges and issue the corresponding receipt or cash tickets.
5. *Customer* – Any person buying the goods displayed or patronizing the services offered or tendered by the lessee or occupants in the Economic Enterprises of the Municipality of Tungawan.
6. *Security Officer* – Is the Civil Security Officer, assigned to maintain peace and order in the market area in coordination with the PNP and the AFP.
7. *Night Market Supervisor* – A personnel assigned by the Municipal Government who shall implement the distribution or awarding of the space to the occupant, ensure that fees are collected, sanitation, security, peace and order are maintained, and opening closing time of the night market are observed as well as other related matters.
8. *Designated Night Market Place* - These are officially designated locations which could be government buildings, lands, portions of roads or streets legally and temporarily closed to vehicular traffic to accommodate the night market project of the Tungawan Municipal Government. Location can be expanded, relocated or transferred by the Local Government as the need arises.

#### Section 49. **Market Hours**

1. The public market hours shall be regularly opened at four o'clock in the morning (4:00 a.m.) and be closed at ten o'clock in the evening (10:00 p.m.) or at certain hours as may be determined by the MEEDO, in accordance with the requirements of safety, order and sanitation.
2. The Public market shall be provided with a bell or buzzer with which to announce the opening and closing of the market business.

Section 50. **Weighing Scales** - The Municipality shall provide weighing scales for the use of the consumers to safeguard them against short weighing of commodities like rice, fish, meat, etc. It shall be located in conspicuous and strategic point in the TPM.

Section 51. **Transfer Permit Fee** - A Transfer Permit Fee shall be imposed on all fish and other aquatic products bought in the public market and are intended for resale outside the territorial jurisdiction of Tungawan Municipality in accordance with the following schedule:





(Pg 21 of General Ordinance No. 58 Series 2015).

100 Kg. and below	- Php 10.00
101 Kg. but less than 1,000 kg.	- Php 20.00
1,001 Kg. and above	- Php 50.00

Section 52. **Packing Area and Service Charges** - Packing area shall be designated at Fish Landing area of TPM where inspection of fish, verification of packing procedures and collection of fees are made. For this purpose a service charge of Php 10.00 per 30 kilos bañera/box will be collected.

Section 53. **Penal Provision** - Any person found selling fish and other aquatic food products unfit for human consumption shall be fined as follows:

1 <sup>st</sup> Offense	- Php 1,000.00
2 <sup>nd</sup> Offense	- Php 1,500.00
3 <sup>rd</sup> Offense	- Php 2,000.00 plus prohibition from engaging business buying and selling fish and other aquatic food products in the Municipality of Tungawan and revocation of his/ her business permit.

Section 54. **Establishment of Cultural and Halal Section** - There shall be established a section in the Tungawan Public Market for Cultural and Halal Section for cultural/ halal products.

Section 55. **Market Booth and Space Rental Rates** - Daily rental of booths and spaces are hereby fixed, computed and paid by arkabala at the rate of Ten (P10.00) Pesos per SQM regardless of class.

Section 56. **Payment of Cash Tickets/Arkabala** - The payment of cash Tickets or Arkabala shall be done daily which will be collected by authorized Revenue Collectors and shall be remitted to the Economic Enterprises Cashier. The Economic Enterprises Cashier shall remit all collections intact daily to the Municipal Treasurer.

Section 57. **Market Entrance Fee** - In lieu of the regular market fees based on their space occupied, a market fee shall be imposed on all transient wholesale vendors of any commodity or merchandise being brought into the public market before sale on the basis of weight, bundle, sack, can, carload, or any convenient unit of measure. The amount of entrance fee will be charged on the basis of space occupied by the said commodity or merchandise, as provided in the preceding sections. Market Entrance Fees to be collected shall be based on the following rates:

1. For rice, corn, sugar or similar commodities placed in sack, per sack	- Php 2.00
2. For mungoes, beans and ginger placed in sack, per sack	- Php 2.00
3. For fresh egg, per 5 tray	- Php 1.00
4. For fruits & vegetable placed in big baskets (Bukag) of 50 kls. Per basket	- Php 2.00
5. For dressed chicken, and other frozen products, 10 heads	- Php 2.00
6. For dried and salted fish, per box/ per can	- Php 2.00
7. For live chickens, ducks, fowls and other small animals allowed in the public market, per head.	- Php 2.00
8. For every 10 kilo of fish, seafood and/ or marine products brought into Wholesalers	- Php 2.00

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(Pg 22 of General Ordinance No. 58 Series 2015).

9. For meat and other meat products, per 10 kilos - Php 2.00
10. For other products, per 10 kilos or per box - Php 2.00

Section 58. **Location of Night Market** - While the Municipal Government could designate and declare legally portions of open spaces or roads for the purpose of the Tungawan Night Market, however, the initial site is the Villafuerte St., Building B, Parking Area, Mangubat St., Climaco St., Tayag St. and Magdayao St. within the Tungawan Public Market. Provided however, that a passable space for pedestrian and vehicles shall be allocated.

The Local Chief Executive may assign other location for the night market when deemed necessary and applicable.

Section 59. **Closure of Roads** - Pursuant to the Local Government Code of 1991, Chapter 1, Section 21, paragraph (d) which states that, any municipality or barangay may, by a duly enacted ordinance, temporarily close and regulate the use of any local street, road, thoroughfare, or any other public place, the Municipal Mayor is hereby authorized to temporarily close at least one-half lengthwise of selected streets and spaces within the Municipal Economic Enterprises to be used for a Night Market, Market Day "Tabo-tabo" or Occasional Shopping Day where goods, merchandise, foodstuffs, commodities, or articles of commerce may be sold and dispense to the general public. Such closure time and traffic route shall be determined by the Municipal Mayor through the MEEDO.

Section 60. **Night Market Structures and Paraphernalia** - Occupants of the Night Market must occupy and install their structures, paraphernalia only in the designated area.

Section 61. **Kind of Materials** - Only light structure and materials which could be easily folded, lifted and removed should be installed in the Night Market since the stay of the occupants is limited and temporary. The MEEDO if deemed necessary shall provide the design of the collapsible structure and shall regulate the same to observe safety and aesthetics.

Section 62. **Removal** - All structures, materials, paraphernalia and goods displayed in the Night Market must be removed and cleared completely on or before closing time.

Section 63. No structures, paraphernalia, and goods or any part shall be displayed before the opening time of the Night Market.

Section 64. The opening time of the Night Market shall start at 4:00 o'clock in the afternoon and its closing time shall not go beyond 3:00 o'clock of the following morning.

Section 65. An application at the MEEDO must be filed and approved to get a Night Market Permit, Market Day or Tabo-Tabo or Occasional Shopping Day. The following documents, except letter b, shall be required from each applicants from their respective residence:

- a. Community Tax Certificate
- b. Health Clearance
- c. Barangay Clearance
- d. Police Clearance





(Pg 23 of General Ordinance No. 58 Series 2015).

