

Republic of the Philippines  
Province of Davao del Norte  
City of Tagum

**BEFORE THE ‘SANGGUNIANG PANLUNGSOD’**

**EXCERPT FROM THE MINUTES OF THE 86<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD AT THE SP SESSION HALL ON MARCH 03, 2003.**

**PRESENT:**

Hon. GERARDO R. RACHO, JR.,	Vice Mayor	(Presiding Officer)
Hon. ALLAN L. RELLON,	Member	
Hon. OSCAR M. BERMUDEZ,	Member	
Hon. VICENTE C. ELIOT, SR.,	Member	
Hon. AGRIPINO G. COQUILLA, JR.,	Member	
Hon. GETERITO T. GEMENTIZA,	Member	
Hon. RAYMOND JOEY D. MILLAN,	Member	
Hon. BERTHELYN L. SAN JOSE,	Member	
Hon. ANTONIO B. VICADA,	Member	
Hon. TRISTAN ROYCE R. AALA,	Member	
Hon. ROBERT L. SO,	Member	
Hon. BRYAN KIM SAMUEL L. ANGOY,	Member	(SKF Representative)

**ON OFFICIAL BUSINESS:**

Hon. ERNESTO Y. OBERO,	Member	(ABC Representative)
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**CITY ORDINANCE NO. 66, S. 2002**

**AN ORDINANCE ADOPTING THE CODE OF ECONOMIC ENTERPRISES OF TAGUM CITY”**

**BE IT ENACTED** by the Sangguniang Panlungsod of Tagum in Session Assembled, that:

**ARTICLE I – TITLE, COVERAGE AND STATEMENT OF POLICY**

**SECTION 1. TITLE-** This ordinance shall be known and referred to as the “Code of Economic Enterprises of Tagum City”.

**SECTION 2. COVERAGE-** This Code of Economic Enterprises of Tagum City shall cover the economic enterprises operated and managed by the City Government, such as: the Tagum City Public Market; Tagum City Livestock Auction Center; Tagum City Overland Transport Integrated Terminal- all situated at Sitio Sto. Nino, Barangay Magugpo West, this City; the Tagum City Cultural and Trade Center situated at the old Public Market, Barangay Magugpo Poblacion, this City; the Tagum City Slaughterhouse situated at Tipaz, Barangay Magugpo East, this City; and the Tagum City Public Cemetery situated at Barangay La Filipina, this City, including night market and other economic enterprises that maybe created by the sanggunian through an ordinance.

**SECTION 3. POLICY STATEMENT-** It is the policy of the City Government of Tagum to be self reliant, and self sustaining through engaging in a viable and stable economic enterprises that provide a wide range of opportunities that will uplift the socio- economic well- being of its constituents, improve fiscal management and enhance good governance.

**ARTICLE II- DEFINITION OF TERMS AND ACRONYMS**

**SECTION 4. Definition of Terms:**

- 1. Auction Day** - The designated day for the selling and buying of goods/ products as in “Tabo sa Tagum”, or auctioning the livestocks as in “TLAC Auction Day”.
- 2. Auctioneer** - The TLAC Supervisor or any TLAC staff duly assigned during “Auction Day” who records awarded price and number of successful buyer.
- 3. Ante- Mortem Inspection** - The services in examining the animals prior to slaughter to select for food animals those which are adequately rested and are apparently free from diseases or abnormal conditions, to isolate for further examination diseased, suspected diseased, or suspected abnormal animals, to prevent contamination of personnel, premises and equipment by an animal suffering from a disease which is communicable, and to gather information for post-mortem inspection, diagnosis and judgement of carcass and offals.
- 4. Brand** - Any mark or stamp approved by the controlling authority and includes also any tag or label bearing such mark or stamp. A meat branding gadget may be used for the purpose.
- 5. Carcass** - The body of any slaughtered animal after bleeding and dressing.
- 6. Chiller** - Is an equipment use to lower the temperature of the carcass so as to delay the reproduction of bacteria and to prolong its freshness.
- 7. Certificate of Ownership Fee** - In TLAC, refers to the fee imposed as payment for the proof of ownership of a cattle inclusive of the service charge, also referred to as “credential fee”.
- 8. Corral Pen** - In TLAC, refers to the area where unsold livestock and poultry products are temporary kept for safekeeping at the close of market day.
- 9. Downer** - Refers to a crippled or weakened animal unable to stand or showing abnormal locomotion.
- 10. Cultural/Halal Products** - Goods of any kind which are culturally and religiously acceptable to Muslim communities.
- 11. Dressing** -
  - a) In relation to slaughtered animals except for pigs, sheeps and lambs, goats and kids- means the removal of head, hide or skin, viscera (including or not including kidneys), genital organs, urinary bladder, udders in the case of lactating animals, animals that have calved or are in advanced pregnancy;
  - b) In relation to slaughtered pigs- means the removal of hair and bristles or skin, claws, eyelids, viscera (including or not including kidneys), genital organs, urinary bladder, udders in the case of lactating animals, animals that have far rowed or are in advanced pregnancy, and the external acoustic duct unless in respect of that part an alternative effective form of cleaning is carried out;
  - c) In relation to sheeps and lambs, goats and kids- means the removal of the head, except in the case of young lambs and young kids, the pelt of skin viscera (including or not including the kidneys), genital organs, urinary bladder and feel up to the carpal and tarsal joints, and udders or lactating animals, animals that have lambed or are in advanced pregnancy and

d) In relation to cattle, pigs and solipeds, includes where necessary splitting of the carcass. To split means the dividing of the carcass length wise on the medial line.

**12. Display Area** - In TLAC, refers to the premises where farmers and traders display their animals for sale to highest bidders.

**13. Economic Enterprises** - In this Code referred to as the Enterprises. These are the income generating facilities, activities and services operated and managed by the city as those enumerated in section 2 of this code, which are not only contributing revenues/ income to the City but also provide services to the people.

**14. Economic Enterprises Regulatory Board** - In this ordinance, referred to as the “Board” which act as the advisory and regulatory body governing the operation and management of the economic enterprises of the City.

**15. Fit for Human Consumption** - means, in relation to meat, an article which has been passed and appropriately branded by a slaughterhouse inspector and in which no changes due to disease, decomposition or contamination have subsequently been found.

**16. Food Animals** - Include all domestic livestock killed for human consumption, such as cattle, carabao, buffalo, horse, sheep, goat, hog, deer, rabbit, and poultry (chicken, duck, geese, turkey and pigeon).

**17. Holding Pen** - Is a corral used for the lair age of food animals prior to slaughter.

**18. Hot Meat** - Refers to meat from food animal and poultry clandestinely slaughtered and sold to the public.

**19. Inspected and Condemned** - Signifies that the carcasses or parts of carcasses so marked are unsound, unhealthy, unwholesome or otherwise unfit for human food that can be rendered into animal feed shall be dyed (food-grade blue color) and cooked or rendered, while those unfit for both human and animal consumption shall be denatured with strong chemical disinfectants prior to final disposition.

**20. Inspected and Passed** - Signifies that carcasses or parts of carcasses so marked have been inspected and passed in accordance with the regulations, and at the time they were inspected passed and so marked they were found to be sound, healthful, wholesome and fit for human consumption.

**21. Inspection Fee** - In TLAC, refers to the fee imposed for inspecting/ grading the livestock of poultry products.

**22. Meat Handling** - includes slaughter, preparation, inspection, cutting, chilling, transporting of meat.

**23. Offal** - The by-products, organs, glands and tissue other than the meat of the food animal. Such offals, in relation to slaughtered animals may or may not be edible.

**24. Occupant** - refers to the qualified and bona fide stall holder equipped with all the necessary permit license.

**25. Post Abattoir Inspection** - Refers to the inspection of the meat and offals as they are prepared and transported from the TCS to the markets.

**27. Scale House** - In TLAC, refers to the area where livestock and poultry products are brought for weighing.

**28. Stockyard** - Is a pen where animals are collected, taken care of, and inspected prior to slaughter.

**29. Suspect** - means an animal suspected of being affected with a disease or condition which may require its condemnation, in whole or in part when slaughtered, and is subject to further examination to determine its disposal.

**30. Tabo** - The designated day or free market day for buying and selling of goods/ products.

**31. Transient Vendor** - For purposes of “Tabo sa” Tagum, transient vendor refers to a vendor who comes from outside the City to avail of the opportunity to sell goods/ products.

**32. Transfer of Ownership Fee** - In TLAC, refers to the fee imposed for the transfer of ownership of a cattle from one person to another inclusive of the service charge.

**33. Verification Fee** - In TLAC, refers to the fee imposed as payment of livestock brought to the City of Tagum from other points of origin outside Tagum City.

**34. Weighing Fee** - In TLAC, refers to the fee imposed for weighing the livestock or poultry products.

**SECTION 5. Definition of Acronyms:**

- 1. **T C P M** - Tagum City Public Market
- 2. **T C L A C** - Tagum City Livestock Auction Center
- 3. **T C O T I T** - Tagum City Overland Transport Integrated Terminal
- 4. **T C C T C** - Tagum City Cultural Trade Center
- 5. **T C S** - Tagum City Slaughterhouse
- 6. **T C P C** - Tagum City Public Cemetery

**ARTICLE III- MANAGEMENT ORGANIZATION: REGULATORY, ADMINISTRATIVE AND SUPERVISORY FUNCTIONS**

**SECTION 6. Economic Enterprises Regulatory Board.** There shall be hereby constituted an Economic Enterprises Regulatory Board who is on top of the Economic Enterprises Organizational structure with the following composition, functions, schedule of meetings, and honorarium.

**1. Composition of the Board.**

- Chairman ..... City Mayor
- Vice Chairman ..... SP, Chairman- Com. on Economic Enterprises
- Members .....- SP, Chairman- Com. on Finance, Budget & Appropriation
  - SP, Chairman- Com. on Public Works, Utilities& Facilities
  - City Administrator
  - City Legal Officer
  - City Treasurer
  - City Budget Officer

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- Stallholders/vendors/organization of Tagum City Economic Enterprises and one from consumer's group or association)  
- City Economic Enterprises Manager (Secretariat)

**2. Selection of NGO Representatives.** There shall be one (1) Representative from each of the two (2) accredited NGO which shall be chosen based on the following criteria:

- a) He/She must be duly authorized representative of the organization accredited by the City which is relevant to the operations of the economic enterprises and those from an accredited consumers' group association. The organization shall refer to the existing associations of stallholders/vendors in any of the economic enterprises of the City as enumerated under Section 2 of this code.
- b) The Board shall recommend the two (2) NGO Representatives based on the above mentioned criteria, subject to the approved appointment of the City Mayor.
- c) The tenure of NGO Representatives shall be one (1) year. The one (1) year term shall start on the date of the appointment.
- d) The two (2) NGO representatives after having served his/her tenure shall be rotated to other accredited stallholders/vendors organization in the case of a stallholders/vendors organization's representative and to other officer or member in the case of a consumers' group or association.

