



Republic of the Philippines
CITY COUNCIL
City of Manila



REGULAR SESSION NO. 124

9TH CITY COUNCIL



Begun and held in the City Council on Thursday,
the eighteenth day of September, Two Thousand Fourteen

ORDINANCE NO. 8374

AN ORDINANCE GRANTING TO PARADISE HEIGHTS UNITED VENDORS ASSOCIATION, INCORPORATED, A FRANCHISE TO OPERATE A PUBLIC MARKET LOCATED AT BARANGAY 128, ZONE 10, SMOKEY MOUNTAIN, BALUT, TONDO, MANILA

PRINCIPAL AUTHORS:

HON. ERICK IAN O. NIEVA

and

HON. MARLON M. LACSON
Majority Floor Leader

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. Paradise Heights United Vendors Association, Inc., is hereby granted a franchise to operate a public market located at Barangay 128, Zone 10, Smokey Mountain, Balut, Tondo, Manila, subject to the following terms and conditions:

- a) The franchisee shall pay the franchise fee prescribed under Ordinance No. 8331 (Omnibus Tax Code of Manila), as amended and for this purpose, the books of accounts of the franchise reflecting its gross receipts shall be made available to the City Treasurer or its duly authorized representative for inspection;
- b) The city shall continue to have and exercise the power to impose all applicable permits and license fees and other service charges upon the franchisee and the stallholders thereat, in accordance with existing ordinances, rules and regulations;
- c) The city shall likewise exercise the power granted by law to regulate, inspect and supervise the operation of the market to assure compliance with the pertinent rules and regulations;
- d) The franchisee, in order to ensure collection of revenues due the city, shall have the authority to adopt such measures, impose charges and penalties, and effect collection from stallholders;
- e) The franchisee shall see to it that the administration of the market is done in the most efficient manner, in faithful compliance with the terms and conditions of this grant;
- f) In the awards of stalls, preferential rights shall be accorded to qualified residents of the City of Manila;
- g) The franchise shall post a continuing bond to be determined by and in favor of the city, which shall be forfeited, as liquidated damages, in case of failure of the franchisee to do, perform, and comply with any of the terms and conditions set forth herein; and
- h) The operational expense for the said privately owned public market, including the maintenance, cleanliness and sanitation thereof, shall be borne by the franchisee.

SEC. 2. The authority granted herein shall be for a period of ten (10) years from the date of approval, subject to renewal in accordance with the provisions of this grant.

SEC. 3. Any violation or breach on the part of the franchisee to comply with any terms and/or conditions set forth above shall be sufficient ground for the outright cancellation of the authority, revocation of the permit issued and closure of the market premises.

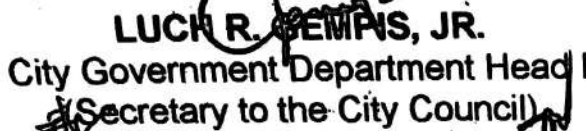
SEC 4. Effectivity Clause. – This Ordinance shall take effect upon its approval.

This Ordinance was finally enacted by the City Council of Manila on November 25, 2014.

PRESIDED BY


FRANCISCO "Isko Moreno" DOMAGOSO
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:


LUCH R. BEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON _____

JOSEPH EJERCITO ESTRADA
Mayor
City of Manila

ATTESTED:

EDWARD S. SERAPIO
City Government Department Head III
(Secretary to the Mayor)

EZB: acj/jhb/rmd/jok/rd



Republic of the Philippines
OFFICE OF THE MAYOR
City of Manila

11 December 2014 **DEC 12 2014**

8:50 AM

C-68940

[Handwritten signature]
12/12/14

City Council of Manila
City of Manila

Thru : **Hon. Francisco M. Domagoso**
Vice Mayor and Presiding Officer

Re : **Ordinance No. 8374**

Gentlemen:

We are respectfully returning Ordinance No. 8374 AN ORDINANCE GRANTING TO PARADISE HEIGHTS UNITED VENDORS ASSOCIATION, INC., A FRANCHISE TO OPERATE A PUBLIC MARKET LOCATED AT BRGY. 128 ZONE 10, SMOKEY MOUNTAIN, BALUT, TONDO, MANILA with the Honorable Mayor's veto. The reason for the Honorable Mayor's objection is as follows:

1. The ordinance favors Paradise Heights United Vendors Association, Incorporated to the prejudice of other stakeholders including the lessee of the market, Smokey Mountain Association, Inc.
2. An ordinance beneficial to all concerned is desirable.

For the Honorable Council's reconsideration.

Very truly yours,

[Handwritten signature]
ATTY. EDWARD S. SERAPIO
Secretary to the Mayor