



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 47

13TH CITY COUNCIL

Begin and held in the City Council on Thursday,
the fourteenth day of August, Two Thousand Twenty-Five

ORDINANCE NO. 9170

**AN ORDINANCE ADOPTING THE NEW MARKET CODE OF MANILA,
REGULATING FOR THIS PURPOSE THE ESTABLISHMENT, CLASSIFICATION,
OPERATION AND ADMINISTRATION OF CITY AND PRIVATELY-MANAGED PUBLIC
MARKETS AND ALL OTHER MARKET-RELATED ACTIVITIES WITHIN THE CITY OF
MANILA**

PRINCIPAL AUTHORS: **HON. ELMER "Joel" M. PAR**, **HON. DON JUAN "DJ" BAGATSING**, **HON. LUCIANO "Lou" M. VELOSO**, **HON. RAYMUNDO "Mon" R. YUPANGCO**, Majority Floor Leader, **HON. ATTY. JAYBEE S. HIZON**, **HON. LOUISA MARIE "Lady" J. QUINTOS-TAN**, **HON. EDWARD M. TAN**, **HON. RAFAEL "Che" P. BORROMEO**, **HON. JESUS "Taga" E. FAJARDO, JR.**, **HON. DRA. IRMA C. ALFONSO-JUSON**, **HON. VOLTAIRE "Caloy" D. CASTAÑEDA**, **HON. ERICK IAN O. NIEVA**, **HON. KAREN C. ALIBARBAR**, **HON. KUYA DOK FRANCIS MICHAEL U. ALMIRON**, **HON. ARLENE MAILE I. ATIENZA**, **HON. EUNICE ANN DENICE G. CASTRO**, **HON. JOAQUIN ANDRE "JD" D. DOMAGOSO**, **HON. ROBERTO "Bobby" S. ESPIRITU II**, **HON. PAMELA "Fa" G. FUGOSO-PASCUAL**, **HON. ROSALINO "Jhun" P. IBAY, JR.**, **HON. MARK ANTHONY "Tol Mac" A. IGNACIO**, **HON. ATTY. ERNESTO "Jong" C. ISIP**, **JR.**, **HON. JEFFERSON "Jeff" C. LAU**, **HON. FERNANDO "Doc" S. MERCADO**, **HON. KUYA RYAN B. PONCE**, **HON. DARWIN "Awi" B. SIA**, **HON. JOHN CHRISTOPHER "Bolong" SY**, **HON. CHRISTIAN PAUL L. UY**, **HON. ENRIQUETA "Erika" O. PLATON**, **HON. JULIANA RAE "Yanyan" M. IBAY**, **HON. TIMOTHY OLIVER "Tol" I. ZARCAL**, President Pro-Tempore and **HON. ANGELA LEI "Chi" I. ATIENZA**, Vice-Mayor and Presiding Officer



EXPLANATORY NOTE

Public markets in the City of Manila do not only serve as vital economic enterprises and public utility services.

More importantly, they contribute immensely to uplifting the income and general welfare of its residents. They also provide increased livelihood opportunities and marketing services, and are used as barometers to determine the level of economic development in the city or municipality.

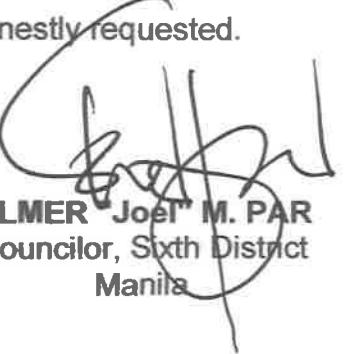
Unfortunately, Manila continues to rely on the antiquated City Ordinance No. 2898, or the Manila Market Code, which was first enacted back in the 1940s.

To some extent, the 2013 Omnibus Revenue Code of the City of Manila addresses certain aspects of the operation of the City's public markets, but only in limited scope.

Under the Local Government Code of 1991 (Republic Act No. 7160), Local Government Units (LGUs) are granted the power to establish and regulate public markets within their jurisdiction.

Through the enactment of this Code, the City of Manila will adequately address the following; (a) establishment and administration of all City public markets, (b) imposition and collection of all market fees and charges, and (c) regulation of operations of both privately-owned and City public markets and all other market-related activities.

In view of the foregoing, passage of this Ordinance is earnestly requested.


ELMER 'Joel' M. PAR
Councilor, Sixth District
Manila

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

CHAPTER I

GENERAL PROVISIONS

SECTION 1. Title. – This Ordinance shall be known and referred to as *“The Manila Market Code of 2025.”*

SEC. 2. Scope and Coverage. – This Code shall govern the establishment, classification, administration, and operation of all City Public Markets in Manila, including those hereinafter established or created; the imposition and collection of rental/occupancy and other relevant market fees and charges; and, the regulation of the operation of both privately-owned and operated public markets and city public markets.

SEC. 3. Authority to Establish Public Markets. – The City Government of Manila, pursuant to Sections 16, 17, 458(a)(5)(ii) and 458(a)(1)(iii) of Republic Act No. 7160 otherwise known as the “Local Government Code of 1991”, shall by ordinance duly approved by the Sangguniang Panlungsod, has the authority to establish, maintain, and operate public markets within its territorial jurisdiction.

SEC. 4. Definition of Terms. – For the purpose of this Code, the following terms shall be construed and defined as follows:

- a) **“Public Market”** – refers to any structure, building, or place of any kind, whether government or private-owned and operated, which has been established, designated, or recognized by the Local Government of Manila. It is a place where the buying and selling of wet and dry products such as meat, fish, vegetables, flowers, and canned/bottled products are done, and where eateries or special services are found and offered. It shall include all market stalls, kiosks, booths, tiendas, buildings, roads, subways, waterways, drainage, and other connections, parking spaces and other appurtenances, which are integral parts thereof.
- b) **“City Public Markets”** – are those local government-owned and operated public markets established out of public funds or leased/acquired by any legal mode or means from persons, natural or juridical, that are hereinafter created by Ordinance duly enacted by the Sangguniang Panlungsod of Manila.
- c) **“Privately-Owned and Operated Public Markets”** – are those established by individuals, groups of individuals, or corporations out of private funds and operated by private persons, natural or juridical, under local government franchise and permit.
- d) **“Market Premises”** – refer to the market stalls, pathways, entrances and exits, delivery areas, parking areas, driveway leading to the delivery and parking areas, and any other open spaces in the market compound or part of the market lot consisting of bare grounds not covered by market buildings usually occupied by ambulant vendors especially during market days.
- e) **“Market Stall”** – refers to any allotted stand, space, compartment, store or any place wherein merchandise is sold, offered for sale, or intended for such purpose in the public market.

f) **“Market Booth”** – refers to any enclosure built or erected on the market space for the purpose of the sale of goods, merchandise, commodities or services.

g) **“Market Sections”** – refer to the division of the public markets according to the kind of merchandise offered for sale therein. The following shall be the classification of market sections:

- i. *Fish Section* – refers to the area where only fresh fish, clams, oysters, crabs, lobster, shrimps, seaweeds and other seafoods and marine products shall be sold.
- ii. *Meat Section* – refers to the area where all kinds of meat, pork, and beef allowed by law and approved by competent authorities shall be sold; provided that meat, pork and dressed chicken shall be separately and properly labeled.
- iii. *Poultry Section* – refers to the area where only live chicken, ducks, turkeys, other fowls and birds, and the like that shall be sold.
- iv. *Dry Goods Section* – refers to the area where only all kinds of textiles, ready-made dresses and apparels, native products, toiletries, novelties, footwear, laces, kitchen wares, utensils and other household articles, handbags, and school and office supplies shall be sold.
- v. *Vegetable Section* – refers to the area where all kinds of fresh produce of vegetables that include leafy greens, tropical vegetables, herbs and root crops allowed by law, such as camote, cassava, ube and the like shall be sold.
- vi. *Fruit Section* – refers to the area where a wide variety of fresh, whole fruits are sold and may include seasonal local fruits as well as imported fruits.
- vii. *Flower Section* – refers to the area where only all kinds of flowers, whether fresh or artificial, flower pots, vases and other plants allowed by law and garden accessories and implements or tools shall be sold.
- viii. *Grocery Section* – refers to the area where only all kinds of cakes, pastries, crackers, butter, cheese, confections, candies, canned or bottled foods, beverages, soft drinks, cigarettes, flour, oatmeal, ham, bacon, sugar, nuts, sauce, all kinds of cereals, such as rice, corn, mongo and the like, eggs, sausages, starch, smoked fish, dried fish, salt, feeds, soap and other household and food products including firewood and charcoal shall be sold.