**3. Functions of the Board:**

- a) To formulate and adopt specific and related rules, regulations and guidelines pertaining to the operation and management of all existing economic enterprises of the City consistent with the policy and provisions of this code.
- b) Develop plans, programs and strategies beneficial to the City and making the economic enterprises more viable, productive and stable.
- c) To serve as the advisory body of the Local Chief Executive and the Sangguniang Panlungsod on matters affecting the over all management of economic enterprises.
- d) To conduct the raffles or awarding of vacant stalls/ spaces and to certify to the Sangguniang Panlungsod the result thereof.
- e) To award stalls/spaces by authorizing the chairman to sign the lease contract to applicants as prescribed by this code.
- f) To conduct pre-qualification of the applications for stall applicants. In case where deliberation of the board result in a tie vote, the chairman shall break the tie.
- g) May propose adjustment and/or increase of any fees and rentals and amendment to this code to the Sanggunian for a justifiable and reasonable cause.
- h) To perform such other functions as may be authorized by the Sangguniang Panlungsod necessary in the effective and efficient management of the enterprises.

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- b) Special Meetings- The Chairman of the Board may call for a special meeting anytime should there an important/urgent matter (s) that need the attention and decision of the members of the Board. Any member or members may as concurred/supported by the majority members may propose for a special meeting on the reason as mentioned above.
- c) Attendance in Board Meetings- It is the duty of the members of the Board to attend regular and special meetings called for by the Chairman.
- d) In case of a justifiable reason, a member may send his/her duly authorized representative preferably next-in-rank in position. Said representative may participate in the discussion but with no voting rights.
- e) Only a member attending each Board meeting is entitled to receive an honorarium. Every absence of the member in any meeting shall therefore cause forfeiture of his/her honorarium.
- f) Quorum- The presence of majority (50% + 1) of the members of the Board in any meeting shall constitute a quorum.
- g) Agenda- Focus of the meetings will include monthly status of collections and expenditures of each enterprise; issues and concerns that need the board's decision, and other matters pertaining to the operation and management of the enterprises.

**5. Honorarium** - The Chairman, Vice Chairman and Members of the Board shall each receive an honorarium of P 2,000.00 per regular monthly meeting. An honorarium to be received by each member shall be subject to the provision of **Section 6**, item **4**, letter **e** of this code, and those of the existing accounting and auditing rules and regulations.

**6. Term of Office** - The term of office of the Chairman, Vice Chairman and Members shall be co-terminus with their position/official function, except those two (2) NGO Representatives who shall serve for one (1) year as provided under **Section 6**, item **2**, letter **c** and **d** of this code.

**7. Funding** - An initial lump sum appropriation of P 400,000.00 shall be allocated annually for the operationalization of the Board.

**SECTION 7. Administrative and Supervisory Function.** The City Mayor being the Local Chief Executive has the overall administrative and supervisory authority, power and control over the economic enterprises operation and management and may issue office/ administrative/ executive orders for the smooth, effective and efficient implementation of this code. The City Mayor may also delegate some of these functions which are routinely in nature to the City administrator or the Department Head- Economic Enterprise Manager.

**SECTION 8. The Economic Enterprises Department.** Direct administration, Supervision, Maintenance and Control of all economic enterprises of the city as enumerated under Section 2 of this code, including all the funds earmarked for the personal services (PS), current operating expenditures and capital outlays for the offices under it are hereby transferred to the Economic Enterprises Department under the office of the Economic Enterprises Manager.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 9. Office of the Economic Enterprises Manager.** The composition with the

- a. Prepare specific plans and strategies for the efficient operation of the enterprises of the city and upon approval by the City Mayor, and the board implement the same;
  - b. Act as a collection deputy of the City Treasurer for the collection of charges, tolls, and fees in the operation of the enterprises;
  - c. Maintain peace and order and sanitation inside and outside the premises of the enterprises.
  - d. Enforce existing laws and other laws enacted/promulgated for the protection and safety of the consuming and riding public;
  - e. Recommends to the City Mayor and the Board for the approval of the Sangguniang Panlungsod measures designed to improve the operation and maintenance of the enterprises.
  - f. As a member and secretariat of the Board shall assist the Board in the performance of its functions; and
  - g. Exercise such other duties and functions as may be prescribed by law or ordinance.
2. **(City Government) Assistant Department Head 1 (Assistant Economic Enterprises Manager) SG 23.** Shall assist the Economic Enterprises Manager in the performance of his/her job/ function, and shall:
- a. Act as the direct supervisor of all Division/Section heads under the department; and
  - b. Exercise such other duties and functions as may be authorized or directed by the Economic Enterprises Manager and as may be prescribed by law or ordinance.
3. **(2) Clerk II (SG-04).** One shall be directly under the office of the Economic Enterprises Manager and the other shall be directly under the Asst. Economic Enterprise Manager whose job descriptions are:
- a. Keeps record of all communications received and sent by the office;
  - b. Keeps and maintains the physical and material needs of the office, and
  - c. Does other function that may be assigned to his/her direct supervisor.
4. **(1) Driver I (SG-3).** Shall act as an official driver of the office, and shall:
- a. Be responsible for the general maintenance of the office vehicle assigned to him/her.
  - b. Does other function that may be assigned to him/her.

**SECTION 10. THE ADMINISTRATIVE AND SUPPORT DIVISION.** Responsible on matters pertaining to personelling, collections, disbursements, controlling, recording, repairs and maintenance support of the enterprises. Plantilla Positions with corresponding salary grades of personnel under this division are as follows:

**ADMINISTRATIVE AND SUPPORT DIVISION**

- |                               |       |
|-------------------------------|-------|
| 1 – Administrative officer IV | SG-22 |
| 1 – Clerk II                  | SG-4  |

**ADMINISTRATIVE SECTION**

- |                                |       |
|--------------------------------|-------|
| 1 – Administrative Officer III | SG-18 |
| 1 - Cashier                    | SG-10 |
| 1 – Administrative Assistant   | SG-8  |
| 1 – Bookkeeper                 | SG-8  |

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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- |                    |      |
|--------------------|------|
| 1 – Storekeeper    | SG-6 |
| 1 – Utility Worker | SG-2 |

**MAINTENANCE SECTION**

1 – Public Services Officer III	SG-18
1 – Labor General Foreman	SG-8
2 – Electrician	SG-6
2 – Carpenter	SG-5
2 – Plumber	SG-5
20 – Laborer II	SG-3

**SECURITY & ENFORCEMENT SECTION**

1 – Security Officer III	SG-18
1 – Security Agent II	SG-10
36 – CSU/Market Guard	

**SECTION 11. The Operations and Services Division.** Responsible on matters relative to the operations and management of the enterprises. Plantilla Positions with corresponding salary grades of personnel under this division are as follows:

**OPERATIONS AND SERVICES DIVISION**

1 – Operations and Services Officer IV	SG-22
1 – Clerk II	SG-4

**PUBLIC MARKET SECTION**

1 – Market Supervisor III	SG-18
1 – Market Supervisor II	SG-14
1 – Market Inspector II	SG-8
9 – Market Inspector 1	SG-6
1 – Clerk II	SG-4

**TAGUM CITY OVERLAND TRANSPORT INTEGRATED TERMINAL SECTION**

1 – Senior Public Utilities Regulation Officer	SG-18
1 – Parking Aide 111	SG-6
1 – Parking Aide II	SG-4
1 – Clerk II	SG-4
4 – Ticket Checkers	SG-3
1 – Traffic Aide 1	SG-3
2 – Utility Workers	SG-3

**PUBLIC SLAUGHTERHOUSE SECTION**

1 – Slaughterhouse Master III	SG-18
1 – Slaughterhouse Master II	SG-14
4 – Meat Inspectors II	SG-8
2 – Livestock Inspector	SG-8
1 – Clerk II	SG-4
4 – Laborer 11	SG-3

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**TAGUM CITY LIVESTOCK AUCTION CENTER SECTION**

1 – Animal Keeper III	SG-8
1 – Livestock Inspector I	SG-6

1 – Market Inspector II SG-8  
1 – Clerk II SG-4

**PUBLIC CEMETERY SECTION**

1 – Public Services Officer III SG-18  
1 – Public Services Foreman SG-6

**SECTION 12.** The Board assisted by the City Human Resources Management Officer shall prescribe the job descriptions and qualifications of the Plantilla Positions as enumerated in Section 11 of this code in conformity with the Qualification Standards and existing provisions set forth by the Civil Service Commission.

**SECTION 13. PS Limitation.** The total Personnel Services budget of the Enterprises shall not exceed to 45% of its total income of the proceeding budget calendar year.

**SECTION 14.** Budget. Budgetary allocations for the personal services/salaries and other fringe benefits shall be determined through an appropriation ordinance by the Sangguniang Panlungsod. As the case, shall be included in the city regular budget.

**ARTICLE IV- GENERAL/ COMMON PROVISIONS**

**SECTION 14.** All stallholders/vendors and other business operators doing business/ operating within the Economic Enterprises of the City are required to secure the necessary permit and license before the actual business/operation pursuant to the Local Tax Code of the City of Tagum.

**SECTION 15. Cleanliness and Sanitation.**

1. All enterprises premises and buildings/ offices must at all times be kept clean and in sanitary condition to safeguard the health and safety of the buying public and clientele as well as the stallholders, vendors and personnel.
2. Stallholders/vendors shall keep and maintain their stalls in clean and sanitary condition. They shall likewise be responsible for the cleanliness of the passageways, alleys or spaces immediately in front or behind or by the side of their stalls, booth or spaces.
3. A “No littering” signs shall be posted in conspicuous places of the enterprises to warn vendors, buyers and other person(s) that the same is punishable by law.
4. All enterprises shall be provided with large garbage receptacles for the collection of all garbage and rubbish in its premises. In addition, adequate garbage cans shall be placed at strategic places for the garbage and rubbish of the buyers, vendors and personnel. Likewise, all stallholders and vendors shall be required to have individual garbage cans.
5. All garbage cans must be properly covered to keep them from becoming the breeding places of flies, mice, rats, mosquitoes and other insects.

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6. It shall be the responsibility of the individual stallholder and vendor to dispose their garbage at the end of each day by placing them in the designated garbage receptacle. However, the disposal of the garbage of buying public and personnel shall be the responsibility of the sanitation personnel. The waste dumping area of disposed garbage shall be located at a convenient place wherein garbage collectors/trucks shall have access to collect. The solid waste from each stallholder shall be transferred to the central dumping area to facilitate efficient solid waste management.

1. All economic enterprises shall have available ample water for cleaning. There shall be separate drinking facilities to prevent contamination.
2. All water supply lines within the stall, booth or space shall be shouldered by the stallholder such as its bills and installation costs, provided written consent from the Economic Enterprises Manager shall be secured before installation takes place.

**SECTION 17.** All telecommunication lines, cables and electrical lines shall conform to the National Building Code, Philippine Electrical Code and other applicable laws.

**SECTION 18. Ambulant Vendors.** Ambulant vendors shall not be allowed within the premises of the Economic Enterprises.

**SECTION 19. Loafing or Loitering, Begging and Gambling in the Enterprises Premises Prohibited.** No person, who does not have any legitimate business or transaction in the Economic Enterprises shall idly sit, lounge, walk, lie, tarry, loaf or loiter in or about the premises of the market. No person shall likewise be permitted to solicit alms or voluntary contributions, within the enterprise premises. Gambling of any form or kind whatsoever, and the playing of “dama”, “domino”, “piat-piat”, or any other similar games are strictly prohibited within the enterprises premises.