Section 66. Applicants with approved Night Market, Market Day or Tabo-Tabo or Occasional Shopping Day permit shall get a location assignment from the MEEDO.

Section 67. **Disqualification** - Any violation of the provisions of this ordinance or the inability to present the needed requirements shall be a ground for disqualification to apply for Night Market Permit.

Section 68. **Sanitation** - It shall be the responsibility of the occupants to maintain the cleanliness and sanitation of their premises during the duration and immediately after the closing of the Night Market, Market Day or Tabo-Tabo or Occasional Shopping Day. As such the occupants must observe the following:

- a. Occupants are obliged to place their solid waste in disposable container properly kept at the side of the gutter of the road, its top tied or sealed to avoid scattering or spillage for convenient collection by garbage trucks.
- b. Liquid waste must be placed in a container and disposed at the drainage canals, except toxic and environment hazard liquid waste.

Section 69. **Goods and Services Not Allowed in the Night Market**- The Following are not allowed at the night market:

- a. Livestock
- b. Heavy and Bulky Hardware
- c. Pungent and odorous goods offensive to the smell
- d. Except Live Bands and other entertainments coordinated by LGU, services that emit noise that require heavy electrical load rated more than 500 watts.

Section 70. **Peace and Order**

1. While it is understood that occupants are to avoid unruly behavior, however, the Municipal Government shall assign Security Officer to the Night Market, Market Day or Tabo-Tabo or Occasional Shopping Day area to maintain peace and order, assistance of the Police Officer shall be called whenever necessary.
2. In case of emergency of fire or conflagration near the vicinity of the Night Market, Market Day or Tabo-Tabo or Occasional Shopping Day area, occupants must be alert and speedy evacuate their structures and valuable to clear the road for the passage of the fire fighting units and firemen. It shall be the duty of the night market supervisor to inform the occupants of such precautions.

Section 71. **Daily Fees and Charges in the Night Market**

- |                                  |   |            |
|----------------------------------|---|------------|
| a. For every Go-Cart             | - | Php. 20.00 |
| Area Maximum 12 Square Meter     | - | Php. 20.00 |
| Area Maximum 10 Square Meter     | - | Php. 15.00 |
| Area of 8 Square Meter and below | - | Php. 10.00 |



(Pg 24 of General Ordinance No. 58 Series 2015).

- b. The fees must be paid before closing time of the Night Market, Market Day or Tabo-Tabo or Occasional Shopping Day No credit is allowed to avoid accumulation of accounts.
- c. Payments must be issued with corresponding accountable official receipts or cash tickets.
- d. An annual Night Market Fee, Market Day or Tabo-Tabo or Occasional Shopping Day fee of Php 150.00 shall be imposed which shall be collected every January of the year.

Section 72. **Limitation of Area** - A maximum of 12 square meters may only be allowed to each occupant during the Night Market, Market Day, Tabo-Tabo or Occasional Shopping Day.

Section 73. **Lighting Facilities** - All electrical lines shall be shouldered by the Municipal Government provided it shall conform with the National Building Code, Philippine Electrical Code, and other applicable laws. All occupants shall abide with the following schedule of electrical charges; lighting fixtures and small appliances to be classified as follows:

a. 101 – 500 watts	- Php 50.00/unit/night
b. 100 watts	- Php 10.00/unit/night
c. 80 watts	- Php 8.00/unit/night
d. 60 watts	- Php 6.00/unit/night
e. 50 watts	- Php 5.00/unit/night
f. 40 watts	- Php 4.00/unit/night
g. 36 watts	- Php 3.60/unit/night
h. 21 watts	- Php 2.10/unit/night
i. 20 watts	- Php 2.00/unit/night
j. 18 watts	- Php 2.00/unit/night
k. 12 watts	- Php 1.80/unit/night
l. 10 watts	- Php 1.00/unit/night
m. 8 watts	- Php 0.80/unit/night
n. 5 watts	- Php 0.50/unit/night

Section 74. Sectional arrangement in the Night Market for purpose of order and aesthetics.

**Dry Goods**

Clothes and Clothing  
Foot wares  
Kitchen wares  
Groceries  
Sari-sari

**Foods and Drinks**

Turo-turo foods  
Barbeque Stand  
Soft drinks  
Bread, biscuits and homemade food products  
Balut  
Beer, Brandy and wine





(Pg 25 of General Ordinance No. 58 Series 2015).

**Mixed Services**

- a. Beauty Saloon
- b. Tool Sharpening
- c. Shoe shine and repair
- d. Massage and Physiotherapy

Gift item Section  
Agricultural & Marine Products  
Plants and Flowers  
Appliances Section  
Furniture  
Cereal Sections  
Games and Entertainment  
Miscellaneous Items

Section 75. **Identification Card** – Owners (optional)/occupants, sales boy or salesgirl, helpers and other personnel hired or working with the occupants in the night Market must wear identification card duly issued by the Municipal Government.

Section 76. **Penal Clause** - Violation to the provisions of the Night Market shall be penalized as follows:

- a. Occupants operating without an approved applications shall be imposed a fine of Php 200.00 and closure.
- b. Non-payment of fees shall subject the occupants to closure of the operation until such time that payment due is fully paid.
- c. Non-operation of the occupant for three (3) consecutive nights without valid reason, shall be ground for revocation of the occupant's Night Market permit.
- d. Violation to Section 23 (Cleanliness and Sanitation).

First Offense	: P 300.00 and non collection of unsegregated waste
Second Offense	: P 500.00 and non collection of unsegregated waste
Third Offense	: P 1,000.00 and or filing of case in court
- e. A fine of Php 50.00 per day individually shall be imposed for non-wearing of identification card.

Section 77. **Proper Display of Merchandise** - All items, commodities or merchandise shall be displayed in the stalls or market premises so as not to hamper, obstruct or impede the passage of aisles or cause inconvenience to the market goers, and shall be arranged and displayed in the manner which shall not hamper the regular cleaning of the market premises.

Section 78. **Use of Device and Material to Defraud Consumers** - The use of device and material to defraud consumers, such as red lights, red cellophanes, and the like, which are installed/



(Pg 26 of General Ordinance No. 58 Series 2015).

placed in the stall in a manner that will deceive the consumers in buying fish, chicken or meat that are not actually fresh or not good for public consumption shall not be allowed or is prohibited.

**ARTICLE VII**  
**TUNGAWAN VEGETABLE DROPPING ZONE (BAGSAKAN)**

Section 79. The Building B in the Tungawan Public Market shall be designated as Vegetable Dropping Area or Bagsakan of all vegetables, fruits, spices, and other related products intended for sale within the TPM or which is intended for resale later to other markets outside the Municipality of Tungawan.

