



**Republic of the Philippines
CITY COUNCIL
City of Manila**

REGULAR SESSION NO. 43

11TH CITY COUNCIL

**Begun and held in the City Council on Thursday,
the first day of August, Two Thousand Nineteen**

ORDINANCE NO. 8597

AN ORDINANCE RENEWING THE FRANCHISE GRANTED TO BROTHER DEVELOPMENT CORPORATION TO OPERATE A PRIVATE MARKET AT ARRANQUE ANNEX SALGADO MARKET, UNDER ORDINANCE NO. 7754 FOR ANOTHER TWENTY-FIVE (25) YEARS RECKONED FROM THE DATE OF THE EXPIRATION OF THE ORIGINAL FRANCHISE UNDER TERMS AND CONDITIONS SET FORTH THEREIN

PRINCIPAL AUTHORS: HON. TERRENCE F. ALIBARBAR, HON. PAMELA "FA G. FUGOSO-PASCUAL, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. MANUEL M. ZARCAL, HON. ERNESTO C. ISIP, JR., President Pro-Tempore and HON. JOEL R. CHUA, Majority Floor Leader

PREAMBLE

WHEREAS, on July 23, 1991, the City Government of Manila passed Ordinance No. 7754, authorizing the Brother Development Corporation, a franchise to operate a private market owned and registered in its name under Transfer Certificate of Title No. 178049, in the Registry of Deeds for the City of Manila, under certain terms and conditions;

WHEREAS, for unknown reason, the measure passed by the policy-making body was not acted on by the then Local Chief Executive which effected the same measure as deemed approved that granted Brother Development Corp. the franchise to operate the subject market for a period of twenty-five (25) years from the date of approval as provided for in Section 2 thereof, such that the same expired in 2016 by operation of law;

WHEREAS, during the 10th City Council, Ordinance No. 8557, aptly entitled: "An Ordinance renewing the franchise granted to Brother Development Corporation to operate a private market – the Arranque Annex Salgado Market, authorized through Ordinance No. 7754, for another twenty-five (25) years reckoned from the date of the expiration of the original franchise under certain terms and conditions set forth therein", was enacted at its regular session held on March 18, 2019;

WHEREAS, regrettably, the previous Local Chief Executive vetoed Ordinance No. 8557, and the previous Sanggunian failed to override the same;

WHEREAS, given that the vetoed bill was not superseded through override by the previous Sanggunian, as an incident to their delegated legislative power, the present Sanggunian does not have a right to override the same, because the time to exercise the power to override a veto is subsumed with the corresponding term of the Sanggunian concerned or in this case the new Sanggunian;

WHEREAS, upon the expiration of the prescription period vested on the previous Sanggunian, we decided to file again the essence of the vetoed Ordinance No. 8557 in this 11th City Council: NOW, THEREFORE,


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

SECTION 1. The validity of the franchise granted to Brother Development Corporation under Ordinance No. 7754, is hereby extended for another twenty-five (25) years reckoned from the date of the expiration of the original franchise under terms and conditions.


SEC. 2. Effectivity Clause. – This Ordinance shall take effect upon its approval.

This Ordinance was finally enacted by the City Council of Manila on December 9, 2019.

PRESIDED BY:


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

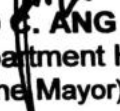
ATTESTED:


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

APPROVED BY HIS HONOR, THE MAYOR, ON JAN 28 2020.


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITO C. ANG
City Government Department Head III
(Secretary to the Mayor)