

City of Taguig

ORDINANCE NO. 45 SERIES OF 2007

Feb 26, 2009

AN ORDINANCE REQUIRING THE REGISTRATION OF HAWKERS AND PROVIDING FOR THE REGULATION THEREOF AND FOR OTHER PURPOSES

Introduced by:

Coun. Ronnette O. Franco

Sponsored by:

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Coun. Baltazar T. Mariategue	Coun. Aurelio Paulo R. Bartolome
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LIGA Pres. Conrado C. Aquino Sr.	Coun. Estela A. Gasgonia
SK Fed. Pres. Jeffrey B. Morales	Coun. Erwin G. Manalili

WHEREAS, it is the declared policy of the Taguig City Government to fight poverty and to uplift the quality of life of its residents;

WHEREAS, the hawkers are recognized as an important sector of the City's economy, creating their own employment, providing access to economical goods to many consumers, helping in the expansion of local investments, and having the potential to significantly contribute to local government funds;

WHEREAS, there is the need to regulate hawkers vending to avoid any adverse effects on the general public and the environment;

WHEREAS, Executive Order No. 452, entitled "*SECURITY OF REGISTERED VENDORS IN THE WORKPLACE*", was issued on October 24, 1997, and there is the need to provide supporting local laws for its implementation by Local Government Units (LGUs);

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TAGUIG IN SESSION ASSEMBLED, that:

SECTION 1. TITLE – This Ordinance shall be known as "AN ORDINANCE REQUIRING THE REGISTRATION OF HAWKERS THROUGH KIOSK OWNERSHIP AND PROVIDING FOR THE REGULATION THEREOF".

SECTION 2. DEFINITION OF TERMS – For the purpose of this Ordinance, the following terms are used as defined herein: Vendor- is a natural person who sells goods as a means of livelihood.

Hawkers- refers to vendor who sell his goods on streets, sidewalks and other public areas other than markets. This includes peddlers or ambulant vendors who do not stay in one place, but constantly move around with their commodities in search of buyers.

Registered Hawkers- refers to street vendors who has registered in accordance with the provisions of Section 3 of this Ordinance.

Vending Workplace- refers to the vending area, space allowed, route and designated by the City Government to do vending activity for registered hawkers.

SECTION 3. REGISTRATION – All hawkers in Taguig City shall register with the Market Management Office, within thirty (30) days upon approval of this Ordinance. Those who will register within this period shall be included in the initial list of registered hawkers in the City and will be given priority in the recognition of workplaces and issuance of vending permit:

SECTION 4. REQUIREMENTS FOR REGISTRATION:

The following documents are required to be submitted to allow registration of hawkers:

- a. Barangay Certificate particularly specifying the hawkers residence;
- b. Market Advisory Council certificate particularly specifying the hawkers current workplace;
- c. Duly Accomplished Registration Form with applicant 2 x 2 colored picture;
- d. Payment of the registration fees with corresponding Official Receipt (OR);
- e. Certificate of Registration;
- f. Taguig City Card ID

4.1 Registration of hawkers is merely an initial step to be able to apply for vending permit.

4.2 A registered hawkers will still have to acquire a Vending Permit as provided for in Section 9 hereof.

SECTION 5. DESIGNATED VENDING SITES:

The designation of viable workplaces for hawkers and the assignment of vending places shall be undertaken by the Council to be created by the City Government in accordance with the succeeding paragraph of this Section and shall be submitted to

the City Council for approval. The guidelines and process of designating workplaces and assignment of vending spaces shall be in accordance with the following.

- a). No designation of workplaces or assignment of vending spaces will be implemented unless consultations with affected vendors and community are undertaken.
- b). To avoid undue competition to legitimate market stall holder, kiosk will not be placed in any ins and outs of market periphery and in close proximity to any city markets within a radius of 100 meters.

SECTION 6. CREATION OF MARKET ADVISORY COUNCIL.

Within thirty (30) days after the effectivity of this Ordinance, the City Mayor shall form and convene a council for this purpose.

SECTION 7. COMPOSITION OF THE MARKET ADVISORY COUNCIL.

The basic composition of the Market Advisory Council shall be;

- a. City Mayor – Chairman
- b. Vice Mayor- Vice Chairman
- c. The Chairman of the Committee on Markets & Slaughterhouse
- d. Chairman of the Committee on Laws, Rules & Internal Government
- e. Chairman of the Committee on Traffic Management,
- f. President of the City’s Liga ng mga Barangay,
- g. City Market Administrator,
- h. City Planning Officer,
- i. Representative of the City Health Department,
- j. And others as may be necessary, to be determined by the City Mayor as members.