Section 80. The display of all vegetables, fruits, spices, and other related products intended for sale within the TPM or which is intended for resale later to other markets outside the Municipality of Tungawan shall be open to all preferably to marginalize farmers after payment of the corresponding market fees, as provided under Section 56 of this Code.

Section 81. It shall be unlawful for any person to intercept or stop a vegetable or fruit producer who is on his/ her way to Bagsakan or Public Market and to dissuade or attempt to dissuade him/ her product at the Bagsakan area or to buy all part of his/ her vegetables, fruits and other products to the purpose of reselling these goods so brought to the market.

Section 82. The Bagsakan area shall collect the following rates of fees:

1. Rental Rate of Booth and Space shall be paid by arkabala at P 10.00/sq. m. per day;
2. A storage fee of (Php 5.00) per sack/ bukag/ or box per day shall be charged from any use of goods while waiting to be disposed of;
3. A parking fee of Fifty (Php 50.00) Pesos for elf and jeep and One Hundred (Php 100.00) Pesos for forward and trucks. Habal-habal/tricycle Five Pesos (Php 5.00).

**ARTICLE VIII**  
**LARAY GROUP FOR VEGETABLES, ROOTCROPS AND OTHER  
COMMON IN SEASON FRUITS**

Section 83. There shall be a designated space for small planters, backyard gardeners or small vegetable growers who has no stall or space in the market, to sell their products on a designated time only. Which used time and space identified by the MEEDO shall be paid by arkabala at the rate of Twenty Pesos (Php 20.00) per prescribed table (one (1) sqm.).

Section 84. Only common vegetables or common in season fruits shall be sold in the laray group except radish, carrots, tomatoes, ginger, union bulbs, cabbages, atsal and spring onion.





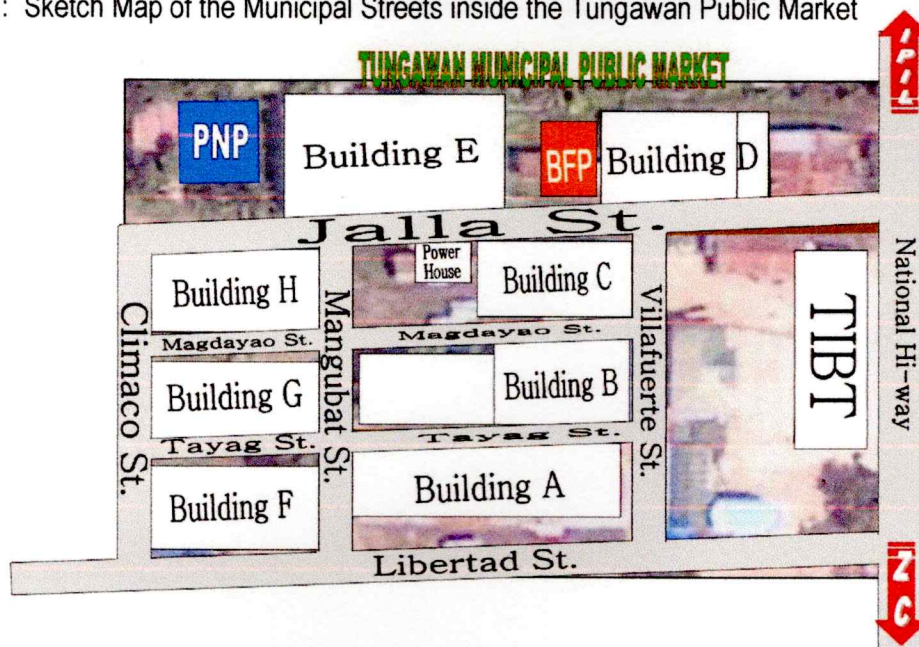
(Pg 27 of General Ordinance No. 58 Series 2015).

**ARTICLE IX  
NAMING OF STREETS AND TRAFFIC SCHEME  
WITH IN TUNGAWAN PUBLIC MARKET**

Section 85. **Streets Inside the Tungawan Public Market-** In pursuance with Section 13 of the Local Government Code of 1991, the streets inside the Tungawan Public Market are hereby named as follows:

- a. **Jalla Street** - from National Highway to corner of Climaco Street;
- b. **Magdayao Street** - from Dead End to Climaco Street
- c. **Tayag Street** - from Villafuerte Street to Climaco Street
- d. **Villafuerte Street** - from Libertad Street to Jalla Street
- e. **Mangubat Street** - from Libertad Street to Jalla Street
- f. **Climaco Street**- from Libertad Street to corner of Jalla Street

Figure 1: Sketch Map of the Municipal Streets inside the Tungawan Public Market



Section 86. **Traffic Scheme** - For more effective and orderly utilization of the streets and spaces inside the TPM and TIBT, the following traffic schemes is hereby established for all public utility vehicles, government vehicles, private service vehicles, delivery trucks and motorcycles:

1. **One Way** – a) Jalla Street from intersection of National Highway to intersection of Mangubat Street.  
b). Mangubat Street from intersection of Jalla Street to intersection of Libertad Street.
2. **Two-Way** – a) Villafuerte Street  
b) Tayag Street with “No Right Turn” at corner Mangubat Street for Westerly direction and with “No Left Turn” at corner Mangubat Street for Easterly direction.



(Pg 28 of General Ordinance No. 58 Series 2015).

- c) Magdayao Street with "No Right Turn" at corner Mangubat Street for Westerly direction and with "No. Left Turn" at Mangubat Street for Easterly direction
  - d). Jalla Street from intersection of Mangubat Street to Climaco Street.  
A "No Entry" at corner Jalla Street and Mangubat Street or "One Way" pointing Mangubat Street for Easterly direction.
  - e). Climaco Street
4. *No Parking* – a) Jalla Street from intersection of National Highway to intersection of Mangubat Street.
5. *No Loading and Unloading Zone* - The distance of 50 meters both North and South Bound on the National Highway from the Center Point of the National Highway parallel to the center of the TIBT building shall be No Loading and Unloading Zone for all PUBs and PUVs.

Section 87. **Deputization of Local Traffic Enforcers or Aides** – The Municipal Mayor is hereby authorized to appoint or designate a Traffic Enforcers or Aides who shall enforce and implement the traffic scheme provided in this Ordinance in coordination with the LTO and Municipal PNP. They shall be equipped with Identification Card, Traffic Citation Ticket, whistle and a uniform for their identification and authority.

The Local Traffic Enforcers or Aides shall be entitled to 20% incentive from their respective apprehensions which can be collected after the penalty has been paid. The principal amount of fines or penalties shall accrue to the General Fund.

Section 88. **Violations and Penalties** – Violations and Penalties of this Article are as follows:

- |                         |                |
|-------------------------|----------------|
| a) No Parking           | ..... P 150.00 |
| b) No Entry             | ..... 150.00   |
| c) No. Left/Right Turn  | ..... 150.00   |
| d) No Loading/Unloading | .... 150.00    |

Section 89. **Traffic Citation Ticket** - The MEEDO is hereby authorized to make an appropriate Traffic Citation Ticket for the effective and efficient implementation of this Traffic Scheme and to revise it when necessary.