- ix. *Eateries and Cooked Food Section* – refers to the area where all kinds of cooked and prepared foods, including refreshment parlors, cafeterias, and other delicacies are sold.
- x. *Miscellaneous and Other Special Services* – refers to the area where any other business not classified herein above shall be allowed.
- xi. *Cold Storage* – refers to the area where only refrigeration services shall be made available and sale of ice in whatever form shall be conducted.

h) ***"Ambulant, Transient or Itinerant Vendor"*** – refers to a vendor or seller who does not permanently occupy a definite place in the market but one who comes either daily or occasionally to sell his goods.

i) ***"Market Committee"*** – refers to the body whose duty is to conduct the processing of application in connection with the adjudication of vacant or newly-constructed stalls or booth in the City Markets, certify the results thereof and resolution of other matters related or concerning City Markets.

j) ***"Joint Venture or Public-Private Partnership"*** – a legally binding contractual arrangement between the City and Joint Venture Private Partner/s, established for the purpose of collaboratively undertaking a defined project or set of activities in furtherance of the City's strategic vision and mission, without the formation of a separate legal entity or joint venture company. It shall conform to the City's PPP/JV Ordinance, NEDA, and COA guidelines to avoid irregular procurement or franchise arrangements.

k) ***"Market Governing Committee"*** – group responsible for creating, enhancing, and enforcing rules and regulation of the specific market under Joint Venture Agreement. It usually consists of 1 member from the Developer, 3 members designated by the City, and 1 member from the Market Stallholder.

l) ***"Lease/Award"*** – shall mean the document that grants to lessee/tenant the right to occupy the stall. Lease or award may be used interchangeably and shall mean the same.

m) ***"Stallholder"*** – refers to the awardee of a definite space or spaces within a market who pays rentals thereon for the purpose of selling his/her goods/commodities or services.

n) ***"Market Rental/Occupancy Fee"*** – refers to the fee paid to and collected by the City Government thru the market collectors for the privilege of using public market facilities.

o) ***"Vending Area"*** – refers to a particular lot, space, building or any similar structure where animal meat, fish, poultry, and livestock are being sold.

p) ***"Immediately Contiguous City-Controlled Setbacks"*** – refer exclusively to areas owned, controlled, or managed by the City that directly adjoins market property, and do not include national roads or sidewalks under agencies such as the DPWH or MMDA.

- q) ***Butcher*** – refers to any person engaged in slaughtering pigs, beef, poultry, and other livestock.
- r) ***Impervious Materials*** – shall mean and refer to hardware materials that are impenetrable, not capable of being damaged and tarnished, not affected by harsh elements of nature, such as mildew, algae, fungi, or moisture, with plain and smooth surface that are durable and resistant to wear corrosion. Samples of impervious materials are stainless steel plates, ceramic tiles, formica sheets, porcelain plates, marble slabs, and other smooth surfaced, non-porous, and water or moist resistant materials.
- s) ***Satellite Market (“Talipapa”)*** – refers to an area temporary in nature wherein wet and dry commodities are being sold by the vendors with minimum required facilities.
- t) ***Flea Market (“Tiangge”)*** – refers to a place wherein dry commodities are being sold with minimum required facilities.

SEC. 5. Rules of Interpretation. – In the interpretation of the provisions of this Code, the following rules shall apply, unless otherwise inconsistent with the manifest intent of the said provisions:

- a) ***Common and Technical Words*** – Words and phrases shall be construed and understood according to their common and approved usages. Words and phrases which may require a technical, peculiar, and appropriate meaning under this Code shall be construed and understood according to such technical, peculiar, or appropriate meaning.
- b) ***Gender and Number*** – Every word in the Code importing the masculine gender shall extend and apply to both male and female. Every word importing the singular number shall extend and apply to several persons or things as well. Every word importing the plural number shall extend and apply to one person or thing as well.
- c) ***Computation of Time*** – The time within which an act is to be done as provided in this Code in any rule or regulation issued pursuant thereto, when expressed in days, shall be computed by excluding the first day and including the last day.
- d) ***Conflicting Provisions*** – If the provisions of this Code conflict with each other, the provision of each chapter or article shall prevail as to specific matters and question involved therein.

CHAPTER II

SUPERVISION AND CONTROL

SEC. 6 City Administrator. – Is a city government official who shall exercise direct and immediate supervision, administration and control over government owned/operated public markets and the personnel thereof, including those whose duties concern the maintenance, upkeep, peace and order of the market premises except collectors in accordance with laws, local ordinances and other rules and/or regulations pertinent thereof.

In the exercise of enforcement powers, the Market Administrator shall ensure that affected stallholders are afforded written notice, an opportunity to be heard, and the right to appeal before the final imposition of closure or penalties, consistent with due process requirements.

SEC. 7. Market Administration Office (MAO). – Is a city government office or agency who shall be mandated to implement and enforce the New Market Code and other city ordinances and laws pertinent to the regulation of establishment, operation, and administration of all markets and other market-related activities in the City of Manila. MAO shall be headed by the Market Administrator who shall have the authority to implement any or all parts of the provisions of the New Market Code and shall:

- a) Exercise general supervision and control over the management, operation, maintenance, and development of city markets in accordance with the plans and programs of the City Government, including the allocation, adjudication, assignment/reassignment, re-sectioning/regrouping and construction of stalls;
- b) Propose policies and prepare, execute and coordinate plans and programs for the improvement and enhancement of the operations of public markets and other market-related activities, including the designation of vending sites;
- c) Enforce all laws, rules and regulations affecting the regulation of the establishment, classification and operation of public markets and all other establishments with market-related activities in Manila, including satellite and flea markets, and vending sites;
- d) Recommend the clearing of vending sites, without prejudice to the filing of other legal complaints, for violation of the New Market Code, City business operations requirements, fair trade laws, revenue laws and other related laws, rules and regulations, guidelines and policies; and
- e) Recommend the revocation of business permits, suspension of business operations, issuance of cease-and-desist order or CDO, permanent or temporary closure of business establishment of any other person covered by this Code.

The Market Administrator shall have the power to delegate such authority, duties and responsibilities to any bona fide employee or any authorized representative of MAO; Provided, that the delegation of authority is subject to issuance of Mission Order, Office Order, or similar order of assignment.

SEC. 8. Market Supervisor / Market Master. – Is the personnel in-charge for each city owned market. There shall be a Public Market Master for each City public market owned and operated by the Local Government of Manila existing and hereinafter created. He shall be the custodian of the City public market, have immediate administrative supervision and control over all subordinate market personnel, and perform the following duties and responsibilities:

- a) Execute and implement directives and policies emanating from the City Market Administrator, as promulgated by the City Mayor, pertaining to the operation of the city market, including those on sanitation, cleanliness, security, order and conduct inside the market premises and its immediate environs;
- b) Administer the lease of all the market stalls thereat and prepare the documents in connection therewith;
- c) Ensure that business permits/licenses/market fees and other charges are properly collected, remitted and reported;

- d) Prepare monthly statistical data on the prevailing prices of goods in the city market for the information of the City Mayor;
- e) Submit to the City Market Administrator, for the information of the City Mayor, monthly summary of collection and/or revenues;
- f) Manage and administer market property, facilities and supplies, including the acquisition, utilization, maintenance, losses and disposal thereof;
- g) Supervise and evaluate the performance of all subordinate market personnel and investigate complaints relating to their performance and/or attitude/conduct; and
- h) Perform such other functions and duties as may be assigned by the City Mayor or the City Market Administrator.

SEC. 9. Other Market Personnel. – Other market personnel as may be deemed necessary shall be appointed in accordance with existing Civil Service laws, rules and regulations, and approved by appropriate ordinance.

- a) Market Inspector – is the personnel in-charge to inspect cash tickets issued to ambulant/transient vendors, the sanitary conditions and upkeep of the market and determine generally whether all sanitary rules and regulations of the market are complied with. Personnel who can recommend imposition of penalty to those who are using multi-colored lights, defective weighing scales and those bringing live animal/pets.
- b) Weights and Measures Division – office responsible for ensuring fairness and accuracy in trade, commerce, and industry when it comes to weights, measures, and measuring instruments.