**SECTION 20.** No stall holder/person is allowed to stay, loiter and sleep after closing time within the public market premises.

**SECTION 21. Public Toilets**

1. Public toilets with adequate lavatories, at least one for men and for women shall be provided and installed in strict conformity with the sanitation code and the same at all times be kept clean and sanitary.
2. The operation and maintenance of the Enterprises Public Toilets may be awarded to any individual party/association/cooperative/Baranggay Government which shall be determined by the Board.
3. The rental of the said facility shall be determined by the Board and subject to the approval of the Sangguniang Panlungsod.
4. A Memorandum of Agreement (MOA) shall be executed by both parties for that matter subject the authority of the Sangguniang Panlungsod.

**SECTION 22. Losses of Stallholders.** The City Government shall not be responsible for any loss or damage which stallholders or vendors may incur in the Enterprises by reasons of fire or force majeure. The management, however, shall encourage stallholders to save their commodities.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 23. Fire Safety, Peace and Order.**

1. Fire extinguishers and other fire fighting equipments must be placed in strategic places of the Enterprises premises by the management. Stallholder may be required and encourage to provide and place such extinguishers or fire fighting equipments themselves in their stalls.
2. In case of fire/conflagration in or near the vicinity, it shall be the duty of stall occupants to report such incident to the proper authorities.
3. It shall also be the duty of stallholder/ vendor or his/her representative to report to the

explosive materials or substance and toxic materials, such as agricultural insecticides, pesticides, and similar toxic chemicals, firecrackers and pyrotechnics within their stalls, except those selling agricultural chemicals and other related products.

**SECTION 25. Ramps and Stairways.** Ramps shall be strategically located for purposes of viability near the approach point to the enterprises structure and shall conform to the provisions of the existing accessibility law which requires buildings, institutions, establishments and public utilities to install facilities and other devices to entrance the mobility of disabled persons. They shall provide convenience to related market functional activities. Regular stairways shall complement the economic enterprises system.

**SECTION 26. Enterprises Aisles.** To facilitate mobility, security and safety at all times, economic enterprises aisles shall be free from any obstructions. Management personnel, enterprises security guards and policemen detailed in the vicinity shall exercise strict vigilance on this matter and enjoin strict compliance with this provision.

**SECTION 27. Proper Identification.** All stallholders/ vendors, laborers and helpers are required to pin their identification card. The identification card shall be duly signed by the City Mayor, SP- Chairman Committee on Economic Enterprises and the Economic Enterprises Manager. It shall be provided by the City government of Tagum free of charge.

**SECTION 28. Subleasing or Selling of Privilege Not Allowed.** No awardee shall sublet or sublease the stall so awarded nor shall any privilege acquired be sold. Any person other than the stallholder found selling in the latter's stall be considered prima facie evidence of subleasing and shall subject the stallholder to outright revocation of his/her lease award.

**SECTION 29.** Transfer of privilege over stalls maybe allowed provided that transferor must first seek the approval of the Board in which case a transfer fee set under this code must be paid.

**SECTION 30. Duration of Lease.** The duration of lease of stall, booth or spaces of the economic enterprises shall be one year and is renewable every year after subject to the existing requirements and procedures and those requirements as establish by the Board.

**SECTION 31. Revocation of Lease.** The revocation of lease of contract of stallholders shall be effected for cause or causes as provided in the lease of contract and those pertinent provisions of this Code.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 32. Effect of Death of Lessee.** Upon the death of the stallholder/lessee, the contract of lease covering said stall shall be deemed terminated. However, if the deceased leaves a surviving spouse or legal heirs who are not disqualified under the provisions of this Code and who desire to continue the business of the deceased, the lease may be transferred to the deceased's spouse or legal heirs upon application therefore; provided, that the Board shall be notified within thirty (30) days after the death of the original lessee of the desire of the spouse or legal heirs to succeed and upon payment of all necessary rents or lease due at the time of the original lessee provided that no transfer fee shall be exacted to the transferee up to the 4<sup>th</sup> degree of consanguinity..

**SECTION 33. Peddling and Hawking.** No person or persons shall peddle, hawk and offer for

Any violation hereof shall subject the offender to the penal provisions of this Code and his/her lease award shall be subject to revocation.

**SECTION 35. Loose Animals.** The Enterprises Management shall make sure that no dogs or other animals are left astray in the enterprise premises.

**SECTION 36. Illegal Construction.** The construction of living quarters within the enterprises premises/ buildings shall not be allowed. Likewise, no lessee shall remove, construct and after the original structure of any stall, booth or space, including electrical wiring or water connection without prior permit from the Board and approved by the City Building Official. Any unauthorized/illegal construction shall immediately be subjected to demolition by the management

**SECTION 37. Ejected Stallholders disqualified to Participate in the Drawing of Lots.** After due notice of hearing should stallholder be ejected from his/her stall, booth or space for cause, as provided for in this Code, he/she shall be disqualified from subsequently filing another application for the lease of any stall, booth or space in the enterprises of the City.

**SECTION 38. Dummies.** Any person who acts as dummy for another in connection with the enjoyment of any privileges provided in this Code shall be subject to the penalty provided in the penal provision of this Code.

#### **ARTICLE V- THE TAGUM CITY PUBLIC MARKET (TCPM)**

**SECTION 39.** The City of Tagum shall operate only one (1) public market that is situated in Sitio Sto. Nino, Barangay Magugpo West, Tagum City.

**SECTION 40.** Market Management.

1. The market management shall be headed by a Market Supervisor III who shall exercise direct and immediate supervision, administration and control over the TCPM and the personnel thereof including those whose duties, concern the maintenance, upkeep peace and order of the market premises subject to the supervision of the Enterprises Manager in accordance with the existing laws, local ordinance and other rules and regulations pertinent thereto.
2. Other market personnel are those enumerated under Section II of this Code.

**SECTION 41. Market Hours.**

1. The public market shall be regularly opened at one o'clock in the morning (1:00 a.m.) and be closed at ten o'clock in the evening (10:00 p.m.) or at certain hours as may be determined by the Board, in accordance with the requirements of safety, order and sanitation.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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2. The public market shall be provided with a bell or buzzer with which to announce the opening and closing of the market business.

**SECTION 42. Weighing Scales.** The City shall provide weighing scales for the use of the consumers to safeguard them against short weighing of commodities like rice, fish, meat, etc. It shall be located in conspicuous and strategic points in the TCPM.

**SECTION 43. Manner and System in the Awarding of Stalls/Spaces.**

1. No person shall operate a market stall/space without first securing the permits required by the City . All applications and pertinent documents thereto for the award of stall shall be filed in the

3. A stallholder/ vendor shall not be allowed to occupy a stall/ space other than those leased to him/her, and it shall be the duty of the Enterprises Manager or his duly authorized representative to see to it that the stallholder does not occupy other stalls/ spaces.

4. No person shall be allowed to lease more than one (1) stall. No stallholder shall be allowed to occupy stall other than that leased to him/her. It shall be a violation of this section for more than one member of a family consisting of the father, mother, sons and daughters to hold stalls in one market unless these sons and daughters are already of legal age and are living by themselves and independently of their parents.

5. In case of a couple having two or more legitimate stalls, they shall be allowed to retain only one of those stalls and register the same in the name of either the husband or the wife, while the rest shall be waived to their nearest kin ( up to the 4<sup>th</sup> civil degree ).

6. The awarding of vacant stalls/ spaces in the Public Market shall be done through raffle by the Board, if there are more than one applicants applying. If only one applicant, the Board will award the same provided such applicant meets the requirements set by this code or by the Board.

**SECTION 44. Award/ adjudication and the Contract of Lease.** Award or adjudication of newly constructed or vacant stall shall be made pursuant to the provisions of this code. That after the award of any stall, room, booth or space, a contract of lease shall be executed by the City Mayor representing the City Government and the awardee after the latter has complied with all other requirements. The contract of lease shall be substantially in the following form but may be modified to conform to the needs of a particular public market as contained herein:

### CONTRACT OF LEASE

#### KNOW ALL MEN BY THESE PRESENTS:

This Contract of Lease is made and entered into by and between:

CITY OF TAGUM, a public corporation existing under and by virtue of the law of the Philippines, represented in this act by its City Mayor hereinafter called the LESSOR;

-and-

MR/MRS/MISS \_\_\_\_\_ of legal age, married/ single, Filipino Citizen, and a resident of \_\_\_\_\_, Tagum City, Davao, Philippines, hereinafter called the LESSEE;

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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### W I T N E S S E T H

The LESSEE is an awardee of stall no. \_\_\_\_\_ Section of the \_\_\_\_\_ Public Market during the raffle of stalls conducted on \_\_\_\_\_ at \_\_\_\_\_. The lessor hereby leases the aforesaid stall in favor of the aforementioned LESSEE, subject to the following terms and conditions:

1. That this Contract of Lease shall expire on December 31, \_\_\_\_\_, unless sooner cancelled or revoked for cause.
2. That LESSEE shall at all times keep the stall in good sanitary condition, provide garbage

3. The LESSEE shall pay the corresponding rent for the stall and shall secure business permit and license therefore in the manner and amount prescribed by this code.
4. That LESSEE shall be allowed to take possession over his/her awarded stall only upon compliance with all prescribed requirements.
5. That the business to be conducted in the stall shall be long exclusively to the herein lessee.
6. That in case herein lessee shall engage the services of helper/helpers, herein lessee shall promptly notify the Board of their presence.
7. Relinquishing/transferring of privilege over the stall to another person is hereby recognized provided that the following procedures are strictly followed:
  - a) Affidavit of Waiver shall be executed by the legal awardee or occupant.
  - b) A duly executed and notarised relinquishment documents must be presented.
  - c) The relinquisher/transferer must submit to the Economic Enterprises Management Office a clearance from his/her respective organization President.
  - d) The relinquisher/ transferor shall pay the amount of Five Hundred (P 500.00) Pesos as Transferer Fee. This amount shall be used solely for the improvement of the operations of the Economic Enterprises, most specifically the public market.
  - e) The transferee shall pay the amount of Ten Thousand (P10,000.00) Pesos as occupancy fee. This amount shall be solely used for the improvement of the operations of the economic enterprises, most specifically the public market.
8. That the LESSEE shall not use the privilege to the stall whether directly or indirectly as his/her collateral or security for any loan agreement with any public or private entity.
9. That at any given time, should the market stall/s be used for purpose other than that which is intended, or remain closed or idle for at least fifteen (15) consecutive days, the same shall be declared abandoned and the lease shall be automatically revoked by the City Mayor.
10. That non- payment of the monthly rental within the first five (5) days after it has become due and demandable shall be sufficient cause for revocation of the lease.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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11. That the LESSEE shall not in any manner alter the structure and/or make any extension of the stall without prior approval of the Tagum City Economic Enterprises Board (Board).
12. That the LESSEE shall secure Electrical Permit for the installation of Electric Meter in the stall leased to him/her and shall correspondingly pay its bills.
13. That the LESSEE shall provide padlocks and other protective devices to ensure safety of goods to ensure safety of goods and products inside his/her stall.
14. That the LESSEE shall provide a signboard/billboard in front of his/her stall, the size and design of which shall be prescribed by the Board.

ordinances, rules and regulations shall be sufficient cause for the cancellation or revocation of this contract of lease, and the simultaneous closure and/or padlocking of the stall.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ at Tagum City, Davao, Philippines.