Section 90. **Traffic Signs**- The MEEDO shall take the responsibility of establishing and maintaining the traffic signs in place.

Section 91. **Exemption** - Fire trucks, Police Vehicles, Ambulance, AFP Cars, Red Cross Service and other Law Enforcement Vehicles use in responding to emergency and enforcement of laws and order are exempted in the provisions of the Traffic Scheme.

Section 92. The MEEDO may request the assistance and shall coordinate with the Land Transportation Office (LTO) and Tungawan Municipality Philippine National Police in the implementation of the traffic scheme, for the general interest and welfare of the public.





(Pg 29 of General Ordinance No. 58 Series 2015).

**ARTICLE X  
TUNGAWAN INTEGRATED BUS TERMINAL (TIBT)**

Section 93. **Loading and Unloading** - a). All PUBs and UVEs either North Bound or South Bound shall exclusively enter the TIBT passing the Jalla Street and park at designated area for at least five minutes for the loading and unloading of passengers and cargos. Then exit at designated rout back to the National Highway. Except however to UVEs (Ipil-Tungawan Bound) whose unloading is designated at Mangubat Street in front of Building G.

b). Habal-Habal and Tricycle may unload their passenger or cargo at the area in front of the TIBT and thereafter proceed to their designated parking area. On the other hand, from their parking area, they may proceed in front of the TIBT to pick or load passenger or cargo only.

c). Private vehicles may load and unload their passenger or cargo and park as well in front of TIBT.

Section 94. **Fees, Rentals and Other Fees** - The following fees, rentals and other fees shall be collected in the TIBT:

1. Terminal Fee in the Air Conditioned Passenger Lounge

- a. Adult Php 5.00/head
- b. Children Php 3.00/head

2. Parking Fee

- a. Habal-Habal ..... Php 5.00/day
- b. Tricycle ..... Php 5.00/day
- c. Multi-Cab ..... Php 10.00/day
- d. UVE ..... Php 10.00/day (Ipil-Tungawan V.V.)
- e. UVE ..... Php 10.00/trip (Ipil-Zamboanga V.V.)
- f. PUB ..... Php 15.00/trip
- g. Cargo and Delivery Trucks
  1. 4 wheels ..... Php 15.00/day
  2. 6 wheels ..... Php 20.00/day
  3. 10 wheels & above Php 25.00/day

3. Rental of Booth, Space and Other Fees

- a. Booth ..... Php 1,000.00/month.
- b. Vendo Machine ..... Php 25.00/day (subject for raffle per space).
- c. Ambulant Vendors .. Php 5.00/day
- d. Other Space in SQM .Php 10.00/day
- e. In case of default in payment of the above-named spaces for one (1) month such default for the 1<sup>st</sup> offense will cause the revocation of the contract. While for the 2<sup>nd</sup> Offense, it shall be perpetual disqualification to rent space.
- f. However, in case of structures, spaces, installations and other activities not covered herein, the MEEDO shall recommend fees to the Sangguniang Bayan for approval.



(Pg 30 of General Ordinance No. 58 Series 2015).

Section 95. **Checkpoint or Checking Booths** – Checkpoint or Checking Booths shall be established at the point of exit as identified by the TIBT management. All PUBs and UVEs passing thereto shall exhibit proof of payment of the Terminal Fee or Parking Fee.

Section 96. **Porterage and Cargo Handling** - The porterage services and cargo handling for light, handy carried baggage or cargo that can be carried by one person comfortably shall be provided by the MEEDO for free. However, for cargo/baggage that needs two or more persons to carry shall be charged with Porterage, Cargo Handling Fee or Service Fee of not less than Php 5.00 or not more than Php 10.00 per cargo, provided that:

1. Passenger(s) who desire to carry their own cargo/ baggage shall not be obliged to avail the porterage or Cargo Handling services of the MEEDO.
2. Passenger(s) shall be afforded with utmost courtesy by the cargo handlers.
3. Cargoes damaged due to mishandling of the personnel of the MEEDO shall be within the responsibility of the MEEDO and cargo/ baggage's owner shall be given just compensation by the MEEDO

Section 97. The UVE (Ipil-Tungawan) dispatcher shall be required to display in a conspicuous place, the schedule of van departure for the guidance of the riding public.

Section 98. No maintenance services and major repairs to any vehicle should be done inside the TIBT area.

Section 99. The Philippine National Police and Municipal Treasurer must be given space in the TIBT building/premises.

Section 100. All persons who may be authorized to do business or extend services at TIBT must be duly recognized and their names be listed in a master list. Each shall be required to wear an ID issued by the MEEDO at all times during his tour of duty at the terminal.

**ARTICLE XI**  
**TUNGAWAN RECREATION AND CULTURAL**  
**CENTER (TRCC)**

Section 101. There shall be established a Tungawan Recreation and Cultural Center in the Municipality of Tungawan located at Barangay Libertad, Tungawan, Zamboanga Sibugay.

Section 102. Local producers and manufactures of locally produced products, cooperatives and business entrepreneurs who are residents of Tungawan shall be given preference in applying for a stall at the TRCC.

Section 103. **Allowable Business in the TRCC** - The type of business and its related product lines in the TRCC shall be prescribed by the MEEDO.





(Pg 31 of General Ordinance No. 58 Series 2015).

Section 104. **Rental of Stalls and Space for Commerce** - Rental of stalls and spaces in the TRCC shall be in the manner as follows:

1. For products locally produced in Tungawan and the Province of Zamboanga Sibugay, a monthly rental fee of not less than Php 50.00 per square meter per stall shall be imposed and to be paid every first week of the month. An additional of Php 5.00 per square meter shall be imposed on all corner stalls.
2. For business lines authorized but not locally produce in Tungawan and the Province of Zamboanga Sibugay, a monthly rental fee of not less than Php 150.00 per square meter per stall be imposed and to be paid every first week of the month, provided that corner stalls be imposed an additional Php 5.00 per square meter.
3. Any space within the area of the TRCC that maybe authorized for the purpose of doing business or commerce not normally a part of a regular stall shall be imposed a rental of Php 10.00 per square meter per day.

