



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 50

10th CITY COUNCIL

Begun and held in the City Council on Tuesday,
the sixteenth day of August, Two Thousand Sixteen

ORDINANCE NO. 8519

AN ORDINANCE GRANTING SMOKEY MOUNTAIN COMMUNITY ASSOCIATION, INCORPORATED, A FRANCHISE TO OPERATE A PRIVATELY OWNED PUBLIC MARKET LOCATED AT SMOKEY MOUNTAIN, BALUT, TONDO, MANILA, UNDER CERTAIN TERMS AND CONDITIONS

PRINCIPAL AUTHORS: HON. ERNESTO G. DIONISIO, HON. MOISES T. LIM, HON. JESUS M. FAJARDO, HON. NIÑO M. DELA CRUZ, HON. PETER M. ONG, HON. MARTIN V. ISIDRO, JR., HON. RODOLFO N. LACSAMANA and HON. CASIMIRO C. SISON, Majority Floor Leader

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

SECTION 1. Smokey Mountain Community Association, Inc., is hereby granted a franchise to operate a privately-owned public market located at Smokey Mountain, Balut, Tondo, Manila, subject to the following terms and conditions:

- a) The franchisee shall pay the franchise fee prescribed under Ordinance No. 7988 (Revenue Code of Manila, as amended) and for the purpose, the books of accounts of the franchisee reflecting its gross receipts shall be made available to the City Treasurer or his duly authorized representative/s for inspection;
- b) The city shall continue to have and exercise, the power to impose all applicable permit 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 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 award of stalls, preferential rights shall be accorded to qualified residents of the City of Manila;
- g) The franchisee shall post a continuing bond of ONE HUNDRED THOUSAND PESOS (PhP. 100,000.00), 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;
- h) The operation expense for the said privately-owned public market, including maintenance, cleanliness and sanitation thereof, shall be borne by the franchisee;
- i) Installation of four (4) digital Timbangan ng Bayan in conspicuous places within the area of operation and easily accessible to the public;
- j) The chapel or place of worship should be transferred to the second floor, and
- k) Ironworks shop (welding shop) should be relocated.


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 conditions set forth above shall be a ground for the outright cancellation of the franchise, 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 January 12, 2017.

PRESIDED BY:


MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS
Vice-Mayor and Presiding Officer
City Council, Manila

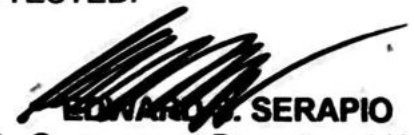
ATTESTED:


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

APPROVED BY HIS HONOR, THE MAYOR, ON 21st JANUARY 2017


JOSEPH EJERCITO ESTRADA
Mayor
City of Manila

ATTESTED:


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