BY:

\_\_\_\_\_  
City Mayor

\_\_\_\_\_  
Stallholder/Lessee

**SIGNED IN THE PRESENCE OF:**

\_\_\_\_\_

**A C K N O W L E D G E M E N T**

REPUBLIC OF THE PHILIPPINES)  
PROVINCE OF DAVAO ) S.S.  
CITY OF TAGUM )  
X-----X

**BEFORE ME**, a Notary Public, for and in the City of Tagum, Davao, Philippines, this \_\_\_\_, day of \_\_\_\_\_, \_\_\_\_, personally appeared City Mayor \_\_\_\_\_, with Community Tax Certificate No. \_\_\_\_\_, issued at Tagum City, Davao on \_\_\_\_\_, \_\_\_\_, and MR/MRS/MISS \_\_\_\_\_ with Community Tax No. \_\_\_\_\_ issued at Tagum City, Davao, Philippines on \_\_\_\_\_, \_\_\_\_, both known to me and to me known to be the same persons who executed the foregoing instrument and they acknowledge that the same is of their free act and voluntary deed.

The instrument consist of \_\_\_\_\_ ( ) pages including this page hereof having been signed by the parties and their instrumental witnesses.

WITNESS MY HAND AND SEAL at the place and on the date first above written.

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 45. DURATION AND REVOCATION OF LEASE.** The lease or award of any stall, room, booth or space in the market shall be valid and subsisting from the time of its execution until December 31 of the year it was entered into, unless sooner revoked or cancelled for cause.

**SECTION 46. ABANDONED STALL/ARTICLES.**

1. Any stall/booth in the Tagum City Public Market which has been closed for thirty (30) consecutive days shall be considered abandoned and the lease to such booth/stall be automatically revoked by the City Mayor.
2. Any articles abandoned in the Tagum City Public Market in violation of any provisions of this ordinance/code shall be deemed a nuisance, and it shall be the duty of the Market Supervisor and his subordinate/s to take custody thereof. In case, the articles are claimed

the articles have not deteriorated and are not claimed within five (5) days the time herein fixed said articles shall be sold through public auction, and the proceeds thereof disposed of in accordance with law.

**SECTION 47. ADJUDICATION OF VACANT STALLS TO APPLICANTS.** Vacant stalls shall be leased to applicants in the following manner:

1. Notice of vacancy at the stalls or booths shall be posted in the City Hall/Building and Economic Enterprises Building a period of not less than ten (10) days prior to the date of the actual award to qualified applicants to appraise the public of the fact that such stalls or booths are vacant and available for lease. Such notice shall be posted in the bulletin board of the market.
2. The Notice of Vacancy to be posted or published shall be written in the following form:

**NOTICE**

Notice is hereby given that stall, room, space, booth No. \_\_\_\_\_, Building No. \_\_\_\_\_ of the \_\_\_\_\_ Section, Tagum City Public Market is vacant (or will be vacant) on \_\_\_\_\_. Any person duly qualified and desiring to lease this stall, room, space or booth shall file an application therefore on the prescribed form (copies may be obtained from the Office of the Economic Enterprises Manager/ Market Supervisor during office hours on or before 12:00 Noon of \_\_\_\_\_, \_\_\_\_\_, after which time no more applications shall be issued. The award of the lease of the vacant stall, room, booth or space shall be determined through raffle to be conducted on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ o'clock AM/PM at the Economic Enterprises Office.

3. An Application Fee of Fifty ( P50.00) Pesos shall be collected from each applicant to cover the necessary expenses and any excess thereof shall form part of the general fund of the City. The application shall be substantially in the following form:
4. The format of the Application to Lease Market Stall shall be written as follows:

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)  
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**APPLICATION TO LEASE MARKET STALL**

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

The City Mayor  
Tagum City, Davao

Sir:

Should the above-mentioned stall, room, booth or space be leased to me in accordance with the market rules and regulations, I promise to hold the under the following conditions:

- a) That while I am occupying or leasing this stall, room, booth or space, I shall at all times have my picture and that of my helper (or helpers) conveniently framed and hanged up conspicuously in the stall, room, booth or space.
- b) I shall keep the stall, room, booth or space at all times in good sanitary condition and comply strictly with all pertinent market laws, code, ordinances, rules and regulations, now existing or which may hereafter be promulgated.
- c) I shall pay the corresponding rents for the stall, room, booth or space, in the manner prescribed by existing ordinance/ code
- d) I shall not sell nor transfer my privilege to the stall, room, booth or space, or otherwise permit another to conduct business thereon.
- e) Any violation on my part or on the part of my helpers of the foregoing conditions shall be sufficient cause for the City Mayor/ Board to cancel my lease contract.

Very truly yours,

\_\_\_\_\_  
Applicant

I, \_\_\_\_\_do hereby state that I am the person who signed the foregoing application, that I have read the same, and that the contents thereof are true to the best of my knowledge.

\_\_\_\_\_  
Applicant

SUBSCRIBED AND SWORN to before me this \_\_\_ day of \_\_\_\_\_,\_\_\_\_\_, at Tagum City, Davao, Philippines, affiant applicant exhibiting to me his/her Community Tax Certificate No.\_\_\_\_\_, issued on \_\_\_\_\_at Tagum City, Davao, Philippines.

\_\_\_\_\_  
Administering Officer

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)  
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Series of \_\_\_\_\_.

- 5. The application shall be made under oath. It shall be submitted to the Board through the Office of the Economic Enterprises Manager/ Board Secretariat by the applicant either in person or through his/her authorized representative.
- 6. It shall be the duty of the Economic Enterprises Manager/ Board Secretariat to keep a Registry Book showing the names and addresses of all applicants for vacant space or spaces, the number and description of the stall/space applied for by them, and the date and hour of receipt of each application. It shall be also the duty of the Economic Enterprises Manager/ Board Secretariat to acknowledge receipt of the application setting forth therein

is still no resident applicant, the stall affected may be leased to any non- resident applicant who filed his/her application first. If there are several applicants, the adjudication of the stalls shall be made through the drawing of lots/ raffles to be conducted by the Board on the date and hour specified in the notice. The result of the drawing of lots/raffles shall be reported immediately by the Board to the Office of the Sangguniang Panlungsod for information.

8. The successful applicant shall furnish the Board two (2) copies of his/her recent picture immediately after the award of the lease. It shall be the duty of the Economic Enterprises Manager/ Board Secretariat to affix one (1) copy of the picture to the application and other copy to the record card kept for the purpose.

**SECTION 48. Stalls/Spaces Sectioning.** No stallholder or vendor shall be allowed to offer for sale products or goods in his/her stall, room, booth or space other than the products or goods prescribed or allowed in the section where his/her stall, room, booth or space belongs. The City Public Market shall be divided into the following sections:

1. Meat Section
2. Fish and Marine Products Section
3. Fruits and Vegetables Section
4. Dry Goods/ Groceries and other Complementary Services Section
5. Cereals Section
6. Dried Fish/ Salted Fish Section
7. Snacks and Eatery Section
8. Garments/Shoes/Bags and House wares and other Complementary Services Section
9. Ice Storage Section
10. Fish Storage Section
11. Lechon Section
12. Agricultural Section

**SECTION 49. Establishment of Cultural and or Halal Section.** There shall be established a section in the Tagum City Public Market for Cultural and Halal Section for cultural/halal products.

**SECTION 50. Market Rental Rates.** Monthly rental of market stalls, rooms, booths and spaces are hereby fixed and computed, based on market classification, in accordance with the following rates:

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<b>SECTION</b>	<b>RENT/SQ.M./DAY</b>
1. Fish/Marine Products	P18.00
2. Meat/Poultry	P20.00
3. Dry Goods/Groceries	P 5.00
4. Garments/Shoes/Bags and House wares	P 4.00
5. Cereals	P 5.00
6. Dried Fish	P 5.00
7. Eatery/Carenderia	P 4.00
8. Fruits and Vegetables	P 4.00
9. Ice Storage	P 5.00
10. Fish Storage	P 5.00
11. Lechon	P 5.00
12. Agricultural	P 4.00

**SECTION 51. Schedule of Payments.** Every first ten (10) days of the month

Fifth	400-499
Sixth	500-599

**SECTION 52. Payment of Cash Tickets/ARKABALA.** The payment of Cash Tickets or ARKABALA shall be done daily which will be collected by authorized Revenue Collectors and be remitted to the treasurer. The Economic Enterprises Cashier shall deposit such collection daily to the official City Depository Bank..

**SECTION 53. Market Entrance Fee.** In lieu of the regular market fees based on their space occupied, a market entrance fee shall be imposed on all transient wholesale vendors of any commodity or merchandise being brought into the public market before sale on the basis of weight, bundle, sack, can, cartload, or any convenient unit of measure. The amount of entrance fee were charged on the basis of space occupied by the said commodity or merchandise, as provided in the immediately preceding section. Market Entrance Fees to be collected shall be based on the following rates:

1. For rice, corn, sugar or similar commodities placed in sacks, per sacks .....	Php 1.00
2. For mongoes, beans and ginger placed in sack, per sack.....	Php 1.00
3. For fresh eggs, per tray .....	Php 0.25
4. For fruits & vegetables placed in big baskets (bukag) of 50 kilos per basket .....	Php 1.00
5. For dressed chicken, and other frozen products, per kilo .....	Php 0.25
6. For dried and salted fish, per box/per can .....	Php 1.00
7. For live chickens, ducks, fowls and other small animals allowed in the public market, per head .....	Php 1.00
8. For every kilo of fish, seafood and/or marine products brought into the vicinity of the public market by producers, distributors and wholesalers .....	Pup 0.25
9. For meat and other meat products, per kilo .....	Pup. 0.25
10. For other products, per kilo .....	Pup 0.10
per box.....	Php 0.10

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**SECTION 54. Increase of Market Rental Rates and Entrance Fee.** The increase in market rental rates and entrance fee shall be determined thru an ordinance by the Sangguniang Panlungsod as the need arises.

**SECTION 55. Proper Display of Merchandise.** All items, commodities or merchandise shall be displayed in the stalls or market commodity or merchandise shall be displayed in the stalls, or market premises so as not to hamper, obstruct or impede the passage of aisles or to the inconvenience of the market goers, and shall be arranged and displayed in a manner which shall not hamper the regular cleaning of the market premises.

**SECTION 56.** The use of Videoke Video game/Video karera in any portion of stalls within the public market is prohibited.

**SECTION 57. Use of Devices and Materials to Defraud Consumers.** The use of devices and materials to defraud consumers, such as the red lights, red cellophanes, and the like which installed/ placed in the stall in a manner that will deceive the consumers in buying fish, chicken or meat which are actually not fresh or not good for public consumption shall not be allowed or is prohibited.

intended for sale within the TCPM or which is intended for resale later to other markets outside Tagum City.

