

ORDINANCE NO. 7754

AN ORDINANCE GRANTING BROTHER DEVELOPMENT CORPORATION A FRANCHISE TO OPERATE A PRIVATE MARKET AT THE PORTION OF THE PRESENT ARRANQUE MARKET OWNED AND REGISTERED IN ITS NAME UNDER TCT NO. 170049 OF THE REGISTRY OF DEEDS OF MANILA, UNDER CERTAIN TERMS AND CONDITIONS.

Be it ordained by the City Council of Manila, THAT:

SECTION 1. The Brother Development Corporation is hereby granted franchise to operate a private market at the portion of the present Arraque Market owned and registered in its name under TCT No. 170049 of the Registry of Deeds of Manila, subject to the following terms and conditions:

- a. The franchisee shall pay the franchise fee prescribed under Sec. 44 of the Revenue Code of Manila and for this purpose, the books of accounts of the franchisee reflecting its gross receipts shall be made available to the City Treasurer or its duly authorized representative (s) on request;
- 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 it by law to regulate, inspect and supervise the operation of the market to assure compliance with the pertinent rules, regulations, ordinance and laws governing private markets;
- d. The franchisee, in order to insure and maintain the revenue due the City, shall have authority to adopt such measures, impose such charges and penalties and effect such collections as due and necessary from the stallholders, in accordance with the provisions of existing laws and ordinances;
- e. The allocation of stalls shall be conducted by raffle under the supervision of the Market Committee and preferential right shall be accorded to former legitimate stallholders of the Salcedo Annex and Filipino citizens qualified under the law; no payment of goodwill money shall be imposed;
- f. The franchisee shall see to it that the administration of the market is done in the most efficient manner, with the end in view of faithfully carrying out all the terms and conditions of the grant;
- g. The plans and specifications of the structure to be constructed shall bear the approval of the City Mayor and shall conform with what is prescribed under the existing Market Code as well as such rules and regulations as may be promulgated from time to time by competent government authorities;
- h. The operational expenses for the said private market, including the maintenance and cleaning thereof shall be borne by the franchisee;
- i. The franchisee shall post a continuing performance bond in the amount of P500,000.00, in favor of the City, which penal sum shall be forfeited in favor of the City, as liquidated damages in case of failure on the part of the franchisee to do, perform and comply with any of the terms and conditions set forth herein; and

[Handwritten initials]

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- j. To expedite the construction of the market building and minimize the expenses for the construction, all bona fide and present stallholders shall be notified to temporarily vacate the premises occupied by them within thirty (30) days after approval of this ordinance and due notice, otherwise, they shall lose their preferential rights to re-occupy the portion accorded to them therein, as provided for under the preceding paragraphs.

SEC. 2. This franchise shall be for a period of twenty five (25) years from date of approval, renewable with the same terms upon mutual agreement of both parties.

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


SEC. 4. This Ordinance shall take effect upon its approval.

Enacted by the City Council of Manila at its regular session today, July 23, 1991.

Deemed approved under Sec. 180 (1) of the Local Government Code.
Approved by His Honor, the Mayor on

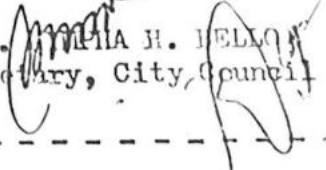
APPROVED:

GERMILIANO C. LOPEZ, JR.
Mayor
City of Manila


DANILO B. LACUNA
Vice-Mayor and
Presiding Officer
City Council, Manila

ATTESTED:

ALBERTO A. BERNARDO
Secretary to the Mayor


MA. MARIA H. BELLO
Secretary, City Council

Authorized by Honorable Humberto B. Basco
Co-Sponsored by Honorable Eduardo S.J. Quintos V

HCM/tav.