

[REPUBLIC ACT NO. 6039, August 04, 1969]

AN ACT AMENDING SECTION EIGHTEEN (cc) OP REPUBLIC ACT NUMBERED FOUR HUNDRED NINE, AS AMENDED, ENTITLED, "AN ACT TO REVISE THE CHARTER OF THE CITY OF MANILA, AND FOR OTHER PURPOSES."

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Subsection (cc) of Section eighteen of Republic Act Numbered Four hundred nine, as amended, entitled "An Act to Revise the Charter of the City of Manila, and for other purposes" is hereby amended to read as follows:

"(cc) Subject to the provision of ordinances issued by the Department of Health in accordance with law, to provide for the establishment and maintenance and fix the fees for the use of, and regulate public stables, laundries, and baths, and public markets and slaughterhouses, and prohibit or permit the establishment or operation within the city limits of public markets and slaughterhouses by any person, entity, association, or corporation other than the city: *Provided, That*

"I— *Declaration of Policy*

all vendors shall daily pay their prescribed market fees and under no circumstances will they be allowed to accumulate back rentals in excess of fifteen days and any vendor who, after due notice of demand, has failed to pay such rentals, shall automatically forfeit his rights as stallholders, and his stalls may be closed by the market administrator.

"II— *Right of Market Vendors*

"1) Any person who upon approval of this act has been occupying one or more stalls in any public market, including privately owned but city-operated market with or without lease contract with the city, shall be known as market vendor for the purpose of this act: *Provided, however, That* the city shall, within a reasonable time from the date of the approval of this act, execute lease contracts with those who may be occupying any stalls whether registered or not with the city treasurer's office: *Provided, finally, That* in case the city refuses to execute the lease contract with any stallholder, the matter shall be referred to the market committee whose decision shall be final;

"2) Effective upon the approval of this act, all market fees or rentals shall be based on the old rates existing: as of July 11, 1968: *Provided, That* the municipal board, upon recommendation of the market committee herein created, shall fix the market fees or rentals for newly established or constructed markets.

"3) All vendors, back rentals incurred from October 16, 1968 up to the date of the approval of this act shall be condoned;

"4) Vendors whose stalls were extra-judicially declared vacant and closed for failure to pay rentals from October 16, 1968 to the time this act is approved shall be restored to their stalls;

"5) All vendors temporarily displaced from their market due to the construction of a new market shall be given first priority to occupy in the new market as many stalls as previously occupied by them: *Provided, however,* That such vendor shall not occupy more than three stalls.

"III— *Closure of Markets and the Construction of New Markets*

"1) In all new markets to be constructed or to replace old ones, all matters relating to the allocation of stalls and the sectioning of markets as well as the kind of commodities to be sold therein shall be left to the discretion of the market committee;

"2) City-owned and operated public markets shall not be disposed of, closed, destroyed, sold or transferred until all vendors therein shall have been relocated or transferred by the city government at its expense to another temporary or new public market: *Provided, however,* That notice of the city's such intention or plans shall be made to all concerned vendors at least one hundred twenty days before the actual transfer or relocation to another market site: *Provided, further,* That all such temporarily relocated vendors shall be given preference and priority to occupy stalls in the new site as provided for under paragraph II (5) and III (1);

"3) Any cargo vehicles bearing foodstuffs or other commodities ordered by or regularly supplied to market vendors having stalls in public markets shall be allowed to unload their goods for immediate delivery to the market vendor's stalls but shall be prohibited from parking in the area of the market for the purpose of selling or disposing their goods either to the consuming public or vendors who have stalls in the market.

"IV— Market Committee

"Within thirty days from the date of approval of this act there shall be created by the city mayor, a market committee with the market administrator as chairman, and a representative each of the city treasurer, the municipal board, the Chamber of Filipino Retailers, Inc., and the Manila Market Vendors Association Inc., as members.

"The powers and functions of the market committee shall be as follows: "1) The market committee shall formulate, recommend and adopt, subject to the ratification of the municipal board, and approval of the mayor, policies and rules or regulation repealing or amending existing provisions of the market code as amended and embodied in the compilation of City Ordinances No. 1600 provided they are not inconsistent with the provisions of this Act. After all such promulgated rules and regulations and provisions of the market code may have been modified, amended, or repealed, within one year from date of the approval of this Act, all the new, modifying and amendatory provisions, rules and regulations, shall be codified into a new market code. The internal rules and regulations of the market committee shall not require ratification by the municipal board or the mayor;

"2) The market committee members shall receive per diems of twenty-five pesos per meeting or public hearing, and the representatives to the committee from government agencies shall remain as committee members for as long as they