



Republic of the Philippines
Province of Zamboanga del Norte
Municipality of Polanco

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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 131st REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF POLANCO, ZAMBOANGA DEL NORTE, HELD AT THE SANGGUNIANG BAYAN SESSION HALL, THIS MUNICIPALITY, ON APRIL 13, 2022.

PRESENT:

Hon. Alfredo S. Bait-it	Municipal Vice Mayor (Presiding Officer)
Hon. Venson O. Opulentissima	Sangguniang Bayan Member
Hon. Romer B. Ladera	Sangguniang Bayan Member
Hon. Jennifer O. Rodrigo	Sangguniang Bayan Member
Hon. Gaudioso B. Dagpin	Sangguniang Bayan Member
Hon. Conceso R. Regencia, Jr.	Sangguniang Bayan Member
Hon. Ivo M. Mandantes	Sangguniang Bayan Member
Hon. Cristoven E. Insoy	Sangguniang Bayan Member
Hon. Mara Michelle C. Gonzales	Sangguniang Bayan Member
Hon. Aldrin Gwin C. Baluntang	SK Federation President/SB Member
Hon. Charito C. Ombalino	Liga President/SB Member

ABSENT:

None

MUNICIPAL ORDINANCE NO. 22-54

AN ORDINANCE PRESCRIBING THE RENTAL OF THE COMMERCIAL SPACE AT THE SWIMMING POOL AREA AND TENNIS COURT AREA BASED ON THE RULES AND REGULATIONS HERETO.

Be it ordained by the Sanggunian Bayan of Polanco, Zamboanga del Norte, in session assembled, that:

Section 1. Title. This ordinance shall be known as "An Ordinance Prescribing the Rental of the Commercial Space at the Swimming Pool and Tennis Court area based on the Rules and Regulations Hereto".

Section 2. Granting of Authority. Authority is hereby granted to the Local Chief Executive to enter into Contract of Lease based on the Rules and Regulations stated herein.

Section 3. Qualifications of the Lessee. The lessee shall have the following qualifications;

- a. Filipino Citizen
- b. Resident of Polanco, Zamboanga del Norte
- c. At least 18 years of age
- d. No derogatory Records

Section 4. Rental Rate. Rental of the Swimming Pool and Tennis Court area per month is Six Hundred Pesos (P600.00) per commercial space. Monthly rental shall be paid within 10 working day of the following month at the Municipal Treasurer's Office.

A penalty of two percent (2%) per month shall be imposed for the failure of payment of the monthly rental unless/otherwise there will be a valid reason/s to be evaluated by the Market Committee for a succeeding period of three (3) months. If the lessee fails to justify, the Lessor (LGU)

shall have the right to terminate, revoke, suspend, and cancel the Contract of Lease upon the written notice to the Lessee.

Section 5. Effectivity of the rental of the commercial space, limitations, restrictions and other regulations.

- a. The rental shall immediately take effect at the start of the business operation but in no case shall not be more than 10 working days from the date the commercial space was awarded to.
- b. No person shall operate a business without first securing the business permits/licenses and other fees, charges and other requirements to operate a business, nor shall any person sale or display any goods/items not covered by his/her business permit.
- c. Holders shall at all times provide garbage receptacles in their respective area for sanitation purposes.
- d. Protection of cooked/raw foods – cooked food shall be served hot and be protected from contamination of dirt, flies and other contaminants and must be fit for human consumption. Likewise raw foods such as fish, meat, etc. shall at all times be protected from contaminants. All kinds of foods that require no cooking shall be wrapped, covered or enclosed in containers.
- e. Storage, selling, displaying or keeping of any explosive, highly flammable, highly combustible substance/material within this area as well as in the existing public market and those that may be established in the future is strictly prohibited.
- f. No person is allowed to display or place any article/material outside the area he/she occupies in order to avoid obstructions to the public.
- g. Occupant shall not alter the space awarded to him/her, nor introduce any improvement without the approval of the Municipal Market Committee.
- h. The occupant/lessee, as well as, his/her helper/s shall not use the space as family residence or sleeping quarter.
- i. Holder shall at all times post his/her current business permits as well as his/her picture including that of the helper/s inside the stall/booth he/she occupies, and easily visible.
- j. The lessee shall not sell, sub-lease or transfer his/her privilege on the stall nor permit other persons to conduct business therein.
- k. That the lessee shall not use the privilege on the stall whether directly or indirectly as his collateral or security for any loan agreement with any public or private entity.
- l. That whenever the space remains idle or closed within the period of 30 consecutive days the same shall be declared abandoned and the lease contract shall be automatically terminated or revoked and likewise the business permit/license shall be cancelled. In this case the said stall/booth shall be declared vacant and which will be adjudicated and awarded to interested applicant through public bidding in the manner provided for in this ordinance without the prejudice to collect the rental due for stall/booth.
- m. Cooking of any kind of food is strictly prohibited.
- n. Abandoned and eventually declared vacant by the Municipal Market Committee or if any reason the lessee has been ejected is required to stop his/her business therein, all articles in the said space shall be moved out by the legitimate owner within the period of five (5) days. After the lapse of the given period mentioned herein, said articles shall be taken in custody of the Municipal Government for safekeeping. However, articles which will easily deteriorate or decompose shall be disposed properly so as not to detriment the health of the public. The

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remaining articles not claimed by the legitimate owner for the period of five (5) days shall be disposed thru public auction.