Definitions:

1. **Weights and Measures:** Standard units of measurement (such as kilogram, liter, meter, etc.) that are officially recognized and legally enforced to ensure accuracy in trade and commerce.
2. **Calibration:** Comparing a measuring instrument against a known standard to check and adjust its accuracy.
3. **Stamping/Sealing:** The official marking or sealing of a weighing/measuring device to certify it has passed verification and is legal for trade use.
4. **Linear Metric Measure:** a way of measuring distance or length in a single dimension, using units from the metric system, which is based on meters and powers of ten.
5. **Official Sealer:** An authorized officer who examines and tests instruments, investigates complaints, and enforces compliance with laws on weights and measures.

CHAPTER III

MARKET FEES AND CHARGES

SEC. 10. Classification. – For the purpose of this Ordinance, government-owned or operated public markets in Manila are hereby classified into:

Class A – Those with an average monthly income of Four Hundred Twenty Thousand Pesos (PhP420,000.00) or more during the preceding three (3) months;

Class B – Those with an average monthly income of One Hundred and Twenty Thousand Pesos (PhP120,000.00) or more but less than Four Hundred Twenty Thousand Pesos (PhP420,000.00) during the preceding three (3) months;

Class C – Those with an average monthly income of less than One Hundred and Twenty Thousand Pesos (PhP120,000.00) during the preceding three (3) months; and

Subsequent reclassification may be made on the basis of the preceding three (3) months collection, but not more than once a year and shall be determined by the Market Committee based on the official monthly collection reports submitted by the City Treasurer's Office.

SEC. 11. Stall Rental/Occupancy Fees. – There shall be imposed and collected a Rental Fee for the use and occupancy of the awarded stalls inside the City public markets based on the following classification and schedule, which shall be payable daily or on a monthly basis at the option of the stall holder:

SECTION	Rate per Sq. M. Per Day		
	Class A	Class B	Class C
1. Wet Section	18.00	17.00	15.00
a) Fish Section	18.00	17.00	15.00
b) Meat Section	18.00	17.00	15.00
2. Fruit Section	17.00	16.00	14.00
3. Dry Section	17.00	16.00	14.00
a) Groceries	17.00	16.00	14.00
b) Rice, Corn, other cereals, and/or dried/salted fish	17.00	16.00	14.00
c) General Merchandise, glassware chinaware, tableware and home appliances	17.00	16.00	14.00
4. Vegetables Section	17.00	16.00	14.00
5. Eateries and Food Section	17.00	16.00	14.00
6. Poultry Section	17.00	16.00	14.00

	Class A	Class B	Class C
7. Flower Shops	17.00	16.00	14.00
8. Special Services not subject to any market fees but shall pay rental fees for occupancy thereof	60.00	60.00	60.00

For stalls in prime spots or locations, such as those front stalls in prime spots or locations, facing the market periphery or streets, and corner stalls, the following shall be added to the above-prescribed fees:

<i>Front corner stall</i>	-	<i>Plus 20% of the rate imposed</i>
<i>Front stall</i>	-	<i>Plus 15% of the rate imposed</i>
<i>Inside corner stall</i>	-	<i>Plus 10% of the rate imposed</i>

Stall extensions, permissible up to 0.3 meter only, should the location of the stall allow for extensions and provided a 1.0 meter passageway is left accessible, shall be charged additional Ten Pesos (PhP10.00) to the above-described fees.

Fees for ambulant/transient vendors – Market fees for the occupancy of market premises by ambulant/transient vendors shall be at the rate of Twenty Pesos (PhP20.00) per day per square meter plus an additional Two pesos (PhP2.00) per square meter per day of the space occupied or a fraction thereof. They shall be limited to the areas not earmarked and utilized for passageway and/or entrance to the market building.

For new City public markets to be established by the City Government, the Sangguniang Panlungsod may prescribe a different schedule of rental rates.

SEC. 12. Time and Manner of Payment. – The fee for the rental of market stalls shall be paid to the City Treasurer's Office or his duly authorized representative on a daily basis or within the first twenty (20) days of each month if paid monthly at the option of the stallholder. In case of a new lease, the rental due for the month in which the lease starts, shall be paid before occupancy of the stall.

SEC. 13. Surcharge for Late Payment. – The lessee of an awarded stall who fails to pay the monthly stall rental after five (5) days from due date, shall be subject to a surcharge equivalent to three percent (3%) of the total rent due.

SEC. 14. Premises-Use Fees. – A Premises-Use Fee shall be collected from every delivery vehicle entering the City public market, other than those private vehicles owned by the stallholders, based on the following prescribed fees:

Type of Vehicle	Rate per entry
Three-wheeler (Tricycles)	30.00
Four-wheeler (cars, jeeps, closed van, L300)	100.00
Six-wheeler (trucks, jeep w/top load)	150.00

Pushcarts, trolleys, "karitons" and other similar forms of conveyances are not covered by this provision.

SEC. 15. Business Signs and Fee on Promotional Displays. – Except for the business sign of the lessee of the awarded stall, duly approved and authorized by and posted in accordance with the regulations of the Public Market Master, no notice, sign, streamer, banner or other advertising medium may be displayed, posted, affixed, inscribed or painted within or outside the stall premises or any part of the market premises, except as authorized in writing by the Public Market Master. Further, all promotional displays to be installed or set-up on any part of the market premises outside of the confines of the leased stall shall require the prior written approval of the Public Market Master and shall be subject to the payment of the following Promotional Display Fee.

Sampling/Promotional Booth shall be charged a fee of Five Hundred Pesos (PhP500.00) per square meter per day.

SEC. 16. Other Market Fees and Charges. – The foregoing sections shall be without prejudice to the power and authority of the Sangguniang Panlungsod to impose and collect other relevant market fees and charges as it may deem necessary or to amend, revise or modify the rates prescribed herein.

The fees and charges provided herein shall take effect only after compliance with Section 187 of the Local Government Code and shall thereafter be incorporated into the City Revenue Code (Ordinance No. 8331).

SEC. 17. Collection. – Collection of the foregoing stall rental fees, premises-use fees, entry fee and promotional display fees shall be undertaken by the responsible market personnel, who shall be a duly authorized representative of the City Treasurer's Office, to be evidenced by the necessary official receipts. All collections shall be remitted to the City Treasurer's Office for deposit in the special account of the respective City Public Markets.

CHAPTER IV

AWARD/ADJUDICATION OF STALLS, CONDITIONS OF LEASE

SEC. 18. Applicability. – This chapter shall apply only to new stall vacancies occurring after the enactment of this Code and shall not in any way affect the existing stall assignments in any of the public markets.

SEC. 19. Market Committee. – There is hereby created a permanent Market Committee to be composed of the City Administrator as Chairman, the Chairman of the City Council Committee on Markets, Hawkers and Slaughterhouse, Market Office Administrator, the Public Market Supervisors, City Treasurer's Office representative, City Legal Office representative and a representative of the Market Vendors Association to be appointed, as members. A quorum can start with the presence of 3 members of the Committee.

The Market Committee shall decide on the award/adjudication of vacant or newly-constructed stalls in all City-owned public markets to qualified applicants and shall perform the following functions: (1) conduct the drawing of lots and certify the results thereof based on the rules and regulations to be adopted by it; (2) adjudicate the transfer of lessee-stallholders from one section to another, or from one stall to another within the same section; (3) recommend to the City Mayor such measures or actions as may be necessary for the resolution of issues concerning the occupancy of stalls, booths or spaces in the City public markets; (4) promulgate rules and regulations concerning the administration and operation of all public markets in Manila City; and (5) oversee compliance of all public markets with existing laws, rules and regulations and ordinances of Manila City.

SEC. 20. Adjudication of Stalls. –

(a) Notice of Vacancy. – The Market Committee shall cause a Notice of Vacancy of any stall, booth or space in any of the City public markets to be hereafter established and shall be posted at the vacant stall, in the bulletin board of City Hall, and in any conspicuous space within the market premises for a period of not less than ten (10) days prior to the date of award to apprise the public of the fact off vacancy of the subject stall, booth or space that is available for lease. This notice shall read as follows:

“NOTICE

Notice is hereby given that Stall/Booth No. _____, _____
Section of the _____ City Public Market is **VACANT** (or
“will be **VACANT** on _____”).