**SECTION 59.** Only licensed vegetable dealers. Licensed fruits dealers and or licensed wholesalers of fruits and vegetables can transact business at the bagsakan area, provided that legitimate farmer producers can directly sell their products at the bagsakan are after payment of the corresponding market fees, as provided under Section 61 of this Code.

**SECTION 60.** It shall be unlawful for any person to intercept or stop a vegetable or fruit producer who is on his/her way to the public market and to dissuade or attempt to dissuade him/her from selling his/her product at the bagsakan area, or to buy all or part of his/her vegetables, fruits and other products for the purpose of reselling these goods so bought to the market.

**SECTION 61.** The bagsakan area shall collect the following rates of fees:

1. One Peso (Php 1.00) for every 50 kilos of a sack, bukag or whatever product container of the same weight and two centavos (Php 0.02) per kilo for every fraction thereof as market entrance fee.
2. A weighing scale fee of five centavos (Php 0.05) for every kilo of commodity weighed at the government weighing scale.

## **ARTICLE VII- THE TAGUM CITY LIVESTOCK AUCTION CENTER (TLAC)**

**SECTION 62.** The site of TLAC shall be at the half-hectare lot (which is a part of a seven hectare lot) donated by the Pereyras Family to the City Government of Tagum just beside the TOTIT and TCPM at Sto. Nino, Magugpo West, Tagum City, Davao or any government area/site that may be designated by the sanggunian through an ordinance..

**SECTION 63. Auction Day.** Every Thursday of the week or any designated day of auctioning the livestock which shall be determined by the Economic Enterprises Manager approved by the City Mayor.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 64. Market Price Index.** The Market Price Index shall be used as a guide in determining high, medium and low prices of the same. This refers to the prevailing local market prices of livestock & poultry products according to their grade and kind, to be updated periodically by the TLAC staff and shall be conspicuously displayed inside the TLAC premises.

### **SECTION 65. Rules and Procedures of Selling/Buying Livestock and Poultry Products.**

#### **1. How to Sell:**

- a) **Step 1 - Animal/Poultry Inspection.** Farmers or livestock/poultry raisers/trader shall bring the animals or poultry products to the Livestock Inspector/Grader for inspection. For cattle, "credentials" shall be required from the owners. For those without credentials. A certificate of ownership from the Punong Barangay of the point of origin will suffice. For other animals, a certificate of ownership from the Punong Barangay of the point of origin shall be required from the farmer or livestock raiser/trader. This is in order to avoid the selling of stolen animals at the livestock center. Strictly, only healthy animals/poultry products shall be allowed to enter the TLAC premises. Those with corresponding gate passes duly issued by the Livestock Inspector/Grader shall be

then certify the corresponding animals'/poultry's weight. Strictly, only those with corresponding gate passes shall be entertained by the Weigh Master.

- c) **Step 3 - Payment of Corresponding Fees.** Farmers or livestock/poultry raisers/traders shall then pay the corresponding fees to the Revenue Collection Clerk who shall issue an official receipt.
- d) **Step 4 - Bringing the Animals to the Display Area.** The farmers or livestock/ poultry raisers/traders can now display their animals or poultry products for sale to the highest bidders. In case livestock/poultry products will not be sold at the end of the market day, farmers or livestock/poultry raisers/traders who opt to leave their livestock/poultry products at the TLAC premises shall pay the corresponding corral pen rentals.

**2. How to Buy:**

- a) **Step 1- Customer or Buyer shall go directly to the TLAC display area.** He/ She shall then look for/select the desired animal/poultry product he/she wants to buy.
- b) **Step 2 -** Once the customer or buyer chooses the animal/poultry product he/she wants to buy, he/she shall then negotiate directly with the farmer or owner for the price.
- c) **Step 3 -** After reaching an agreement, the customer or buyer then pays the corresponding price of the animal/poultry to the farmer or owner. In the case off a cattle, the owner/farmer or customer/buyer, as the case may be, shall pay to the Revenue Collection Clerk the fee for the transfer of ownership or “credential” to the customer or buyer’s name.
- d) **Step 4 -** After the sale is consummated, the customer or buyer can now bring home the animal/poultry he/she buys from the TLAC.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)  
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**SECTION 66. Manner of Facilitating the Auction of Livestock During “Auction Day”.** The Board shall as recommended by the TLAC Supervisor and the Economic Enterprises Manager so design appropriate mechanism or system to facilitate an orderly manner of auctioning the livestock during designated “Auction Day” which may be revised or amended as the need arises by the Board.

**SECTION 67. Schedule of Fees and Rentals:**

**1. Below is the schedule of fees for the livestock and poultry products:**

	CATTLE/HORSE		HOGS		GOAT/SHEEP		POULTRY
Types of Fees	200 Kg & Above (Php)	Below 200 Kg (Php)	40 Kg & Above (Php)	Below 40 Kg (Php)	30 Kg & Above (Php)	Below 30 Kg (Php)	Regardless of Weight (Php)
a. Inspection Fee	20	15	10	5	5	3	1
b. Weighing Fee	20	15	10	5	5	3	1

2. **Certificate of Ownership Fee (Cattle only).** A fee of Php 50.00 shall be collected for every cattle not yet issued with credential inclusive of the service charge. Strictly, no certificate of ownership or credential shall be issued to cattle owner or farmer if he/she has no corresponding certificate of ownership from the Punong Barangay of the point of origin. This is to avoid the selling of stolen cattle at the TLAC.
3. **Transfer of Ownership Fee (Cattle only).** A fee of Php 50.00 shall be collected to the owner/farmer or customer/buyer as the case may be , for every cattle sold from one person to another as payment for the transfer of ownership or credential inclusive of the service charge.
4. **Corral Pen Rentals.** Below is the number of corral pens available and the schedule of corral pen rentals for lease to traders and to transient farmers:

Coral Pen Size	No. of Pens for Lease to Traders	No. of Pens for lease to Transient Farmers	Total No. of Pens	Rental Per Day (Php)
a. For Cattle/Horse (2.5m x 1.5m)	20	10	30	20
b. For Hogs/Goat/Sheep (2.0m x 1.5m)	40	10	50	15
c. For Poultry (2.0m x 1.0m)	30	10	40	10

5. **Lechon Fee.** A fee of Php 50.00 for every cattle and Php 15.00 for every hog or goat lechon at the TLAC shall be collected.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 68. Mode of Collection and Reporting.**

1. Collection of fees shall be done on a per head basis as stipulated under Section 67 of this Code.
2. Collection of corral pen rentals shall be done daily.
3. All collection reports furnished to the TLAC Supervisor and Economic Enterprises Manager shall be filed properly by the Clerk for reference, checking and reconciliation purposes.

**SECTION 69. Status of Existing Live Animal /Poultry Market or Display Area.** All existing live animal/poultry markets or display areas shall be discontinued and shall be transferred to the TLAC. The City Mayor shall advise owners of all privately owned live animal/poultry markets or display areas to discontinue their operation.

**SECTION 70.** It shall be unlawful for any person, middlemen, or jambolero to intercept for the purpose of buying any livestock and then reselling the same at the Tagum Livestock Auction Center or Public market.

**SECTION 71.** It shall be unlawful for any person to intercept, or stop a farmer livestock raiser

rest shall be through a public raffle draw to be conducted by the Board. All lessees of the corral pens except for transient farmers shall post a bond of P3,000.00 to the City Treasurer before they will be awarded the lease of the corral pens. Any damaged, unpaid service, or default in rentals will be charged on this amount in the event of closure or revocation of permit.

**SECTION 73. Porterage and Animal /Poultry Handling.**

1. All porters and handlers (cargador) shall be required to apply for the necessary permit and pay a fee of P50.00 individually per annum inclusive of occupational permit fee, legal fee, and the cost of Identification (ID) card before they will be allowed to conduct business at the TLAC premises.
2. Porters and handlers shall at all times observe discipline and extend utmost courtesy to the clientele of the livestock market.
3. Porters and handlers shall be provided with individual ID card and shall be required to wear it while on duty.
4. Porters and handlers shall wear proper uniform prescribed by the TLAC Supervisor at their own expense.
5. Clienteles have the choice to avail or not to avail the services of porters/handlers.

**SECTION 74.** Butchering and roasting of animals, except poultry products in the TLAC premises shall be strictly prohibited.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)

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**SECTION 75.** Gambling and/or drinking of liquors or wines within the TLAC premises shall be strictly prohibited.

**SECTION 76.** Loading and unloading of animals shall be at the designated ramps only.

**SECTION 77.** The day to day operation and manpower scheduling of the TLAC shall be determined by the TLAC Supervisor subject however to final approval of the Economic Enterprises Manager.

**SECTION 78.** In the event, a corral pen vendor ceases to operate or his/her license revoked for cause or for any violation of the terms of contract, his/her awarded corral pen may be transferred to another qualified party subject to the approval of the Board.

**ARTICLE VIII- THE TAGUM CITY OVERLAND TRANSPORT INTEGRATED TERMINAL (TCOTIT)**

**SECTION 79. Traffic Routing Scheme for Public Utility Buses.** For a more effective and efficient utilization of the TCOTIT, the following traffic routing scheme is hereby established for all public utility buses entering or leaving the TCOTIT for the loading and unloading of passengers as follows:

**1. Incoming (Inbound)**

- a) PUB from Davao City bound for COMVAL area, Agusan, Surigao, Cagayan de Oro City and Davao Oriental from National Highway turn left at Curvada Circumferential

- c) PUB from Agusan, COMVAL area shall turn right Curvada Circumferential Road direct to the TCOTIT.
- d) PUB from New Corella shall take La Filipina Road direct to the TCOTIT.
- e) PUB from St. Tomas, Kapalong, Asuncion and Laak shall take circumferential road proceeding to the TCOTIT.

**2. Outgoing (Outbound)**

- a) PUB from the TCOTIT bound for Agusan and COMVAL area, shall take circumferential road then turn left to the Curvada National Highway direct to Agusan and COMVAL area.
- b) PUB from the TCOTIT bound for Davao City area shall take Circumferential Road then turn right to the Curvada National Highway proceeding to their respective destinations.
- c) PUB from the TCOTIT bound for Davao Oriental, Maco, Mabini and Pantukan shall take Circumferential Road then turn right towards Curvada National Highway then turn junction between Pioneer Pioneer Avenue/National Highway proceeding towards Apokon Road direct to their destinations.
- d) PUB from the TCOTIT bound for Sto. Tomas, Kapalong, Asuncion and Laak shall take Circumferential Road direct to their destinations.

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- e) PUB from the TCOTIT bound for New Corella shall turn left to La Filipina Road direct to their destinations.

**SECTION 80.** All public utility buses (PUBs whether large, medium or baby bus) with destinations outside Tagum City, with final or transient destinations and/or points of departure at Tagum City may unload their passengers at the TCOTIT.

**SECTION 81.** Solicitation of passengers by barkers and dispatchers or through the use of gadgets such as amplifiers an/or sound system s in places other than the TCOTIT is hereby strictly prohibited.

**SECTION 82.** Checkpoints or checking booths shall be established in all points of exit as identified by the Board based on the traffic routing scheme. All buses passing thereto shall exhibit proof of payment of the Terminal Fee.