Section 105. **Utilization of TRCC** - The TRCC which consist of the center stage, the lighting systems, the open space and other facilities covered by the Center is available for use to any group who wishes to have suitable venue for conferences, parties, meetings, rallies, cultural presentations and the like based on the following terms and conditions:

1. The meeting must be legal and the use must have a prior approval from the LCE.
2. The user must abide by the rules for use of the Center as set by the MEEDO.
3. Must pay the rates for use of the Center set as follows:
  - a. 16 to 24 hours including lighting system . . . . . Php 1,000.00/ day
  - b. 8 to 15 hours including lighting system . . . . . Php 500.00/ day
  - c. 8 to 10 hours without lighting system . . . . . Php 200.00/ day
  - d. 8 hours and below with lighting system . . . . . Php 200.00/day
  - e. 8 hours and below without lighting system . . . . . Php 100.00/day

**EXEMPTIONS:**

1. Practice and rehearsals for Araw ng Tungawan Activities.
2. DepEd Athletic Meet

**ARTICLE XII  
TUNGAWAN MUNICIPAL MARKET DAY/  
OCCASIONAL SHOPPING DAY/ TABO SA TUNGAWAN**

Section 106. The Tungawan Municipal Market Day shall be also known as the "Occasional Shopping Day or Tabo sa Tungawan".



(Pg 32 of General Ordinance No. 58 Series 2015).

Section 107. **Coverage** - The "Tabo sa Tungawan" shall cover only the designated area in the TPM to include TRCC and the immediate environs of Tungawan Vegetable Drop Zone (Bagsakan Area). Any adjoining street or road within TPM can be designated as long as traffic flow of the said premises shall not be hampered.

Section 108. **Management and Supervision** - The control and supervision of the mechanics of the "Tabo sa Tungawan" shall be responsibility of the MEEDO.

Section 109. **Mechanics**

1. Any person who wishes to sell any product during the "Tabo" must secure first a permission to sell from the office of the MEEDO by paying his/ her "arkabala".
2. Arkabala shall be determined by the size of area occupied by the retailer in selling his/ her product, with a minimum of one (1) square meter at a rate of Ten (Php 10.00) pesos per square meter per day.
3. Products for sale must be classified by product lines whose area will be designated by the management of the "Tabo sa Tungawan"
4. Selling poultry and livestock products must be at TSLC on the "Tabo sa Tungawan" and must conform with the rules and regulations as stipulated in this code.
5. Tents, umbrellas and other materials may be used as covers for the display provided that the putting and the tearing down of all display materials must be the responsibility of the retailers, making sure that the space assigned to him/ her is clean of debris as he/ she vacates the place.
6. For reason of security, threat to public safety and health, the management has the right to turn down any request for permission or terminate any selling of products on "Tabo sa Tungawan".
7. The "Tabo sa Tungawan" is for a duration of one (1) day which shall start at 6:00 o'clock in the morning and ends at 10:00 o'clock in the evening of every Wednesday. No more selling of products will be allowed at the close of the "Tabo sa Tungawan".

Section 110. **Implementation** - For the successful implementation of this "Tabo sa Tungawan", the twenty five (25) Barangay Councils of Tungawan Municipality through their respective Punong Barangay shall be enjoined to disseminate the information to their constituents to avail the benefits of "Tabo sa Tungawan". The Municipal Agriculture Office, Municipal Economic Enterprise and Development Office, Mayor's Office- Information Officer as well as the Department of Trade and Industry and other Government Agencies and Instrumentalities shall likewise be requested to promote the "Tabo sa Tungawan" to local farmers and small and medium entrepreneurs.





(Pg 33 of General Ordinance No. 58 Series 2015).

**ARTICLE XIII**

**TUNGAWAN SLAUGHTERHOUSE AND LIVESTOCK CENTER (TSLC)**

Section 111. **Basic Policies** - The following are the basic policies governing the operation and management of the TSLC, to wit:

1. There shall only be one public slaughterhouse in the Municipality of Tungawan situated at Sitio Dungaan, Libertad, Tungawan, Zamboanga Sibugay.
2. The TSLC shall serve the need for a fast, efficient and sanitary slaughtering facility in the Municipality of Tungawan, the neighboring municipalities/ cities and some parts of the peninsula as well.
3. The TSLC shall operate daily.
4. The TSLC management shall ensure that only good animals are slaughtered in the TSLC, and only sound, healthy and wholesome meat and offal are withdrawn and released there from.
5. The TSLC management shall see to it that appropriate fees and charges are assessed and collected for the use of the government facilities and services rendered.
6. All food animals brought to the TSLC and deposited in the holding pen are presumed to be slaughtered in the immediately succeeding slaughtering schedule.
7. No animals shall be slaughtered without having been subjected to inspection and passed an ante-mortem inspection and no carcass and offal shall be withdrawn and released from TSLC without having been subjected to inspection and marked PASSED.
8. The animals are inspected on the day of slaughter and should be inspected again if they have to stay longer.
9. Downers shall be treated as suspects.
10. Inspection fee shall be on a per inspection basis.
11. In the receiving and/ or entry of animals in to the holding pen and in the release there from into the processing area, the principle of "first in, first out" shall be applied and observed.
12. After the food animals are received and deposited in the holding pen, the Municipal Government assumes responsibility thereof until all carcasses and edible offal are delivered to the owners at the TSLC. If the food animals slaughtered are for home consumption, the carcass and edible offal shall be claimed by the owners and released to them at the TSLC after payment of all appropriate fees.



(Pg 34 of General Ordinance No. 58 Series 2015).

13. Animals found to have a disease or other infections during inspection shall be automatically denied entry into the holding pen and subjected to processes established by the rules and regulations of the National Meat Inspection Commission (NMIC) so as to protect the health of the people and to prevent contamination to other animals or spread of the diseases.
14. Infected or diseased meat shall immediately be confiscated, and or buried by municipal government disinfected, and or condemned to make certain that it will not be sold at the market and to prevent the spread of the diseases.
15. Weighing of food animals shall be made prior to and after slaughter through the duly calibrated weighing scale at the TSLC in order to establish a data that may be made as basis for future policies and legislation and for other purposes.
16. All personnel at the TSLC are required to take seminars on first aid and training on safety precautions, sanitation and proper meat handling.
17. Buying of edible offal is not allowed in the slaughterhouse building and compound.
18. The slaughter of any food animal for sale to or consumption of the public be it in lechon or other form shall be done only in TSLC. The slaughter of animals intended for home consumption except large cattle, may be elsewhere, provided, that the animals slaughtered shall not be sold or offered for sale.
19. All endangered species of animals brought into the slaughterhouse for the purpose of butchering them, shall be confiscated immediately and the animal turned over to the appropriate authority for proper disposal and protection accorded to all endangered animals.
20. Security, safety and order at the TSLC shall be a basic concern. Management shall find and adopt ways and means to ensure maximum security, safety and order thereat.
21. The barangays are encouraged to put up their respective slaughter house.

Section 112. **Rules and Regulations** - The following rules and regulations shall be observed at the TSLC, to wit:

1. Only TSLC personnel and authorized butchers are allowed in the processing area.
2. During operations, all authorized personnel in the slaughterhouse are required to wear their proper uniform, ID and provide themselves with safety devices like head gear protector, gloves, anti slid shoes, body protector and other similar devices.
3. Hoister, elevator, dehairing machine, carcass lowerator, shackle lowerator railing and carcass dropper shall not be loaded beyond their capacity.