Any Filipino citizen who is of legal age, not legally-incapacitated, and a resident of the City of Manila for at least six (6) months, and desiring to lease this stall/booth shall file an application therefor in the prescribed form, copies of which may be obtained from the Market Administration Office at Manila City Hall, on or before _____. In case there is more than one (1) applicant, the award of the lease of the vacant stall/booth shall be determined thru drawing of lots to be conducted on _____ at _____ to be conducted by the City Market Committee.

City Mayor”

(b) Application to Lease Market Stall. – All applicants for vacant or newly-constructed market stalls shall have the following minimum qualifications: (1) Filipino citizen; (2) at least eighteen (18) years of age; (3) not legally incapacitated; and, (4) resident of Manila for at least six (6) months prior to his application as by the requisite Barangay Certification, (5) Voters ID/Certification; (6) Birth Certificate; (7) Marriage Certificate (if applicable); and (8) 2 Government IDs.

An Application Form Fee of *Five Hundred Pesos (PhP 500.00)* shall be collected from each applicant to cover the notarization fee and other necessary expenses shall form part of the general fund. An application shall be furnished to the applicant who shall accomplish and submit the same to the Market Committee Secretariat together with his Barangay Certification and two (2) pieces of ID picture. The application shall be made under oath and shall be submitted to the Market Committee Secretariat.

It shall be the duty of the Market Committee Secretariat (1) to keep a registry book showing the names and addresses of all applicants for vacant or newly-constructed stalls, the number and description of the stall/booth applied for, and the date and time of the receipt of each application; (2) to maintain and regularly update a list of stallholders with good standing with respect to the payment of daily rentals, fees, and the possession of valid business permits; (3) to prepare and submit periodic reports detailing stallholders with delinquencies or arrears in the payment of required fees and charges; (4) to coordinate with the Office of the City Legal by referring cases of stallholders with unsettled obligations for the issuance of demand letters and the initiation of appropriate legal action; and (5) to acknowledge receipt of all applications and to issue the order of payment for the application fee.

The application form to be issued by the Market Committee Secretariat shall be in the following form:

"APPLICATION TO LEASE MARKET STALL/BOOTH

The Hon. City Mayor
City of Manila

Sir:

I have the honor of applying for the lease of Market Stall/Booth No. _____ at the _____ Section of the _____ City Public Market. I am _____ years of age, Filipino citizen, and a resident of _____ for _____ months/years.

Should the above-mentioned stall be awarded to me for lease in accordance with the Market Code of Manila and the rules and regulations of the Market Committee, I promise to comply with the same under the terms and conditions of the contract of lease and subject to the following undertakings:

- (1) That, while I am occupying the stall, I shall at all times have my Certificate of Award/Occupancy, on which I affixed my picture, as well as the pictures of those of my helpers to be conveniently displayed at a conspicuous place inside the stall;
- (2) That, I shall keep the stall at all times in good, clean and sanitary condition and follow strictly all market rules and regulations on sanitation now existing or which may hereafter be promulgated;
- (3) That, I shall pay the corresponding rent for the stall promptly and in the manner prescribed herein or in any other pertinent ordinances;
- (4) That, the business to be conducted in the stall shall belong exclusively to me. In case I engage the services of helpers. I shall nevertheless personally conduct my business and be present at the stall. Further, I shall immediately notify the market authorities of any absence, giving the reason/s therefor; and
- (5) That, I shall not sell or transfer my privilege to lease the stall or otherwise permit other persons to conduct business therein.

Any violation on my part or on the part of my helpers of any of the foregoing undertakings shall be sufficient cause for the market authorities to suspend, cancel or revoke the contract of lease to be executed in my favor.

Respectfully yours,

NAME OF APPLICANT

SUBSCRIBED AND SWORN to before me this _____ day of _____ in Manila, applicant exhibited to me his/her Community Tax Certificate No. _____ issued in Manila on _____.

Officer Authorized to Administer Oath"



(c) Manner of Awarding. – The awarding of stalls to applicants shall be done by drawing of lots in accordance with the rules and regulations to be adopted by the Market Committee and at the date and place indicated in the Notice of Vacancy.

For New Applicants, a Certificate of Award/Occupancy shall be issued after the drawing of lots of the successful awardee. This certificate shall authorize the awardee to formally enter upon the stall premises, construct the allowable fixtures or improvements thereon and post his business sign. Before issuance of the Certificate of Award/Occupancy, the awardee shall pay the fixed amount of:

CLASS A:

PhP 5,000.00

CLASS B:

PhP 4,000.0

CLASS C:

PhP 3,000.00

SEC. 21. Contract of Lease. –

(a) Term. – Every awarded Contract of Lease shall be valid for a period of three (3) years. Upon the expiration of the term of lease, the contract may be renewed for the same period upon the favorable recommendation of the City Market Administrator and the Public Market Master after conducting a review of the stallholder-awardee's compliance with the conditions of the previous contract. In the event of delinquencies or violations, the stallholder will be subject to further evaluation and recommendations. The stall may then be declared vacant and made available for award and occupancy to any new qualified applicant.

For Renewal of Certificate of Award/Occupancy, the awardee shall pay the fixed amount of:

CLASS A:

PhP2,500.00

CLASS B:

PhP2,000.00

CLASS C:

PhP1,500.00

Expired leases at the time of approval of this New Market Code shall be renewed by the stallholder. Failure to do so will result to declaring the stall as vacant and imposing the appropriate penalty in case of rental arrears.

(b) Payment of Rental and Other Charges. The stall rental/occupancy fees fixed in Chapter 3 of this Code shall be payable either on a daily or monthly basis at the option of the stallholder, with the imposition of the proper surcharge in case of late payment. Non-payment of rent for a total of sixty (60) days, whether consecutive or cumulative, shall be a ground for the cancellation of the lease and the ejectment of the lessee from the leased premises.

A written warning will be issued as follows: 1st Warning on the 15th day, 2nd Warning on the 30th day, and 3rd Warning on the 45th day, with lease cancellation by the 60th day which will be signed by the market supervisor and duly noted by the market collector. The stallholder may still submit a written appeal to the Market Administrator up to ten (10) days from final notice which will then be forwarded to the City Administrator for approval.

The market collector of the City Treasurer's Office shall submit a collection report to the market supervisor every 15 days for monitoring of delinquency.

The manner of payment for electricity, (water) and other maintenance charges shall be in accordance with the regulations to be issued by the Market Supervisor and or Market Association and specified in the Contract of Lease. Failure by the lessee to settle his water and electricity bill within the period prescribed by regulation of the Public Market Master shall vest authority in the City Government, through the Public Market Master, to cut-off the electric and water line of the delinquent lessee. It shall only be restored upon presentation of an Official Receipt issued by the City Treasurer's Office.

(a) Use of Leased Premises.

- i. The lessee shall acknowledge and accept that the leased stall premises shall only be used and occupied strictly for commercial purposes, primarily dedicated to retail and merchandising that complies with the sectioning of the market.
- ii. The lessee shall acknowledge and accept the condition of the leased stall premises upon turn-over and shall provide at his own expense lighting fixtures and telephone installation.
- iii. The payment of electricity and water used in the leased premises shall be borne exclusively by the lessee.
- iv. No alteration or modification of the leased stall premises may be made without the written consent of the City Market Administrator. The lessee shall submit to the Public Market Master, for review and approval of the City Engineer, plans and specifications for any authorized renovation or improvement prior to implementation.
- v. The lessee shall conduct his business in the leased stall premises during the hours fixed by the Public Market Master. Should there be any change of schedule, the lessee shall be given written notice prior to its effectivity.
- vi. The use and occupancy of the leased stall premises by the lessee shall be deemed to include jointly with other lessees, the use of the hallways, common areas, entrances, aisles, back-service areas, exits, public toilets, and other facilities as may be available.

(b) Care of Leased Premises.

- i. The lessee shall receive and accept physical possession of the leased premises and shall acknowledge that the same is in good and tenantable condition. The lessee shall bind and obligate himself to keep and maintain the leased premises and, except for ordinary wear and tear, return the same in good tenantable condition as originally received.
- ii. The lessee shall likewise keep and maintain, at his own expense and account, all hallways, sidewalks or other common areas bordering his leased premises in good, clean and sanitary conditions at all times.
- iii. The lessee shall be solely responsible for any damage to the leased premises or its appurtenances caused or due to his negligence or that of his employees, customers, guests or other persons found on the leased premises. Thus, he shall, at his own expense, cause such repair to be made with a period of five (5) days from the date of such occurrence failing which, the City Government shall make or cause said repairs to be made at the expense and for the account of the lessee.
- iv. The lessee shall use the leased premises in such manner that the same shall not constitute nuisance or shall permit obnoxious odor or noise to emanate therefrom and shall provide in the leased premises adequate receptacles for waste, refuse, rubbish, etc.