**SECTION 83.** The TCOTIT through the Board may request the assistance and shall coordinate with the Land Transportation Office (LTO) and Tagum City Philippine National Police in the implementation of the said traffic routing scheme, for the general interest and welfare of the riding public.

**SECTION 84. Terminal Fees, Rental of Spaces and other Fees:**

**1. Terminal Fees** - The schedule of Terminal Fees is hereby imposed and which the Board is empowered to fix:

- a) PUB/Baby Buses which capacity is more than 20 passengers but not more than 40 passengers loading, soliciting and unloading passengers in Tagum City, there shall be

- c) PUB which capacity is more than 40 passengers loading, soliciting and unloading passengers in Tagum City whose destination is within Davao Province or vice versa, there shall be collected the amount of not less than Php 21.00 nor more than Php 30.00.
  - d) PUB whose capacity is more than 40 passengers loading, soliciting and unloading passengers in Tagum City whose destination is outside Davao Province or vice versa, there shall be collected the amount of not less than Php 21.00 nor more than Php 30.00.
- 2. Toll Fees.** For purposes of collecting Toll fees for all jeepneys, vans, and cargo trucks soliciting passengers and doing business respectively in the TCOTIT, the Economic Enterprises Revenue Collectors shall collect the Toll fees based on the following routes:
- a) For all passenger Jeepneys with 4 wheels ..... Php 8.00  
     in excess of 4 wheel ..... Php 10.00
  - b) For all Multicabs ..... Php 3.00
  - c) For Vans and Cargo Trucks with 4 wheels ..... Php 10.00  
     in excess of 4 wheel ..... Php 15.00
- 3. Rental of Spaces and other Fees.** Unless otherwise amended by the Sangguniang Panlungsod, the following rates shall be charged as rentals or fees:

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- a) Php 1,500.00 per month for the Dispatch Ticket Booth with office.
  - b) Php 5.00 per square meter rental fee for the Restaurant/Coffee Shop Spaces (subject for bidding to qualified holders)
  - c) Php 500.00 per month for the Magazine Display Stand (subject for bidding to qualified applicants).
  - d) Php 20.00 each per night for lodging.
- 4.** Provided however, that in case of default for one (1) month in the payment of the above-named spaces will cause the revocation of the contract.
- 5.** Provided further, that in cases of structures, spaces, installations and other activities not covered herein, the Board shall recommend fees to the Sangguniang Panlungsod for approval..

**SECTION 85. Porterage and Cargo Handling.** The porterage services and cargo handling shall be provided by an agency or any group after being screened and approved by the Board. The rate of fees/charges shall be determined by the Board, provided that:

- 1. Passenger(s) who desire to carry their own cargo/baggage shall not be obliged to avail of the services of handlers.
- 2. Passenger(s) shall be afforded with utmost courtesy by the porters and handlers.
- 3. Cargoes damaged due to mishandling of the porter(s) shall be the responsibility of the cooperative/group and the cargo/baggage owner shall be given due compensation by said cooperative/group.

**SECTION 86.** Every bus operator shall be required to display in a conspicuous place the schedule of bus departure and arrival for the guidance of the riding public.

**SECTION 88.** Every bus operator or bus transport association shall be assigned its own payment bay based on the number of units which shall be determined by the Board.

**SECTION 89.** No maintenance services and major repairs on any vehicles should be done inside the TCOTIT area.

**SECTION 90.** The Philippine National Police, City Treasurer and Authorized Collecting Bank if there's any must be given space in the TCOTIT premises/building.

## **ARTICLE IX- THE TAGUM CITY CULTURAL AND TRADE CENTER**

**SECTION 91.** There shall be established a Tagum City Trade Center (TCCTC) in the City of Tagum to be located at the old Public Market site, Maguppo Poblacion, Tagum City, Davao.

**SECTION 92.** Availment and Award of Space/Stall in the TCCTC. An applicant must file his/her application with the Office of the Economic Enterprises Manager/ Board Secretariat by presenting the following documents: Community Tax Certificate, Health Clearance, Permit of Service of Personnel, Police Clearance, and Court/Fiscal Clearance.

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**SECTION 93. Qualifications of Stallholder/Applicants.** The Board shall be authorized to prescribe the qualifications for all the applicants of stalls, booths or spaces of the TCCTC, provided that residents of Tagum and those local producers/ manufacturers, cooperatives, and business entrepreneurs in Tagum shall be given preference.

**SECTION 94. Awarding of Stall.** The Board shall determine and award stall, booth/ space per guidelines provided in this Code.

**SECTION 95. Contract of Lease.** After the award of any stall, booth or space, a contract of lease shall be executed by the City Mayor representing the City Government and the awardee after the latter has complied with all other requirements. The contract of lease shall be substantially in the following form but may be modified to conform to the needs of a particular trade center as contained herein.

### **CONTRACT OF LEASE**

#### **KNOW ALL MEN BY THESE PRESENTS:**

This Contract of Lease is made and entered into by and between the CITY GOVERNMENT OF TAGUM, an LGU existing under and by virtue of the Laws of the Philippines, represented in this act by its City Mayor \_\_\_\_\_, hereinafter referred to as the LESSOR;

-and-

MR/MRS/MS. \_\_\_\_\_ of legal age, single/married, Filipino and a resident of \_\_\_\_\_, Philippines, hereinafter referred to as the LESSEE.

**W I T N E S S E T H**

The LESSOR hereby leases the aforesaid stall in favor of the aforementioned LESSEE, subject to the following terms and conditions:

1. That the Contract of Lease shall be for a period of one (1) year and to start on \_\_\_\_\_, year \_\_\_\_\_ unless sooner cancelled or revoked for cause, or its nearly termination;

2. The LESSEE shall at all times keep the stall in good sanitary condition, provide garbage receptacles and cleaning materials prescribed by the Board and shall comply strictly with this Code, and all Laws, Ordinances, Rules and Regulations or which may hereinafter be promulgated. Failure to maintain in good sanitary conditions after two (2) written warnings by the TCCTC Supervisor shall be a ground for the revocation of the Lease Contract;

3. The LESSEE shall pay the corresponding rent for the stall and shall secure Business Permit and License therefore in the manner and amount prescribed by this Code and other existing Tax Code/Ordinances;

4. The LESSEE shall be allowed to take possession over his/her awarded stall only upon compliance with all prescribed requirements;

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5. That the business to be conducted in the stall shall belong exclusively to the herein LESSEE unless otherwise amended;

6. That in case herein LESSEE shall engage the services of a helper/helpers, herein LESSEE shall promptly notify the TCCTC Supervisor of their presence;

7. The LESSEE shall not sublease, or transfer his/her privilege to the stall nor permit another to conduct business therein without first notifying the Board;

8. That the LESSEE shall not use the privilege to the stall whether directly or indirectly, as his collateral or security for any loan agreement with any public or private entity;

9. That at any given time, a) Should the stall (s) be used for a purpose other than that intended, the Contract of Lease shall be automatically revoked, b) Should the stallholder close the stall for at least fifteen (15) to thirty (30) consecutive days, the lease shall be automatically revoked unless, prior notice was given to the proper authorities;

10. That non-payment of the monthly rental within the first week of the month after it has become due and demandable shall be sufficient cause for the revocation of the lease;

11. That the LESSEE shall not in any manner alter the structure and/or make any extension on the stall without prior approval from the City Mayor or his/her duly authorized representative;

12. That the LESSEE shall secure individual Electrical Permit for the installation of electric meter in the stall leased to him/her and shall pay its corresponding bills;

13. That the LESSEE shall provide padlocks and other protective devices to ensure safety of goods and products inside his/her stall; That the government is not responsible for any loss of goods and property in the said stall arising from theft, robbery, fire or any other fortuitous events. It is the occupant's responsibility to insure the safety of its goods and products in the said stall;

14. That the LESSEE shall be responsible for the payment of the stall fee and other charges;

16. The LESSEE shall provide a Fire Extinguisher conveniently accessible in his/her stall, specifications of which are to be provided by the Local Fire Department;

17. The LESSEE shall display his/her Business Permit in a conspicuous place for inspection of TCCTC Supervisor or duly authorized representative , or the City Business License Section;

18. That violation of any of the foregoing terms and conditions in this contract and of any other applicable laws, Code/Ordinances, Rules and Regulations shall be sufficient cause for the cancellation or revocation of this Contract of Lease, and the simultaneous closure and/or padlocking of the stall.

**IN WITNESS WHEREOF**, The parties have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_,\_\_\_\_, at Tagum City, Philippines.

**CITY OF TAGUM**

Lessor

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Represented by:

\_\_\_\_\_  
City Mayor

\_\_\_\_\_  
Stallholder/Lessee

SIGNED IN THE PRESENCE OF:

\_\_\_\_\_ and \_\_\_\_\_

**A C K N O W L E D G E M E N T**

Republic of the Philippines )  
Province of Davao del Norte) s.s.  
CITY OF TAGUM )  
X ----- x

**BEFORE ME**, a Notary Public for and in the City of Tagum, Davao del Norte, Philippines, this \_\_\_\_ day of \_\_\_\_\_, personally appeared Tagum City Mayor \_\_\_\_\_ with Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_, at \_\_\_\_\_, known to me to be the same persons who executed the foregoing instrument and they acknowledge that the same is their free act and deed.

This instrument consisting of \_\_\_\_ ( ) pages including this page have been signed by the parties and their instrumental witnesses.

**WITNESS MY HAND AND SEAL** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ at \_\_\_\_\_, Philippines.

Series of \_\_\_\_\_

**SECTION 96. Allowable Business in the TCCTC.** The type of business and its related product lines in the TCCTC shall be prescribed/ determined by the Board provided that no business lines involving the selling of meat, fish, vegetables and those that will directly compete the line of businesses in the TCPM shall be allowed.

**SECTION 97. Stall Rental.** A monthly rental of Php 40.16 per square meter per stall shall be imposed and to be paid every first week of the month. An additional Php 2.00 per square meter shall be imposed to all corner stalls provided that the use of any authorized space to be used for commerce shall be imposed a fee of five pesos per square meter.

**SECTION 98. Renewal of Contract.** The Contract of Lease for the use of stalls, booths/spaces shall be renewable every year thereafter.

## **ARTICLE X. THE TAGUM CITY FREE MARKET DAY/ TABO SA TAGUM**

**SECTION 99.** The Tagum City Free Market Day shall be known as the “Tabo sa Tagum”.

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**SECTION 100. Coverage.** The “Tabo sa Tagum” shall cover only the designated area in the TCPM to include TLAC and the immediate environs of Tagum Vegetable Drop Zone (Bagsakan Area). Any adjoining street or road within the TCPM can be designated as long as traffic flow of the said premises shall not be hampered.

**SECTION 101. Management and Supervision.** The control and supervision of the mechanics of the “Tabo sa Tagum “ shall be the responsibility of the City Economic Enterprises Manager.