(Pg 35 of General Ordinance No. 58 Series 2015).

4. All equipment like machine, table, platform, basin, pails, lavatories, cutting devices, saw and other instruments must be cleaned thoroughly after using.
5. All electrical tools, instruments and machines shall be detached or disconnected from the main power supply outlet after all the work is accomplished.
6. Suspected stolen animals brought into the TSLC shall be confiscated immediately and turn over to the proper authority.
7. Unauthorized firearm is not allowed in TSLC building and compound.
8. No gambling in whatever form shall be allowed in the TSLC.
9. No persons are allowed inside the TSLC except when they are on educational or observation tour or otherwise authorized by the proper authority.
10. The TSLC building or any portion thereof shall not be used as sleeping or living quarter.
11. Smoking, loitering, liquors, beers, wine and other intoxicating drinks are strictly prohibited in the TSLC building and compound.
12. Drunk or any person or personnel and butcher under the influence of liquor are prohibited from making entry into the TSLC building and compound.

Section 113. **Permit to Slaughter** - Before any food animal is slaughtered for public consumption, a permit to slaughter shall be secured from the Municipal Veterinarian or his/ her duly authorized representative or a duly designated and authorized meat inspector by the MEEDO in the absence of the Veterinarian or his/ her duly authorized.

Section 114. **Requirement for the Issuance of a Permit to Slaughter a Large Cattle**- Before the issuance of the permit to slaughter a large cattle, the office of the TSLC shall require the production of the Certificate of Ownership of the owner if said owner is the applicant, or the original Certificate of Ownership and the Certificate of Transfer showing title in the name of persons applying for the permit if he/ she is not the original owner.

Section 115. **Meat Inspection** - All meat from food animals butchered at the TSLC shall be subjected to inspection by the Meat Inspector or any competent person duly authorized to do so, who shall decide as to the fitness of such meat for human consumption. All such meat as are inspected shall be properly stamped "PASSED" before transfer to the TPM or to any other public market outside the municipality.

Section 116. **Transfer of Meat from Slaughter House to the Public Market**.- No meat for sale to the public shall be transferred from the TSLC to TPM and other public market outside the Municipal Government of Tungawan without duly sealed container.

Section 117. **Fees** - There shall be imposed and collected at the TSLC fees for the following:





(Pg 36 of General Ordinance No. 58 Series 2015).

1. Stockyard Fee – For the use of the yard prior to ante-mortem inspection, weighing and entry into the holding pen. Payment is based on per head per day basis.
2. Ante-Mortem Inspection – For the services in examining the animals prior to slaughter to select for food animals which are adequately rested and are apparently free from diseases or abnormal conditions; isolate for further examination diseased, or suspected abnormal animals; prevent contamination or personnel, premises and equipment by an animal suffering from a disease which is communicable; and gather information for post-mortem inspection, diagnosis and judgment of carcass and offal;
3. Holding Pen Fees – For the use of the facility in the lairage of animals before the actual slaughter;
4. Permit to Slaughter Fee – Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the Municipal Veterinarian or his/ her duly authorized representative or a duly authorized meat inspector by the MEEDO in the absence of the Veterinarian or his/ her duly authorized representative.
5. Post Mortem Inspection – For the services in inspection of all animals to ensure detection of lesions and abnormalities, and to pass only meat and edible offal as are inspected shall be properly stamped and/ or marked before transport to the TSLC. The basis shall be the carcass weight.
6. Slaughter Fee – For the services and use of facilities in the slaughter of food animals; the basis shall be the live weight of food animal;
7. Corral Pen Fee – A Corral Pen fee shall be collected per head and per day with condition that the owner shall be responsible for its security upon the off time of TSLC personnel.

Section 118. **Rates of Fees** - The rates of fees shall be as follows:

FEE	Cattle	Hog	Goat/ Sheep	Poultry
Stockyard Fee	P 15.00/ hd.	P 10.00/ hd.	P 10.00/ hd.	P 5.00/ hd.
Ante Mortem Inspection	15.00/ hd.	10.00/ hd.	10.00/ hd.	5.00/ hd.
Holding Pen Fee	15.00/ hd.	10.00/ hd.	10.00/ hd.	5.00/ hd.
Permit to Slaughter	50.00/ hd.	30.00/ hd.	30.00/ hd.	5.00/ hd.
Post Mortem Inspection Fee	70.00/ hd.	20.00/ hd.	20.00/ hd.	5.00/ hd.
Entrails Cleaning Fee	40.00/ hd.	20.00/ hd.	20.00/ hd.	5.00/ hd.
Dehairing Fee of large cattle Hide, Head, feet and tail	200.00/ hd.	100.00/hd.	100.00/hd.	10.00/hd.
Roasting Fee		350.00		
Corral Pen Fee	25.00/hd.	10.00/hd.	10.00/hd.	





(Pg 37 of General Ordinance No. 58 Series 2015).

**SLAUGHTER FEE  
(CARCASS WEIGHT PER KILO)**

<b>KILO</b>	<b>Cattle</b>	<b>Hog</b>	<b>Goat/ Sheep</b>	<b>Poultry</b>
9 – Below	Php 3.25	Php 4.00	Php 6.00	Php 5.00
10 -20.	3.00	3.75	5.75	-
21 – 30.9	2.75	3.50	5.50	-
31 – 40.9	2.50	3.25	5.25	-
41 – 50.9	2.25	3.00	5.00	-
51 – 60.9	2.00	2.75	4.75	-
61 – above	2.00	2.50	4.50	-
71 – 80.9	1.75	2.25	-	-
81 – 90.9	1.50	2.00	-	-
91 – 100.9	1.25	1.75	-	-
101- above	1.00	1.50	-	-

Section 119. **Delivery Fee** - There shall be imposed and collected a delivery fee for carcasses and edible offal of Php 0.25 per kilo from the TSLC to TPM and additional of Php 0.10 per kilometer if carcass is to be transported outside the public market of Tungawan.

Section 120. **Mode of Collection and Reporting** – Collection of Fees shall be made on a per head as stipulated under Section 115 of this Code.

1. Computation of corral pens shall be on a daily but may be collected monthly.
2. Collection shall be made by TSLC collectors who must submit their daily collection to the Economic Enterprises Cashier together with their summarized reports for proper filing, checking and reference.

Section 121. **Status of Live Animal/Poultry Market or Display Area**- All existing live animal/ markets or display areas outside TSLC shall be discontinued and shall be transferred to the TSLC. The Municipal Mayor shall advise owners of all privately owned live animal/ poultry markets or display areas to discontinue their operation.

Section 122. It shall be unlawful for any person, middlemen or jambolero to intercept a farmer or livestock raiser for the purpose of buying any livestock and then reselling the same at the TSLC.

**ARTICLE XIV  
TUNGAWAN PUBLIC CEMETERY (TPC)**

Section 123. The supervision and administration of the existing public cemetery of Tungawan which is situated in Barangay Libertad, is hereby transferred to the Municipal Economic Enterprises Development Office of Tungawan Municipality.