- v. Whenever proper or required, the lessee shall install at his own expense for ready use at all times the necessary number of fire extinguishers as may be determined by the City Government.
- vi. The City Government shall make the necessary repairs for the preservation and conservation of the building, of which the leased premises form part of. However, the City Government shall not be liable for any inconvenience, annoyance or injury that may be suffered by the lessee and/or his business, including his employees, customers, guests or any other person found inside the leased premises during or occasioned by such repair. In the course of said repair, the City Government may cause the closure of certain stall premises or have these relocated in another available place in the building, which arrangement however shall not affect the payment of rental and duration of lease of the lessee.

(c) Prohibitions.

- i. The lessee shall not use the leased premises for dwelling and/or sleeping quarters. Gambling in any form and other illegal acts are strictly prohibited inside the leased premises and shall be subject to criminal liability under the Revised Penal Code.
- ii. The act of drinking inside the leased premises or of selling or dispensing beer, wine or any other liquor, strictly prohibited. It is likewise prohibited for the lessee or his employees or agents to be working on the leased premises while under the influence of drugs or in a state of drunkenness or intoxication.
- iii. The lessee shall not bring into or keep within the leased premises any live animals or pets.
- iv. The lessee shall not bring into, store or use, in the leased premises any flammable explosive materials or gas-fueled appliances in any form or quality, except gas-powered stoves in the Eateries and Cooked Food Section, nor shall the lessee install therein any apparatus, machinery or equipment which may cause obnoxious odor, tremor or noise, nor shall do or cause to be done any act or thing which may expose the leased premises to fire or increase the fire hazard or change the insurance rate of the building. Should the lessee violate this provision, he shall be fully responsible for all injuries or damage which may be caused by such violation to properties, third persons, the City Government, or other lessees. In case of brownouts, blackouts, or any other emergency, the lessee shall use only battery-operated lighting apparatus.
- v. The lessee shall not place any merchandise or install, attach or incorporate any structure, annex, or work of any kind outside of or protruding the leased premises and any such merchandise structure, annex or work may be summarily removed by the City Government, through the Public Market Master or his representatives at the expense of the lessee.
- vi. The lessee shall not allow vendors or peddlers to use, display or sell wares along corridors, passageways, aisles, entries, etc. adjacent to or near the leased premises.

(d) Lessee Shall Personally Administer the Stall. Any lessee who has been awarded the right to lease a market stall in accordance with the provisions of this Code, shall occupy and personally administer the same. Helpers to be employed by the lessee should be citizens of the Philippines and preferably residents of the City of Manila, and shall include, but not be limited to, his spouse, parents or children, who are

actually related to the lessee. Under no circumstances, however, shall such helpers have any commercial relation or transaction with the lessee.

(e) **Sub-Lease, Assignment and Transfer of Rights.** No lessee of any market stall shall sub-lease the whole or part thereof, nor shall he convey, transfer, assign, mortgage, encumber, or in any other manner dispose of his rights or interests thereto during the term of the contract of lease. Any person other than the lessee, his helper or registered partner/s found selling in the leased premises shall be *prima facie* evidence of sub-leasing and shall be a ground for the outright revocation of the contract of lease and the imposition of the penalty provided in paragraph (s) hereof.

(f) **Partnership with the Lessee.** Any lessee who enters into a business partnership with any party after acquiring the right to lease the stall shall have no authority to transfer to his partner/s the right to occupy the stall, provided, however, that in case of the death or disability of the lessee to continue with the business, the surviving partner is authorized to continue occupying the stall for a period not exceeding sixty (60) days for the purpose of winding down the business of the partnership. However, if the surviving partner is otherwise qualified to occupy the market stall and the spouse, parents or children of the deceased partner does not apply for the lease of the stall, he shall be given preference in continuing to occupy and lease the stall provided he applies therefor. The lessee shall provide the Public Market Master with copy of the Articles of Partnership and the names of all of his partners.

(g) **Death of Lessee/Succession.** If an awarded lessee dies or becomes permanently incapacitated for work, his spouse, if living together, may succeed in the occupancy of the stall, provided, however, that in the absence of a spouse or if said spouse is likewise physically incapacitated, the eldest legitimate and living child shall succeed. In case of the succession of the spouse or eldest child, he or she must be a citizen of the Philippines not otherwise disqualified by law to lease such stall.

(h) **Losses of Lessee.** The City Government shall not be responsible for any loss or damage which the lessee may suffer by reason of theft, robbery or other similar acts, and in no event shall the lessee have any cause of action against the City Government for losses resulting from the commission thereof. However, the Public Market Master shall exercise utmost vigilance and care to prevent losses in the market premises subject to the obligation on the part of the lessee to comply with the regulations to be promulgated by the Public Market Master relative thereto. Any merchandise, goods, wares or articles left at the leased stall after closing shall be at the risk of the lessee.

The City Government shall not be liable or responsible for any injury, loss or damage, including death, which the lessee or his employees, helpers, employees, or other agents, customers, or guests may suffer within the leased premises, and for damage or loss to the lessee's property, equipment, merchandise, furniture and other effects likewise within the leased premises, caused by, but not limited to the following: (i) presence of bugs, roaches, vermin, ants and other kinds of insects; (ii) failure or disruption of water and electric or power supply; (iii) fire due to faulty wiring, fuses, installation, etc.; (iv) defective plumbing

or pipes, bursting, leaking or clogging of cistern tank, water closet, waste or soil pipe, etc.; (v) leakage of water or the elements from the roof or other parts of the building due to rain, typhoon, flood, earthquake, repairs or other construction works; (vi) acts of negligence or vandalism committed by the lessee's employees, helpers or other agents, customers or guests; and (vii) any other cause not directly attributable to the fault of negligence of the City Government.

- (i) **Insurance.** The lessee shall not take any fire insurance on properties within the leased premises without first securing a written approval from the City Market Administrator, through the Public Market Master. Neither shall the lessee insure his properties therein for an amount beyond the value thereof. For this purpose, the lessee shall submit beforehand an inventory of the property or goods within the leased premises to be insured, subject to the inspection, review and verification by the City Government through its duly authorized representatives.
- (j) **Abandoned Stalls/Articles.** The lease of any stall which has been closed or abandoned for a period of sixty (60) consecutive days shall be deemed automatically revoked. For stalls abandoned for at least sixty (60) consecutive days, the Market Supervisor shall issue and post three (3) written notices for three (3) consecutive weeks. Failure of the stallholder to resume operation within the said period shall result in the forfeiture of rights over the stall, which shall thereafter be awarded to new qualified applicants in accordance with the provisions of this Code.

Any article abandoned in the leased premises in violation of the provisions of this Code shall be deemed a nuisance and shall be subject to the confiscation by the Public Market Master. However, the confiscated article may be claimed within twenty-four (24) hours after payment of the actual expenses incurred in safekeeping the same, unless they have so deteriorated as to constitute a menace to public health, in which case, they shall be disposed of in accordance with the instruction of the concerned City officials as to the proper manner of disposal. If the articles have not deteriorated and are not claimed within the time fixed herein, they shall be sold at public auction and the proceeds utilized in accordance with law.

- (k) **Alterations on the Stall.** No lessee shall remove, destroy or alter the original structure of the leased stall nor of the existing electrical wiring or water connection, without the prior consent of the Public Market Master, subject to the approval of the City Engineer. In case the lessee makes any unauthorized alterations, the same shall be a ground for the revocation of the contract of lease.
- (l) **Compliance with Laws, Rules and Regulations.** The lessee shall observe and comply with the provisions of existing laws, ordinances, rules and regulations of the National and City Government governing the use, occupation, operation and sanitation of the leased premises and releases the City Government from any claims, liability or responsibility for any such violation thereof. The lessee shall likewise obey and follow the regulations to be imposed by the Public Market, particularly to those concerning the conduct of operations, safety, cleanliness and sanitary condition of the leased premises. Any repeated and willful violation hereof shall constitute sufficient ground for the revocation of the lease contract.



(m) **Licenses and Permits.** The lessee shall obtain, at his own expense, from proper government authorities, all the necessary permits and licenses for his business operations prior to occupying the same and during its operations and shall promptly pay all the taxes and other charges due the government pursuant to its operations. Failure to secure the aforesaid permits or licenses shall be a ground for the revocation of the contract of lease.