### **SECTION 102. Mechanics:**

1. Any person who wishes to sell any product during the “Tabo” must secure first a permission to sell from the Office of the City Economic Enterprises Manager by paying his/her “Arkabala”.
2. Arkabala shall be determined by the size of area occupied by the retailer in selling his/her product, with a minimum of one (1) square meter at a rate of Ten (Php10.00) Pesos per square meter per day.
3. Products for sale must be classified by product lines whose area will be designated by the management of the “Tabo sa Tagum”.
4. Selling of poultry and livestock products must be at the TLAC on the “Tabo sa Tagum” and must conform with the rules and regulations as stipulated in this Code.
5. Tents, umbrellas and other materials may be used as covers for the display provided that the putting up and the tearing down of all display materials must be the responsibility of the retailers, making sure that the space assigned to him/her is clean and clear of debris as he/she vacates the place.
6. For reason of security, threat to public safety and health, the management has the right to turn down any request for permission or terminate any selling products on “Tabo sa Tagum”.

**SECTION 103.** Implementation. For the successful implementation of this “Tabo sa Tagum”. The twenty three (23) Barangay Councils of Tagum City through their respective Punong Barangay shall be enjoined to disseminate the information to their respective constituents to avail the benefits of “Tabo sa Tagum”. The City Agriculture Office, City Investment and Promotion Office, City Information Office as well as the Department of Trade and Industry and other Government Agencies and Instrumentalities shall likewise be requested to promote the “Tabo sa Tagum” to local farmers and small and medium entrepreneurs.

## **ARTICLE XI- THE TAGUM CITY SLAUGHTERHOUSE**

**SECTION 104. Basic Policies.** The following are the basic policies governing the operation and management of the TCS; to wit:

1. There shall only be one public slaughterhouse in the City of Tagum situated at Tipaz, Barangay Magupo East, Tagum City.

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2. The TCS shall serve the need for a fast, efficient and sanitary slaughtering facility in the City of Tagum, the neighboring municipalities/cities and some parts of the country as well.
3. The TCS shall operate daily.
4. The TCS management shall ensure that only good animals are slaughtered in the TCS, and only sound, healthy and wholesome meat and offals are withdrawn and released there from.
5. The TCS management shall see to it that appropriate fees and charges are assessed and collected for the use of the government facilities and services rendered.
6. All food animals brought to the TCS and deposited in the holding pen shall presume to be slaughtered in the immediately succeeding slaughtering schedule.
7. No animals shall be slaughtered without having been subjected to and passed ante-mortem inspection, and no carcass and offals withdrawn and released from the TCS without having been subjected to inspection and marked PASSED.
8. The animals are inspected on the day of slaughter and should be inspected again if they have to stay longer.
9. Downers shall be treated as suspects.
10. Inspection fee shall be on a per inspection basis.
11. In the receiving and/or entry of animals into the holding pen and in the release there from into the processing area, the principle of “First in, First out” shall be applied and observed.
12. After the food animals are received and deposited in the holding pen, the City Government assumes responsibility thereof until all carcasses and edible offals are delivered to the owners at the TCPM an/or to those in other public markets in Davao Province. If the food animals slaughtered are for home consumption, the carcass and edible offals shall be claimed by the owners and released to them at the TCS after payment of all appropriate

protect the health of the people and to prevent contamination to other animals or spread of the diseases.

14. Infected or diseased meat shall immediately be confiscated, disinfected, and/or condemned to make certain that it will not be sold at the market and to prevent the spread of diseases.
15. Weighing of food animals shall be made prior to and after slaughter through the duly calibrated weighing scale at the Tagum City Slaughterhouse in order to establish a data base that may be made as basis for future policies and legislation and for other purposes.
16. All personnel at the TCS are required to take seminars on first aid and training on safety precautions, sanitation and proper meat handling.
17. No carcass shall be released from the TCS without having subjected to chilling process.
18. Buying of edible offals is not allowed in the slaughterhouse building and compound.

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19. Meat left over and/or carcass or edible or edible offals unsold during the day shall be deposited at an adequate facility and should be subject for re-inspection.
20. No meat or edible offals shall be allowed entry into the TCS, except those slaughtered at the TCS and transported through a government delivery van or through an accredited delivery van accredited by the City Government and those deposited in the cold storage facility of the City Government.
21. The slaughter of any food animal for sale to or consumption of the public shall be in lechon or other form shall be done only in TCS. The slaughter of animals intended for home consumption except large cattle, may be elsewhere, provided, that the animals slaughtered shall not be sold or offered for sale.
22. All endangered species of animals brought into the slaughterhouse for the purpose of butchering them, shall be confiscated immediately and the animal turned over to the appropriate authority for proper disposal and protection accorded to all endangered animals.
23. Security, safety and order at the TCS shall be a basic concern. Management shall find and adopt ways and means to ensure maximum security, safety and order thereat.

**SECTION 105. Rules and Regulations.** The following rules and regulations shall be observed at the TCS, to wit:

1. Only TCS personnel and authorized butchers are allowed in the processing area.
2. During operations, all authorized personnel in the slaughterhouse are required to wear their proper uniform and provide themselves with safety devices like head gear protector, gloves, anti slid shoes, body protector and other similar devices.
3. Hoister, elevator, dehairing, machine, carcass lowerator, shackle lowerator railing and carcass dropper shall not be loaded beyond their capacity.

6. Suspected stolen animals brought into the TCS shall be confiscated immediately after and turned over to the proper authority.
7. No firearm is allowed in the TCS building and compound.
8. No gambling in whatever form shall be allowed in the TCS building and compound.
9. No persons are allowed inside the TCS except when they are on educational or observation tour or otherwise authorized by the proper authority.
10. The TCS building or any portion thereof shall not be used as a sleeping or living quarter.
11. Smoking and loitering are strictly prohibited in the TCS building and compound.
12. Liquors, beers, wine and other intoxicating drinks are prohibited inside the TCS building and compound.

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13. Drunk or any person or personnel and butcher under the influence of liquor are prohibited from making entry into the TCS building and compound.

**SECTION 106. Permit to Slaughter.** Before any food animal is slaughtered for public consumption, a permit to slaughter shall be secured from the City Veterinarian or his/her duly authorized representative or a duly designated and authorized meat inspector by the City Mayor in the absence of the Veterinarian or his/her duly authorized representative.

**SECTION 107. Requirement for the Issuance of a Permit for the Slaughter of Large Cattle.** Before the issuance of the permit to slaughter for large cattle, the office of the TCS shall require the production of the Certificate of Ownership of the owner if said owner is the applicant, or the original Certificate of Ownership and the Certificate of Transfer showing title in the name of person applying for the permit if he/she is not the original owner.

**SECTION 108. Meat Inspection.** All meat from food animals butchered at the TCS shall be subjected to inspection by the Meat Inspector or any competent person duly authorized to do so, who shall decide as to the fitness of such meat for human consumption. All such meat as are inspected shall be properly stamped "PASSED" before transfer to the TCPM or to any other public market outside the city .

**SECTION 109. Transfer of Meat from Slaughterhouse to Public Market.** No meat for sale to the public shall be transferred from the TCS to TCPM and other public market outside the City Government of Tagum except by means of a meat delivery van duly accredited by the National Meat Inspection Commission (NMIC) and the City Government of Tagum.

**SECTION 110. fees.** There shall be imposed and collected at the TCS fees for the following:

1. **Stockyard Fee-** For the use of the yard prior to ante-mortem inspection, weighing and entry into the holding pen. Payment is based on per head per day basis.
2. **Ante- Mortem Inspection Fee.** For the services in examining the animals prior to slaughter to select for food animals which are adequately rested and are apparently free from diseases or abnormal conditions: isolate for further examination diseased suspected diseased or

3. **Holding Pen Fee.** For the use of the facility in the lairage of animals before the actual slaughter;
4. **Permit to Slaughter Fee.** Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the City Veterinarian or his/her duly authorized representative or a duly authorized meat inspector by the City Mayor in the absence of the Veterinarian or his/her duly authorized representative.
5. **Post Mortem Inspection Fee.** For services in inspecting all animals to ensure detection of lesions and abnormalities, and to pass only meat and edible offals fit for food; all such meat and offals as are inspected shall be properly stamped and/or marked before transport to the TCPM; the basis shall be the carcass weight.
6. **Certificate of Ownership Fee.** For the issuance of credential of ownership of large animals.
7. **Transfer Certificate of Ownership Fee.** For the issuance of credential of transfer of ownership of large animals;

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8. **Delivery Fee.** For the use of the delivery van and services in transporting the carcass and edible offals from the TCS to the TCPM and other public markets outside Tagum; the basis shall be the carcass weight;
9. **Slaughter Fee.** For the services and use of facilities in the slaughter of food animals; the basis shall be the live weight of the food animal;

**SECTION 111. Rates of Fees.** The rates of fees shall be as follows:

FEE	CATTLE	HOG	Goat/Sheep	Poultry
Stockyard Fee	Php 5.00/head	Php3.00/head	Php 3.00/head	Php1.00/head
Ante Mortem Inspection	5.00/head	2.00/head	2.00/head	1.00/head
Holding pen Fee	10.00/head	5.00/head	5.00/head	1.00/head
Permit to Slaughter Fee	50.00/head	15.00/head	15.00/head	1.00/head
Post Mortem Inspection Fee	70.00/head	15.00/head	15.00/head	1.00/head
Certificate of Ownership Fee	50.00/head	-	-	-
Transfer Cert. of Ownership Fee	100.00/head	-	-	-
Livestock Development Fund	2.00/head	-	-	-
Delivery Fee	0.25/kilo	0.25/kilo	0.25/kilo	0.25/kilo
Entrails Cleaning Fee	25.00/head	10.00/head	10.00/head	1.00/head
Dehairing Fee of large cattle hide, head, feet and tail	100.00/head	100.00/head	100.00/head	100.00/head

**SLAUGHTER FEE  
(CARCASS WEIGHT PER KILO)**

FEE	CATTLE	HOG	Goat/sheep	Poultry
9 – Below	Php 2.23	Php 2.70	Php 2.45	Php 2.00
10 – 20.9	2.16	2.50	2.20	-
21 – 30.9	2.09	2.30	2.10	-
31 – 40.9	2.02	2.10	2.00	-
41 – 50.9	1.95	1.90	1.90	-

81 – 90.9	1.67	1.20	-	-
91 – 100.9	1.6	1.15	-	-
101 – 110.9	1.53	1.10	-	-
111 – 120.9	1.46	1.05	-	-
121 – 130.9	1.39	1.00	-	-
131 – 140.9	1.32	0.95	-	-
141 – 150.9	1.25	0.90	-	-
151 – 160.9	1.18	0.85	-	-
161 – 170.9	1.11	0.80	-	-
171 – Above	1.04	0.75	-	-

**SECTION 112. Delivery Fee.** There shall be imposed and collected a delivery fee for carcasses and edible offals of Php 0.25 per kilo from the TCS to TCPM an additional of Php 0.10 per kilo per kilometer if carcass is to be transported outside the public market of Tagum.

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**ARTICLE XII. THE TAGUM CITY PUBLIC CEMETERY**

**SECTION 113.** The supervision and administration of the existing public cemetery of Tagum which is situated in Barangay La Filipina which is 3 kilometers away from the Poblacion going north and which comprises a total land area of 2.5 hectares more or less, is hereby transferred to the Economic Enterprises Department.