Section 124. As used in this code the following terms shall be interpreted as follows:



(Pg 38 of General Ordinance No. 58 Series 2015).

- a. Cadaver Niche or Cemetery Tomb – The concrete niches intended to accommodate cadavers inside coffins and other containers. It shall be of two classifications: for adults and children.
- b. Bone Niche – The small concrete niche to accommodate the small boxes containing the bones and skull of a cadaver.
- c. Perpetual Niches for Bones – Any of the constructed Bone Niche, where interested parties preserve the bones of their love ones in perpetuity after paying the necessary fee.
- d. Apartment Niche – A concrete niche consisting of four or more storeys constructed in the perimeter of the cemetery.
- e. Caretaker – The personnel assigned at the Tungawan Municipality Public Cemetery to take charge of the management thereof which is directly under the Office of the Economic Enterprises of the municipality.
- f. Tomb Permit – The permit granted after payment of a fee for the use of the cemetery tomb.
- g. Burial Permit - The permit issued by the Municipal Mayor's Office after a death certificate has been issued by the office of the Municipal Civil Registrar.

Section 125. **Burial Permit Fees and Other Fees** - The burial permit fees and other fees enumerated herein shall be paid at the Municipal Treasure's Office through the Municipal Civil Registrar's Office but credited to the MEEDO as follows:

**BURIAL PERMIT FEES AND OTHER FEES**

Particular	Lot Rental for 5 years	Burial Fee	Maint. Services for 5 yrs./ Transfer Fee	Total
1. Earth Tomb	200.00	100.00	500.00	800.00
2. Apartment Niche – Adult	2,500.00	100.00	500.00	2,600.00
3. Apartment Niche – Child	1,500.00	100.00	500.00	2,100.00
4. Niche	500.00	100.00	500.00	1,100.00
5. Mausoleum	5,000.00	100.00	1,000.00	6,100.00
6. Perpetual Bone Niche	1,000.00	100.00	500.00	1,600.00
7. Exhumation Permit Fee				1,500.00
8. Disinfection Fee				700.00

Non-residents shall not be permitted burial unless authorized by the Local Chief Executive and only upon payment of the necessary fees, provided further that burial fee shall be doubled.

Section 126. **Exhumation and Disinfection of Cadaver or Skeleton** – Exhumation of cadaver or skeleton for whatever purpose shall require an exhumation permit and disinfection fee from the MHO. The cost and conduct of exhumation shall be at the expense of the interested private party.





(Pg 39 of General Ordinance No. 58 Series 2015).

Section 127. All indigents duly certified by their Barangay Captain and the Municipal Social Welfare and Development Officer shall be exempted from paying the burial fee.

Section 128. Automatic Transfer of Bones after five years from Interment. All buried cadavers shall automatically be transferred to Bone Niches after five years upon payment of the required fees.

Section 129. **Renewal Fee** - Representing Maintenance Services Fee, there shall be imposed the amount of Php 100.00 per year as Maintenance Service Fee which amount will be paid up to five years only and thereafter, the bones will be transferred to the Perpetual Bone Niche.

Section 130. Non- payment of the renewal fee after three (3) written notices shall subject the skeletal remains or bones for transfer into a common bone depository.

Section 131. **Reimbursement of Cost of Materials and Labor** - There shall be imposed the amount of Six Thousand (P 6,000.00) Pesos as reimbursement of cost of materials and labor for the construction of tomb. However, the concern person of the cadaver may have the option to construct their niche or tomb subject to form and design as prescribed by the MEEDO.

Section 132. **Health and Sanitation** - All interment at the Tungawan Public Cemetery shall undergo disinfection process which shall be conducted by the Municipal Health Officer or his authorized representative. The Municipal Health Officer has the sole authority to approve exhumation of cadavers and or skeletal remains and all concerned must adhere to the provisions of the Code on Sanitation of the Philippines regarding disposal of cadavers.

Section 133. **Common Bone Depository** - A common bone depository shall be provided which serve as a common depository area for unclaimed exhumed skeletal remains. Bones deposited therein shall remain perpetually therein and shall not be brought unless otherwise authorized by the Municipal Health office.

Section 134. For better services and revenue, the municipality may construct or may engage in a joint venture with other agency/ entities on the development and management of a new public cemetery/ memorial park subject to an authority from the Sanggunian and an enactment of a new ordinance appertaining thereto.

#### **ARTICLE XV FISCAL MANAGEMENT**

Section 135. All rentals, charges or fees as set within this code shall increase automatically by 5 % every three (3) years.

Section 136. The Economic Enterprises financial management which includes revenues collection, expenditures/ disbursements and control shall be governed by the Existing Government Accounting and Auditing Rules and Regulations.





(Pg 40 of General Ordinance No. 58 Series 2015).

Section 137. All the collections of fees, rentals and charges from the operation, management and administration of the Economic Enterprises shall constitute a separate account for the Economic Enterprises, as such to be utilized for its operational expenses, improvements and other relevant administrative expenses for and for its debt servicing requirements. Payment for amortization and interest shall be included as expenses in the determination of the net income from the operation of the enterprises.

Section 138. **Occupancy Fee** - The phrase goodwill money in previous ordinance is hereby change into Occupancy Fee. The following shall be imposed to all qualified new occupant of any stall, booth/space of the Enterprises:

Food Court	-	P	30,000.00
2 <sup>nd</sup> Floor			30,000.00
Ground Floor			50,000.00
Building E			
Vegetable Stall			10,000.00
Fish and Meat Stall			10,000.00
TIBT Stalls			30,000.00
TRCC Stalls			30,000.00
Other Stalls			30,000.00

The payment of Occupancy Fee maybe in one time lump sum upon application of stall, monthly, quarterly or by semester which shall be payable within five years. Except however, to the Occupancy Fee in building E which shall be paid within two years. An Occupancy Fee paid in lump sum or in full upon the application of stall may be given an incentive or discount privilege of five percent.

Section 139. **Revocation and Forfeiture of Occupancy Rights** – The occupancy rights shall be revoke/forfeited the moment the lease contract is also revoke or cancelled for violation on the terms and conditions of the lease contract another applicable laws, ordinances, rules and regulations to be followed by simultaneous padlocking and closer of stall.

Section 140. **Rental of Stalls and Schedule of Payment** – The rental rate of stalls and schedule of payments in the economic enterprises shall be as follows:

Building	Monthly Rental Rate of Stalls	Monthly Schedule of Payment
A	Php 1,000.00	1 <sup>st</sup> Working Day
B (Bagsakan)	Refer to Section 81, (1)	Daily
C	Php 800.00	2 <sup>nd</sup> Working Day
D (Food Court)	Php 1,000.00	3 <sup>rd</sup> Working Day
E (Wet Market)	Veg. Section Php 500.00	4 <sup>th</sup> Working Day
	Fish/Meat Section Php 500.00	
F	Php 1,200.00	5 <sup>th</sup> Working Day
G	Php 800.00	6 <sup>th</sup> Working Day
H	Php 800.00	7 <sup>th</sup> Working Day





(Pg 41 of General Ordinance No. 58 Series 2015).