(n) **Inspection of the Leased Premises.** The City Government, through the City Market Administrator or Public Market Master, or their representatives, shall have the right to inspect the leased premises at any reasonable hour of the day to check the general condition thereof or to investigate or determine whether there are any violations of this Code or other ordinances, national laws, rules and regulations, and the terms and conditions of the lease contract committed therein. In case of the non-renewal of the contract of lease, the Public Market Master shall have the authority to show the leased premises to prospective applicants for the stall.

(o) **Vacancy Before Expiration of Lease.** Should the lessee, for any reason, discontinue his business before the term of the lease expires, the subject stall shall be declared vacant and awarded to qualified applicants in accordance with the provisions of this Chapter.

(p) **Revocation of Lease.** Unless otherwise renewed or extended, the contract of lease shall be deemed automatically revoked upon the expiration of the term thereof, or upon non-payment of rental for a total of sixty (60) days, as provided in paragraph (b) of this Section. The lease contract shall likewise be revoked if the lessee shall commit any violation of the terms and conditions of the lease as prescribed in this Section and embodied in the contract of lease, upon the recommendation of the Public Market Master.

Before any lease cancellation or ejection, the Market Master shall issue a Notice of Violation. The lessee shall have ten (10) days to submit a written explanation and may request a hearing. The Market Administrator shall decide within fifteen (15) days from receipt, subject however to appeal to the City Administrator within ten (10) days. The decision of the City Administrator shall be final and unappealable.

(q) **Penalty.** Any violation of paragraphs (e) and (g) hereof shall, in addition to constituting valid grounds for the revocation of the lease contract, likewise subject the offender to (a) 1st offense – Warning, (b) 2nd Offense – Written Warning, (c) 3rd Offense – Reprimand, (d) Subsequent offenses - a fine of not more than Five Thousand Pesos (PhP 5,000.00) or imprisonment but not more than six (6) months, or both fine and imprisonment at the discretion of the Court.

SEC. 22. Limitation on the Number of Stalls. – Any person who has the financial capability to pay the required licenses, permits, and rentals may be allowed to lease not more than four (4) stalls after screening and evaluation.

The lessee of an awarded stall shall not be allowed to occupy any other stall or space within the market premises other than those leased to him and it is the duty of the market supervisor or his representatives to see to it that the lessee does not violate this provision and if found guilty of a violation, he shall be made to pay double the rental rate

corresponding thereto, and shall constitute sufficient ground for the revocation of his contract of lease.

SEC. 23. Forfeiture of Right. – Failure to occupy an awarded stall within seven (7) days from receipt of the Market Committee Resolution shall mean automatic forfeiture of the right to lease the stall.

CHAPTER V

WEIGHTS AND MEASURES

SEC. 24. Imposition of Fees. – Section 119, Article B, Chapter III of the 2013 Omnibus Revenue Code of the City of Manila (City Ordinance 8331), is hereby modified and amended to read as follows:

“SEC. 119. Imposition of Fees. All instruments for determining weights and measures in all consumer and other related transactions shall be tested, calibrated and sealed every three (3) months by the official sealer of the City of Manila upon payment of fees required under existing laws.

a) *For verification of linear metric instruments*

<i>Not over one (1) meter</i>	P 75.00
<i>Over one (1) meter.</i>	100.00

b) *For verification of metric measures of capacity*

<i>Not over ten (10) liters.</i>	P 75.00
<i>Over ten(10) liters.</i>	100.00

c) *For sealing of weighing instruments*

<i>With a capacity of not more than 30 kg.</i>	P 75.00
<i>Over 30kg but not over 150 kg.</i>	100.00
<i>Over 150 kg but not over 300kg.</i>	125.00
<i>Over 300kg but not over 500kg.</i>	150.00
<i>Over 500kg but not over 3000 kg.</i>	175.00

d) *For verification of mass balance (apothecary's) or other balance of precision:*

e) *For verification and sealing of Refined Petroleum Products and Diesel pumps*

<i>Per pump</i>	P 300.00
<i>Per dispenser</i>	150.00

All weighing instruments, gasoline and diesel pumps are subject to *Fifty Pesos (PhP50.00)* calibration fee, *Fifty Pesos (PhP50.00)* for verification fee and, for every re-testing upon request of the owner or operator, an additional service charge of *One Hundred and Fifty Pesos (PhP150.00)* for each instrument/pump shall be imposed.

Registration fee of *Fifty Pesos (PhP50.00)* shall be charged to all new instruments and gas pumps. Failure to have the same verified, re-tested, re-sealed and the corresponding fee paid thereof within the prescribed period shall be subject to *Five Hundred Percent (500%)* of the prescribed fees, which shall no longer be subject to penalty.

Unlawful possession or use of instrument not sealed before using and not sealed within *Twelve (12) months* from last testing and alteration or fraudulent use of instrument

of weights and measures shall be subject to confiscation of such upon inspection and verification by the official sealer of the City of Manila.

SEC. 25. Administrative Penalties. – Any lessee, helper, employee or authorized representative of the stallholder who commits any of the following acts shall after due notice be punished by a fine in accordance with the following schedule:

a) *Engaging in the practice of buying or selling by weight or measure using unsealed or unregistered instrument –*

<i>When the weight or measure is correct</i>	<i>PhP200.00</i>
<i>When the weight or measure is incorrect</i>	<i>PhP300.00</i>

b) *Failure to produce weight or measure tag, license, and official receipt even though the instrument is duly registered –*

<i>When the weight or measure is correct</i>	<i>PhP100.00</i>
<i>When the weight or measure is incorrect</i>	<i>PhP200.00</i>

c) *Any person found violating any of the above two (2) provisions for the second time shall be fined twice the imposable penalty by the court upon conviction, but not to exceed the minimum prescribed by law.*

SEC. 26. Penalty. – Any violation of the foregoing provisions of this Chapter shall be penalized in accordance with Section 119 of the 2013 Omnibus Revenue Code of the City of Manila (City Ordinance 8331), the National Metrology Act of 2003 (Republic Act No. 9236) and the Consumer Act of the Philippines (Republic Act No. 7394).

CHAPTER VI

RESTRICTIONS AND PROHIBITIONS ON MARKET PREMISES

SEC. 27. Applicability to Both City Public Markets and Privately-Owned and Operated Public Markets. – The provisions of this Chapter shall govern and apply to both City public markets and privately-owned and operated public markets, satellite markets (“talipapa”) or flea markets (“tiangge”), in so far as they are proper and applicable and shall be penalized in accordance with Chapter 9 hereof.

SEC. 28. Application to City-Owned Markets under Existing Joint Venture Agreements. – With respect to City-owned markets covered by existing and valid Joint Venture Agreements (JVAs) entered into by the City, the management and operational arrangements set forth in said JVAs – including the roles and functions of their respective Governing Committees – shall remain in full force and effect, unless lawfully amended or terminated in accordance with the terms of such agreements and applicable laws.

The MAO shall coordinate with the Governing Committees of said JV markets for purposes of policy alignment, monitoring of compliance with this Code, and enforcement of health, sanitation, safety, and consumer protection standards, without unduly impairing the contractual rights and obligations of the City and its private partners under their respective JVAs.

SEC. 29. Peddling and Hawking Within Market Premises and Immediate Setbacks. – It shall be unlawful for any person to engage in peddling, hawking, selling, or conducting any form of ambulant or itinerant vending within the premises of any public market and within its immediately contiguous City-controlled setbacks, including areas



designated by the City for pedestrian circulation, sanitation, waste collection, emergency access, and fire-safety clearance.

Outside the boundaries of market property and its immediately contiguous City-controlled setbacks, the regulation of peddling, hawking, sidewalk vending, or the obstruction of public streets and sidewalks shall be governed by the City's existing anti-obstruction, traffic, and sidewalk vending ordinances, rules and regulations.

Any improvements erected directly adjacent to these markets shall be under the direct administration, management and supervision of the City Mayor, or his duly-authorized representative. Violations under this Section shall suffer the penalty found under Section 61, Chapter 9 of this Ordinance.

SEC. 30. Loafing, Loitering, Begging, Annoyance, Etc. – No person not having any lawful business in or about the public markets shall sit idly, lounge, walk or lie in or about the premises thereof, nor shall any person beg or solicit alms or contribution of any kind in the public markets. No parent shall allow their children to play in or around the stalls or in any other part of the public market premises and the Private and Public Markets shall coordinate with the Manila Department of Social Welfare to take custody of loitering street children. No person shall annoy or obstruct public market stall owners/operators, their employees, or City Market officials or employees in the discharge of their duties.