**SECTION 114. Burial Permit Fees and other Fees.** The burial permit fees and other fees enumerated herein shall be paid to the City treasurer’s Office through the City Civil Registrar’s Office, as follows:

<b>Types of Payments</b>	<b>Fees</b>
Tomb Permit ( Adult ) -----	Php 200.00
Tomb Permit ( Child ) -----	100.00
Cemetery Fee ( includes other cemeteries )-	100.00
Entrance Fee to Non- resident -----	100.00
Burial Fee -----	100.00
Transfer of Cadaver -----	100.00
Exhumation/Removal -----	100.00
Cremation -----	100.00

**SECTION 115.** All indigents duly certified by their Barangay Captain and the City Social Welfare Officer and Development Office shall be exempted from paying the burial fee.

**SECTION 116. Application for Lease of Cemetery and the Contract of Lease.** After payments of required fees, applicant shall apply for lease of cemetery and a contract of lease which shall be executed by the City Mayor representing the City Government duly recommended by the City Engineer and Economic Enterprises Manager and the awardee after the latter has complied with all other requirements. The contract of lease shall be substantially in the following form but may be modified to conform to the needs of a particular cemetery as contained herein; to wit:

**APPLICATION FOR LEASE OF CEMETERY**

Name of Deceased Person: \_\_\_\_\_ Adult \_\_\_\_\_ Child \_\_\_\_\_  
Date of Burial Internment: \_\_\_\_\_ Date of Expiration \_\_\_\_\_  
To be renewed every five (5) years Amount : Php \_\_\_\_\_ O R No. \_\_\_\_\_

\_\_\_\_\_  
Applicant  
Resident Cert. No. \_\_\_\_\_  
Date Issued: \_\_\_\_\_  
Place Issued \_\_\_\_\_  
TIN \_\_\_\_\_

**LEASE OF CONTRACT**

\_\_\_\_\_  
Lease Contract No. \_\_\_\_\_  
Date: \_\_\_\_\_

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You are hereby granted a permit to lease a cemetery lot in accordance with your above application provided that you will strictly observe the existing laws, ordinances and regulations thereof.

**RENEWAL OF LEASE.** If the lessee intends to renew the lessee of the cemetery lot, he/she shall notify the Economic Enterprises Manager two (2) months before expiry date, if no notice is received on or before the period, then his/her lease contract shall be terminated and the premises shall be leased to another lessee.

Recommending Approval:

\_\_\_\_\_  
Economic Enterprises Manager

\_\_\_\_\_  
City Engineer

Approved:

\_\_\_\_\_  
City Mayor

**SECTION 117. Renewal Fee.** There shall be hereby imposed the amount of Php 200.00 as renewal fee for the lease of contract. The period covered for the contract is five (5) years and renewable every five (5) years thereafter.

**SECTION 118.** Non-renewal of the lease of contract after three (3) written notices shall subject the exhumed skeletal remains/ bones for transfer into a common bone depository.

**SECTION 119. Common Bone Depository.** A common bone depository shall be provided which will serve as a common depository area for unclaimed exhumed skeletal remains.

**SECTION 120.** To provide better services and income, the City may construct or may engage in a joint venture with other agency/ entities on the development and management of a new public cemetery/ memorial park subject to an authority from the Sanggunian and an enactment of a new ordinance appertaining thereto.

**ARTICLE XIV- FISCAL MANAGEMENT**

**SECTION 122.** All the collection of fees, rentals and charges from the operations, management and administration of the Economic Enterprises shall constitute a separate account for the Economic Enterprises and as such to be utilized for its operational expenses, improvements and other relevant administration expenses for and for its debt servicing requirements. Payment for amortization and interest shall be included as expenses in the determination of the net income from the operation of the Enterprises.

**SECTION 123.** Transfer Fee. There shall be imposed a Transfer Fee in the amount of Five Hundred (P 500.00) Pesos to be paid by the existing original occupant if an when an early termination occurs by his/her voluntary transfer to any qualified transferee intending to make business in the Enterprises and a qualified successor will take over the said stall, booth/space.

**SECTION 124. Occupancy Fee.** An Occupancy Fee of Ten Thousand (P10,000.00) Pesos shall be imposed to the qualified new occupant of any of the stall, booth/space of the Enterprises provided that occupancy fee of first awardees specifically on new constructed stalls, vacated and or foreclosed stalls be exacted the amount of Five Hundred (P 500.00) Pesos only..

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**SECTION 125.** All Arkabala shall be collected by the Enterprises authorized Revenue Collectors and shall form part in the Enterprises income.

**SECTION 126.** All disbursements in payrolls and vouchers shall be signed by the Economic Enterprises Manager then the City Budget Officer on its appropriation, the City Accountant for obligation and proper recording, the City Treasurer on its availability of funds, and approved by the City Mayor before payment could be effected.

**SECTION 127.** All approved disbursements in the Economic Enterprises operations shall be paid by the City Treasurer or his/her duly authorized cashier/s and disbursing officer/s.

**SECTION 128.** In no case, Economic Enterprises collectors are not allowed to disburse their collections to any approved disbursement regarding payment in relation to Economic Enterprises operations.

**SECTION 129. Mode of Collection:**

1. Whenever possible and appropriate all mode of imposition and collection of fees, awarding of stalls, booths/spaces, and foreclosure shall be uniform in all Economic Enterprises activities.
2. All fees and charges in the operation of the Enterprises shall be accompanied by official receipt issued by the Enterprises authorised Revenue Collectors.
3. All collections made shall be liquidated daily if such collections are made in a daily basis and monthly if on a monthly by the authorised Revenue Collectors and shall be deposited immediately at government official depository bank.
4. All Enterprises Revenue Collectors shall be required to get a bond at the Bureau of Treasury
5. All requisitions for accountable forms to be used in the operation of the Enterprises shall be coursed through the City Treasurer at cost with its corresponding invoice receipts.
6. In the case of the TCOTIT, collections from the operators for the use of terminal shall be paid prior to every departure or use of terminal facilities.
7. All financial reports shall be furnished to the City Accounting Office, City Treasurer's

**SECTION 130. Penalty for Prohibited Acts.** Any person or persons violating, or causing, inducing or abetting the violation of any prohibitory provisions of this Code shall upon conviction of the court suffer the imprisonment of one month or a fine not exceeding One Thousand (P1,000.00) Pesos or both at the discretion of the court and in case of recidivism, the imprisonment not more than six (6) months or a fine ranging from Two Hundred (P200.00) Pesos to Six Thousand (P6,000.00) Pesos or both at the discretion of the Court.

**SECTION 131. Cancellation of Lease and Ejectment.** Any violation of this Code shall be sufficient cause for the revocation or cancellation of a stallholder/ vendor's lease of contract or the right to occupy a stall, room, booth or space in the economic enterprises, except the City Public Cemetery and Slaughterhouse, and his/her ejectment there from. Any such stallholder or vendor whose lease right or right occupancy has been cancelled or revoked, or who has been ejected from the stall, room, booth or space he/she is leasing or occupying, cannot anymore occupy any stall, room in the economic enterprises of the City in the future.

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(Excerpt from the Minutes of the 86<sup>th</sup> Regular Session/March 03, 2003)  
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**SECTION 132. Selling Confiscated Goods.** Any law enforcement officer or Economic Enterprises Security Guard who confiscates goods from any vendor, ambulant or otherwise, and sells or offers those goods for sale by himself or through a third person/persons, shall upon conviction of the court, suffer:

1. The fine of Five Hundred (P500.00) Pesos or imprisonment of one (1) month, or both at the discretion of the Court, if the value involved does not exceed Two Hundred (P200.00) Pesos.
2. The fine of One Thousand (P1,000.00) Pesos or imprisonment of two (2) months or both at the discretion of the Court, if the value involved is more than Two Hundred (P200.00) Pesos, but does not exceed Six Thousand (P6,000.00) Pesos.
3. The fine of One Thousand Five Hundred (P1,500.00) Pesos or imprisonment of Three (3) months, or both at the discretion of the Court, if the value involved is more than Six Thousand (P6,000.00) Pesos but is less than Twelve Thousand (P12,000.00) Pesos.
4. The fine of Two Thousand (P2,000.00) Pesos or imprisonment of Four (4) months or both at the discretion of the Court, if the value involved is more than Twelve Thousand (P12,000.00) Pesos but is less than Twenty Two Thousand (P22,000.00) Pesos.

In all cases, persons guilty or selling or offering to sell confiscated goods shall indemnify the owner of the goods or a fine equal to the total value of the goods confiscated and sold or offered to be sold. The failure of any law enforcement officer or economic enterprises security guard who confiscated goods from any vendor, ambulant or otherwise, to render accounting of confiscated goods, shall be prima facie evidence that he/she has sold the unaccounted confiscated goods.

**SECTION 133. Weights and Measures.** Any stallholder found violating the provisions of existing laws regarding weights and measures shall, for the first offense, be fined One Thousand (P1,000.00) Pesos and required to correct any deficiency in said weights or measures, for the second offense, be fined Two Thousand Five Hundred (P2,50.00) Pesos and for the third offense, shall be revocation of lease contract and ejectment from the stall, room, booth or space he/she occupied.

**SECTION 134.** Any stallholder who fails to pay the rental within the specified prescribed grace period shall pay a penalty of 5% per month to the rent due and demandable.

**SECTION 136.** A separate Ordinance pertaining to the establishment of the Night Market of the City of Tagum by the Sanggunian, which such Night Market shall form part of the Tagum City Economic Enterprises.

**SECTION 137. APPLICABILITY CLAUSE.** Any resolution, rules/regulations, ordinance or law consistent with this ordinance/code, shall be valid and form part and supplementary to this code.

**SECTION 138. SEPARABILITY CLAUSE.** If for any reasons, any part or provisions of this code shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

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**SECTION 139. REPEALING CLAUSE.** All existing ordinances relative or covering the herein Economic Enterprises of the City prior to the enactment of this code and other resolutions, and rules/regulations or parts thereof, inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 140. EFFECTIVITY CLAUSE.** This code shall take effect fifteen (15) days after its publication in one (1) newspaper of general circulation in the Province of Davao.

**CARRIED AND APPROVED.**

**ENACTED AND PASSED** this 3<sup>rd</sup> day of March, 2003.

**I HEREBY CERTIFY** to the correctness of the foregoing

**(Sgd.) DIONITA N. DELA CRUZ**  
Records Officer II  
(Acting Secretary to the Sanggunian)

**ATTESTED:**

**(Sgd) GERARDO R. RACHO, JR.**  
Vice Mayor  
(Presiding Officer)

**APPROVED:**

**(Sgd)GELACIO P. GEMENTIZA**  
City Mayor

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## **C E R T I F I C A T I O N**

This is to certify that a public hearing was conducted by the Sangguniang Panlungsod of Tagum on **CITY ORDINANCE NO. 66, S-2002** on January 16, 2003 at 1:00 o'clock in the afternoon at the Freedom Stage. Said public hearing was participated in by various sectors of the community particularly the individuals/parties who have direct concern with the Economic Enterprise of the City.

This is to certify further that copies of the Notice of Public Hearing have been sent to all sectors of the community and posted in all conspicuous places in the City Hall and in all Economic Enterprise buildings.

**DIONITA N. DELA CRUZ**  
Records Officer II  
(Acting Secretary to the Sanggunian)