Section 141. All arkabala shall be collected by the Enterprises' authorized Revenue Collectors and shall form part in the enterprises income.

Section 142. All Obligation Request shall be signed by the Municipal Economic Enterprises Development Officer (MEEDO) and the Municipal Budget Officer on its appropriation. While disbursement voucher shall be signed by the Municipal Accountant for obligation and proper recording, the Municipal Treasurer on its availability of funds, and approved by the Municipal Mayor before payment could be effected.

Section 143. All approved disbursements in the Economic Enterprises operations shall be paid by the Municipal Treasurer or his/ her duly authorized cashier/s and disbursing officer/s.

Section 144. In no case shall Economic Enterprises collectors be allowed to disburse their collections to any approved disbursement regarding payment in relation to Economic Enterprises operation.

**Section 145. Mode of Collection**

1. Whenever possible and appropriate all mode of imposition and collection of fees, awarding of stalls, booths/spaces, and foreclosure shall be uniformed in all Economic Enterprises activities.
2. All fees and charges in the operation of the Enterprises shall be accompanied by official receipt issued by the Enterprises authorized Revenue Collectors.
3. All collections made shall be liquidated from Revenue Collection Clerk to Municipal Economic Enterprise Development Office Cashier, and to the Municipal Treasurer at daily basis. Such collection shall be deposited weekly in the authorized depository bank .
4. All Enterprises Revenue Collectors shall be required to get a bond at the Bureau of Treasury.
5. All requisitions for accountable forms to be used in the operation of the Enterprises shall be coursed through the Municipal Treasurer at cost with its corresponding invoice receipts.
6. In the case of the Terminal, collections from the operators for the use of the terminal shall be paid prior to every departure or use of terminal facilities as evidenced by a terminal pass.
7. All financial reports shall be furnished to the Municipal Mayor, Sangguniang Bayan, Municipal Accounting Office, Municipal Treasurer's Office, and to the appropriate offices concerned for reference, checking and reconciliation purposes.

**ARTICLE XVI**

**PENAL PROVISIONS**

Section 146. **Penalty for Prohibited Acts** - The following administrative fines shall be





(Pg 42 of General Ordinance No. 58 Series 2015).

imposed to any person or persons violating, or causing, inducing or abetting the violation of any prohibitory provisions of this Code, to wit:

1 <sup>st</sup> Offense	P 1,000.00
2 <sup>nd</sup> Offense	2,000.00
3 <sup>rd</sup> Offense and succeeding Offenses	2,500.00

Section 147. **Cancellation of Lease and Ejectment** - Any violation of this Code shall be sufficient cause for the revocation or cancellation of a stallholder/ vendor's lease of contract or the right to occupy a stall, room, booth or space in any economic enterprises, except the Municipal Public Cemetery and Slaughterhouse. Any such stallholder or vendor whose lease right or right of occupancy have been cancelled or revoked, or who has been ejected from the stall, room in the economic enterprises of the municipality in the future.

Section 148. **Selling of Confiscated Goods** - Any law enforcement officer or Economic Enterprises Security Guard who confiscates goods from any vendor, ambulant or otherwise, and sells or offers those goods for sale by himself or through a third person/ persons, shall be fined as follows:

- 1.) The fine of Five Hundred (Php 500.00) Pesos if the value involved does not exceed Five Hundred Pesos (Php 500.00) Pesos.
- 2.) The fine of One Thousand (Php 1,000.00) Pesos if the value involved is Five Hundred One (Php 501.00) Pesos to One Thousand (Php1,000.00) Pesos.
- 3.) The fine of One Thousand Five Hundred (Php 1,500.00) Pesos if the value involved is One Thousand One (Php 1,001.00) Pesos, but not more than One Thousand Five Hundred (Php 1,500.00) Pesos.
- 4.) The fine of Two Thousand (Php 2,000.00) Pesos if the value involved is One Thousand Five Hundred One (Php1,501.00) Pesos but not more than Two Thousand (Php 2,000.00) Pesos.
- 5.) The fine of Two Thousand Five Hundred (Php 2,500.00) Pesos if the value involved is Two Thousand One (Php 2,001.00) Pesos and above.
- 6.) A law enforcement officer or economic enterprise security guard who violated any of the fines enumerated in this Section for two ( 2) times shall be ground for termination.

In all cases, persons guilty of selling or offering to sell confiscated goods shall indemnify the owner of the goods or a fine equal to the total value of the goods confiscated and sold or offered to be sold. The failure of any law enforcement officer or economic enterprises security guard who confiscated goods from any vendor, ambulant or otherwise, to render accounting of confiscated, shall be prima facie evidence that he/ she has sold the unaccounted confiscated goods.

Section 149. **Weights and Measures** - Any stallholder found violating the provisions of existing laws regarding weights and measures shall; for the first offense, be fined One Thousand





(Pg 43 of General Ordinance No. 58 Series 2015).

(Php 1,000.00) Pesos and required to correct any deficiency in said weights or measures, for the second offense, be fined Two Thousand Five Hundred (Php 2,500.00) Pesos and for third offense, shall be revocation of lease contract and ejection from the stall, room, booth or space he/ she occupied.

Section 150. **Non-Payment or Delayed Payment of Stall Rental** - Any stallholder who fails to pay rental within the specified prescribed period shall pay a penalty of 5% per month to the rent due and demandable.

#### ARTICLE XVII TRANSITORY PROVISIONS

Section 151. **Applicability Clause** - Any local resolutions, rules, regulations and ordinance which are consistent with this ordinance/ code, shall continue to be in full force and effect.


Section 152. **Separability Clause** - If for any reasons, part or provisions of this code shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected shall continue to be in full force and effect.

Section 153. **Repealing Clause** - All existing ordinances relative or covering the herein Economic Enterprises of the municipality prior to the enactment of this code and other resolutions, and rules/ regulations or parts thereof, inconsistent herewith are hereby repealed or modified accordingly.

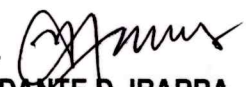
Section 154. **Effectivity Clause** - This code shall take effect fifteen (15) days after its publication in one (1) newspaper of general circulation in the Province of Zamboanga Sibugay.

ENACTED AND APPROVED this 27th day of October, 2015.

ATTESTED:



**LORVERLE S. CARACOL**  
Municipal Vice Mayor  
Presiding Officer



**DANTE D. IBARRA**  
Secretary to the Sanggunian

Approved:



**ABDURAUP A. ABISON**  
Municipal Mayor