SEC. 31. Intoxicating Drinks/Liquors. – No person shall drink, serve or dispense liquor or other intoxicating drinks within the premises of the public markets. Any violation hereof shall subject the offender to the penal provisions of this Code and if the offender is a lessee, the same shall be a ground for the revocation of his lease, as provided in Section 21 (r).

SEC. 32. Gambling and Other Illegal Acts. – Gambling, in any form, or any other illegal acts punishable under the Revised Penal Code (i.e. selling of stolen, illegal or contraband items) shall be strictly regulated within or about the premises of the public markets.

SEC. 33. Loose Animals. – No dogs or other pets or live animals shall be left astray within the premises of the public markets. The market supervisors shall coordinate with the Veterinary Inspection Board (VIB) for the impounding of such stray animals.

SEC. 34. Prohibitions. –

- (a) The peddling or sale outside the city market premises of chicken, meat, fish or other perishable foods that deteriorate easily shall be strictly prohibited.
- (b) In no case shall any stall or booth, or any portion thereof, inside the public markets be converted into temporary or permanent dwelling where they eat, sleep or use the public toilets as their own.

SEC. 35. Use of Alleys, Corridors and Walkways. – The placing of animal carcasses, dressed chicken, chicken coops, chopping/cutting tables, display hangers, grinders and other similar paraphernalia, as well as dry goods and other articles of commerce on passageways, alleys, corridors and walkways of public markets throughout the City is hereby prohibited.

Coconut products shall be stored strictly within the confines of the stalls selling the same and once extracted, the shells shall be disposed by placing inside garbage bags.

SEC. 36. Livestock and Poultry Products. – The injection of water, use of colored lights and application of coloring agents to livestock, dressed chicken and poultry

products is strictly prohibited and shall be subject to outright confiscation, without prejudice to the penal sections provided for in Chapter 9.

SEC. 37. Nuisance and Breach of Peace. – No person shall commit any nuisance, commit disorderly conduct, obstruct public market passageways, or do any other act which is calculated to result in the breach of peace.

SEC. 38. Adequate Attire in Public Markets. – All vendors in all public markets are required to wear proper work clothes/attire, preferably T-shirts/Sando and pants or knee-length shorts, and absolutely no bare or naked upper body, for men; T-shirts/blouse with skirt/pants/knee-length shorts, or any other dress, for women; and apron, in the Canteen, Vegetables, Meat and Poultry Sections of the public markets.

CHAPTER VII

MAINTENANCE OF CITY PUBLIC MARKETS

SEC. 39. Cleaning of Market Premises. – The market supervisors shall see to it that the premises of all city public markets shall always be maintained in clean and excellent sanitary condition, including the aisles, divisions, as well as the whole building and grounds of the market. The cleaning shall be done at the most convenient and practical time of the day. The entire market premises should at all times be kept free from garbage and rubbish.

SEC. 40. Public Toilets and Washing Facilities. – Every public market, whether privately-owned and operated or city public markets, shall be provided with a public toilet with two (2) compartments, one for men and another for women, which shall be kept at all times in excellent sanitary condition. Toilet and adequate washing facilities must be located near the market premises for easy access to customers.

SEC. 41. General Lighting and Water Facilities. – Adequate general lighting and water facilities shall be provided in the City public markets. However, the lessee-stallholders shall, at their own expense and account, cause the installation of their own light in their respective stalls, subject to the regulations to be imposed by the Public Market Master.

SEC. 42. Compliance with the National Accessibility Law. – All public and private buildings and structures within the public market, including stalls, common areas, and facilities, that are for public use, construction, repair, or renovation, shall strictly comply with the provisions of Batas Pambansa Bilang 344 (BP 344), otherwise known as the Accessibility Law, and its latest Implementing Rules and Regulations (IRR).

SEC. 43. Mandatory Segregation of Solid Wastes at Source. – Pursuant to Republic Act No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, the segregation of solid wastes shall be mandatory at the source within the public market premises. All market stallholders, commercial establishment operators, patrons, and all other persons generating waste within the market complex shall practice waste segregation as mandated by law.

SEC. 44. Garbage Receptacles. – All public markets, whether privately-owned and operated or city public markets, should be provided with receptacles of the fly and rat-proof type to be installed in as many conspicuous and convenient places as possible in the market for the disposal of garbage and rubbish. Individual lessee-stallholders shall provide themselves with their own receptacles in order to avoid littering in their stall premises. Garbage for collection shall be kept inside the leased stall premises and shall only be brought out sealed and tied in plastic garbage bags upon collection of the garbage haulers. In case garbage could not be collected, it should remain inside the stall to await

collection. No lessee-stallholder or any other person shall place refuse on the floor, stall, or any other place other than the garbage receptacles.

SEC. 45. Cooked/Raw Foods to be Free from Contamination. – Cooked foods should be served hot at all times protected against contamination from flies or other insects and dirt. Likewise, raw foods such as pork, beef, poultry or fish, shall at all times be protected from flies and other insects.

SEC. 46. General Mandate for Vermin Abatement. – To protect public health, prevent food contamination, and maintain the sanitary conditions required for the issuance of sanitary permits and market permits, all areas within the public market, including common areas, market stalls, food establishments, and storage areas, must be kept free from vermin. "Vermin" shall include, but is not limited to, rodents, insects (cockroaches, flies, mosquitoes), mites, and any other animals that pose a risk to public health or cause damage to property.

SEC. 47. Construction and Care of Food Stalls. – All foods shall be sold from stalls or booths constructed according to design prescribed by the City Engineer and City Health Officer. All tables, chairs and fixtures thereat shall be scrubbed nightly and their surfaces kept smooth and clean and free from any food particles.

SEC. 48. Use of Impervious Materials. – The use of impervious materials on tables, display counters, wall partitions and flooring of stalls in the Meat, Fish, Fruit, Vegetable and Eateries and Cooked Food Sections in all City public markets is hereby prescribed.

SEC. 49. Cleaning of Stalls at the Close of Business Day. – At the close of each business day and before leaving, the lessee-stallholder or his employees shall clean the stall premises. They shall remove all dirty materials and throw rubbish and garbage in garbage receptacles or otherwise kept inside sealed or ties garbage bags for collection.

SEC. 50. Abandonment of Perishable Goods. – Leaving of discarded or unsold perishable goods such as meat, fish and other seafoods in the leased stalls or in any place inside the market premises shall be unlawful and any person found to have abandoned such goods in or about the stalls shall be liable to the penal provisions in Chapter 10, without prejudice to the revocation of his lease contract, as provided in Section 21 (s).

SEC. 51. Fire Extinguishers. – The Market Master shall conduct periodic fire safety inspections and require all stallholders to install at least one (1) portable fire extinguisher to be conspicuously located in an easily accessible area within the premises. No person shall remove, tamper with, or otherwise disturb any fire extinguisher unless to be used to put out a fire, to recharge or to replace the same.

SEC. 52. Necessary Repairs/Renovation. – The market supervisor shall recommend to the Market Administrator, for review of the City Administrator and the approval of the City Mayor, necessary repairs/renovation for the preservation of the market building or structure, as per the prescribed plan of the City Engineer.

SEC. 53. Posting of Rules and Regulations. – The market supervisor shall post market rules and regulations as he may deem necessary in the operation and maintenance of the city public market, which shall be posted in conspicuous places inside the market premises both in English and Filipino. He shall also furnish each lessee-stallholder with a copy thereof, either in English or Filipino, as may be preferred by the lessee-stallholder.

CHAPTER VIII

PRIVATELY-OWNED AND OPERATED PUBLIC MARKETS

SEC.54. Establishment. – The establishment of privately-owned and operated public markets, satellite markets (“*talipapa*”) and flea markets (“*tiangge*”) shall be in accordance with the provisions of the 2013 Omnibus Revenue Code of the City of Manila and this Code, in so far as applicable.

SEC. 55. Franchise Requirement. – No person, partnership, corporation or any other juridical entity shall operate a privately-owned public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”), without first securing a franchise from the Sangguniang Panlungsod, upon submission of the following requirements, to wit: (i) feasibility study; (ii) favorable recommendation from the MAO; (iii) locational clearance from the City Planning and Development Office; (iv) complete building/floor plans indicating the total number of available stalls/commercial spaces; (v) building/occupancy permits; and, (vi) other requirements which may be deemed appropriate or necessary.