- o. Lessee shall be responsible for the connection and bills payment of electricity and water utility.

Section 6. Vacant Commercial Space. If the commercial space declared vacant by the market committee, the following processes shall be undertaken:

- a) Vacant commercial space shall be adjudicated and awarded thru public bidding in cash, to be conducted by the Municipal Market Committee. Provided that the bid submitted shall not be less than the minimum bid fixed in this ordinance.
- b) Notice of public bidding of vacant commercial space shall be posted in at least 3 conspicuous places within the municipality or be published in the local newspapers of general circulations or thru broadcast networks within the locality and which shall be properly disseminated 30 days before the schedule of the opening of bids.
- c) The Municipal Market Committee is in-charge of/and responsible for receiving as well as the opening of the bid submitted and which shall be opened in public with the presence of the bidder or his/her duly authorized representative.
- d) The highest bidder, provided he/she meets all the qualifications and none of the disqualifications for the lease or occupancy of the commercial space as provided for in this ordinance shall be declared winning bidder by which the commercial space he/she applied for shall be awarded.
- e) The bidding conducted shall only be for the purpose of the award and the bid thereof shall no be made as the basis of the rental of the commercial space. The rental must be in accordance with the rate prescribed in this ordinance.
- f) The cash bid of the winner shall accrue to the general fund of this municipality while that of the non-winning bidder shall be returned to the respective bidder immediately after the opening of bids.
- g) After the opening of the bids submitted, the Municipal Market Committee shall immediately effect the signing of the application of the lease contract, the contract of lease and other pertinent documents in relation to operate business.
- h) That after the bidding conducted, still there are available commercial space another public bidding shall be conducted for the purpose in the manner provided for in this ordinance.
- i) In the event that there are two or more bidders having the same amount of bid, the winner shall be determined by drawing of lots.

Section 7. Bidding Amount. Bid amount of Five Thousand Pesos (P5,000.00) cash of the commercial space.

Section 8. Penal Provision – Any person or persons violates the provisions shall have a penalty of P1,000.00 or an imprisonment of not less than 60 days nor more than 90 days or both at the discretion of the court.

Section 9. Repealing Clause. All municipal ordinances and issuances inconsistent herewith are hereby repealed accordingly.

Section 10. Effectivity. This ordinance shall take effect upon compliance of the posting and publication requirements.

Quint

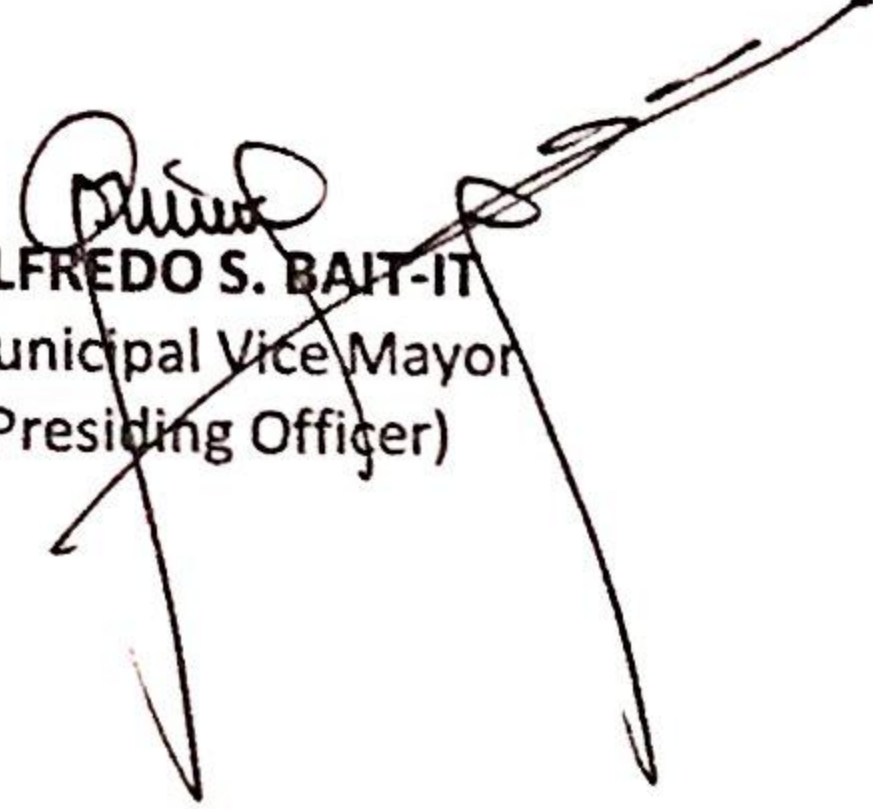


Carried unanimously.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance to the best of my knowledge and belief.


LORIMER J. OLARIO, MPA, REA, REB
Secretary to the Sangguniang Bayan

CERTIFIED CORRECT AS TO ITS PASSAGE:


ALFREDO S. BAIT-IT
Municipal Vice Mayor
(Presiding Officer)

APPROVED: _____

JUN 23 2022


EVAN HOPE D. OLVIS
Municipal Mayor