For privately-owned public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”) already in existence at the time of the enactment of this Code, the franchise requirement shall likewise be required and must be obtained within a period of six (6) months from the Code’s effectiveness subject to the submission of the following requirements, to wit: (i) feasibility study; (ii) favorable recommendation from the MAO; (iii) locational clearance from the City Planning and Development Office; (iv) complete building/floor plans indicating the total number of available stalls/commercial spaces; (v) building/occupancy permits; and, (vi) other requirements which may be deemed appropriate or necessary.

SEC. 56. Imposition of Franchise Tax. – Pursuant to Section 96 of City Ordinance 8331 and notwithstanding any provision of special laws or grant of exemption to the contrary, every person, partnership or corporation enjoying a franchise issued by the Sangguniang Panlungsod and doing business in the City of Manila shall pay a franchise tax at the rate of *Eighty Two and One Half Percent (82.5%) of One Percent (1%)* of the gross annual receipts from the preceding calendar year derived from the operation of privately-owned and operated public markets, satellite markets (“*talipapa*”) and flea markets (“*tiangge*”) derived during the preceding calendar year, which shall be payable in accordance with the provisions of the Revenue Code of Manila.

SEC. 57. Mayor’s License and Business Permit. – Any person, partnership, or corporation duly issued a franchise by the Sangguniang Panlungsod shall, before commencing the operation of any privately-owned public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”), secure the requisite Mayor’s License and Business Permit from the Bureau of Permits, pursuant to the Revenue Code of Manila.

No person shall be permitted to engage in any form of business in any privately-owned and operated public market, satellite market (“*talipapa*”), flea market (“*tiangge*”) or any other vending area, without first securing the same Mayor’s License and Business Permit from the Bureau of Permits.

A Business Tax imposed on the owners or operators of privately-owned public markets is hereby levied at the rate of *Two and One-Fifth Percent (2.2%)* of the gross receipts of the preceding calendar year based on Section 111 of the Omnibus Revenue Code of Manila.

For newly-opened privately-owned public markets, the rate is set at *One-Half (1/2) of One Percent (1%)* of the capital investment.

SEC. 58. Sanitary Permit and Health Certificate. – Every owner or operator of a privately-owned and operated public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”), shall secure a sanitary permit from the Manila Health Department for the purpose of enforcement and supervision of existing rules and regulations on sanitation and safety of the public.

Likewise, all persons employed in a privately-owned and operated public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”), engaged in food or foodstuff processing, handling and serving are required to obtain a Health Certificate from the Manila Health Department.

SEC. 59. Monitoring and Inspection. – The Market Administrator or his duly-authorized representative shall conduct regular inspection and monitoring of the operations of all privately-owned and operated public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”) in Manila to ensure compliance with existing business and regulatory requirements, as embodied in revenue and other related laws, rules and regulations. It shall be the duty of the Market Administrator to report violations to the concerned department of the City Government of Manila for appropriate action.

Any violation shall subject the owner/operator of privately-owned and operated public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”) to the penalties provided in this Code or in other pertinent laws and ordinances, and such other administrative remedies, including suspension or revocation of the franchise, consistent with due process.

SEC. 60. Duties and Responsibility of the Owner/Operator of a Privately-Owned and Operated Public Market. –

- (a) Any owner or operator applying for a franchise or business permit to operate a public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”), whether new or for renewal, shall declare the exact number of stalls and other space/place of business, before a franchise or permit is issued.
- (b) It shall be the duty and obligation of every owner or operator of privately-owned and operated public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”) to furnish or issue his tenants with the requisite “**Certification**” to facilitate the renewal of their business permits. The withholding of said “**Certification**” shall constitute a violation of this Section and shall subject the owner or operator to the penalties prescribed in Chapter 9, unless he is able to justify such failure within a reasonable time. Any tenant whose “**Certification**” has been unreasonably withheld by the private market operator shall be allowed to file an appeal before the Market Administrator and City Administrator.
- (c) It shall also be the duty and responsibility of the owner or operator of privately-owned and operated public market, satellite market (“*talipapa*”) or flea market (“*tiangge*”), or their representatives, to extend assistance and cooperation to the Market Administrator, or his duly authorized representatives, during the conduct of regular inspection on the market premises and to provide all the information needed to enable the latter to prepare the necessary reports to the Market Administration Office and the City Mayor.



CHAPTER IX

PENAL PROVISIONS

SEC. 61. Penalty. – Any person found guilty of violating any provisions of Chapter 6 shall be meted a fine of not less than *One Thousand Pesos (PhP1,000.00)* but not more than *Five Thousand Pesos (PhP5,000.00)*, or imprisonment of *one (1) month* but not more than *six (6) months*, or both fine and imprisonment, at the discretion of the Court. On the other hand, those adjudged to have violated the provisions of Chapter 8 shall be punished by a fine not exceeding *Five Thousand Pesos (PhP5,000.00)* or imprisonment of *six (6) months* but not exceeding *one (1) year*, or both, at the discretion of the court.

The payment of the foregoing fine or service of imprisonment as herein provided shall not relieve the offender of the payment of the delinquent fee or charge imposed under this Code. If the violator is a juridical person or entity, the President, General Manager, or any person entrusted with the administration thereof at the time of the commission of the violation shall be held liable or responsible therefor.

SEC. 62. Compromise Settlement Fee. – Before a case is filed in court for any violation of Chapter 6 and 8 of this Code which does not involve fraud and for first-time offense, the MAO, as authorized by the City Mayor, may enter into an extra-judicial or out-of-court settlement whereby the offender may be allowed to pay a compromise settlement fee of not more than *Five Thousand Pesos (PhP5,000.00)*, but with the obligation on his part to pay any unpaid fee or charge due against him as provided under this Code.

CHAPTER X

FINAL PROVISIONS

SEC. 63. Declaration of Non-Operational Status of Public Market. – During the occurrence of Force Majeure events such as natural or man-made disasters (destruction due to earthquake, flooding or fire and major disruptions caused by acts of terrorism, war and pandemics), the City Mayor upon consultation with the City Administrator shall declare a temporary, non-operational status of any public market rendered unfit for occupancy and commercial operation due to extensive structural damages or unforeseen forced closure during extended period of time.

Such declaration shall be tantamount to the suspension of the effectivity of the contract of lease and consequently, the temporary waiver in the payment of all regulatory market fees and charges, plus interests and penalties, until such time the subject public market becomes operational again.

However, any temporary suspension of contract and waiver of payment of fees that exceeds more than Thirty (30) days shall be made with the concurrence of the City Council.

SEC. 64. Separability. – If, for any reason, any part or provision of this Code is declared unconstitutional or invalid by any court of competent jurisdiction, or otherwise suspended or revoked by the Sangguniang Panlungsod, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 65. Repealing Clause. – City Ordinance No. 2898 (Manila Market Code), as amended by Ordinance Nos. 2959, 3126, 3187, 3266, 3486, 3552, 3579, 3664, 4341 and 4640, is hereby repealed in its entirety. Certain provisions of Article H (Market Fees and Charges) of City Ordinance No. 8331 (otherwise known as the 2013 Omnibus Revenue

Code of the City of Manila) are hereby amended accordingly. Any other ordinance and administrative issuances or regulations, the whole or part of which are inconsistent with any provision of this Ordinance, are automatically repealed or modified.

SEC. 65. Effectivity. – This Ordinance shall take effect after fifteen (15) days following the completion of its publication in a local newspaper of general circulation or at the end of the period of posting, whichever occurs later.

This Ordinance was enacted by the City Council of Manila on January 22, 2026.

PRESIDED BY:


ANGELA LEI "Chi" I. ATIENZA
Vice-Mayor and Presiding Officer
City Council, Manila

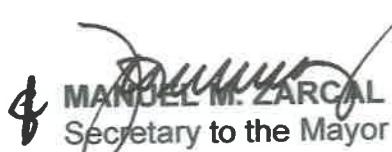
ATTESTED:


ATTY. HANS ROGER S. LUNA
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON FEB 10 2026.


FRANCISCO "ISKO MORENO" M. DOMAGOSO
Mayor
City of Manila

ATTESTED:


MANDEL M. ZARCAL
Secretary to the Mayor
7

CLN: jok/cpf/jmt/hpr/ey