SECTION 8. OBLIGATION, DUTIES AND FUNCTIONS OF THE MARKET ADVISORY COUNCIL.

- a. Undertake a survey to determine the streets, sidewalks, parks, and other vacant areas in public spaces in the city that can be utilized for vending. The survey must be finished within thirty (30) days from the effectivity of this Ordinance.
- b. Determine the rate of the Daily Vending Tax to be assessed based on the vending location.

- c. Recommend to the City Council the workplaces within the city where vending by registered hawkers can be allowed.
- d. Recommend specific policies and guidelines on vending (such as the days and hours of vending, the kinds of merchandise, and the type of vending stall structure) in the different workplaces designated and approved by the City Council.
- e. Issue Vending Location Certificate to hawkers applicants.
- f. Monitor compliance with this ordinance especially on the registration the designation of workplaces and the issuance of vending permits
- g. Document specific cases of eviction or demolition of registered hawkers from approved workplaces.
- h. Promote the security of registered hawkers in their workplaces.
- i. Periodically review this Ordinance and recommend measures, mechanism, and sanctions to ensure full compliance with this ordinance.
- j. Request the assistance, if necessary, of any government agency, private organization and people's organization for a more effective implementation of this Ordinance.
- k. Conduct a seminar to hawkers on how to operate a vending kiosk.
- l. The Council shall hold a regular meeting every quarter and other special meetings called by the Chairman of the Council.

SECTION 9. ISSUANCE OF VENDING PERMIT – The Vending Permit and Identification Card shall be issued by the City. Subject to the following conditions:

- a. Completion of an application form with 2 x 2 ID Picture
- b. Acquisition of Vending Location Certificate from the Council for the Security of Registered Hawkers stating that there is a vacant vending space in the workplace identified in the vendor-application form.
- c. In case of application to sell cooked food. Acquisition of a Health or Sanitation Certificate from the City Health Department.
- d. Certificate of attendance on How to Operate a vending Kiosk.
- e. The Vending Permit must be renewed quarterly.

SECTION 10. EVICTION AND DEMOLITION – Hawkers who failed to register or acquire vending permit shall, after NOTICE, be evicted from their workplaces. Furthermore the street vendors registered under this ordinance shall have security in their workplaces and shall not be arbitrarily deprived of their vending sites.

To ensure compliance with the foregoing provision, the following shall be observed while waiting for the designation and approval of vending areas, existing hawkers in public areas not previously designated as vending sites shall be provided by the City Government with temporary workplaces. A Notice of Temporary Transfer shall be given to the affected vendors at least fifteen (15) days before the actual transfer. This provision shall also be applicable to the hawkers previously given permits but whose workplaces are removed from the list of workplaces approved under this Ordinance.

However, no hawkers shall be allowed to acquire One (1) statement any of the approved or designated vending sites.

SECTION 11. DUTIES AND RESPONSIBILITIES – Hawkers are allowed under this Ordinance to discharge the following duties:

- a. Always display to the public their Vending Location Certificate, Vending Permit and Identification Card;
- b. Ensure and maintain the cleanliness or sanitation of their workplaces, especially regarding waste disposal;
- c. Ensure that they do not obstruct the flow of traffic;
- d. Use calibrated weighing scales and put price tags on their merchandise;
- e. Sell quality and legal foods and goods;
- f. Follow the policies to be set on the design of vending structures, vending days and hours, and type of goods allowed at a certain vending site; and
- g. Ensure that they do not vend while intoxicated or under the influence of illegal and regulated substances.
- h. Always wear their official uniform and health card.
- i. The said "kiosk-ownership" is non-transferable.
- j. No kiosk holder authorize to undertake any kind of construction, alteration to its original structure and or design such as painting or putting of extensions to its structure without first securing a permit and approval of the City Management Office. Any stalled structure may immediately be removed or confiscated by the City Market Management Office.
- k. No kiosk holder shall have the right to sub-lease or sell his kiosk to other person. Any kiosk holder found his booth leased, sold is subject for revocation of his/her privilege to occupy and cancellation of its permits and certificate.
- l. No kiosk holder shall convert his assigned kiosk into a temporary or permanent dwelling place where they will sleep and make use of the kiosk as extension of their home.

TRANSIENT/AMBULANT VENDORS

- a. Always display to the public their Vending Permit and Identification Card.
- b. Ensure and maintain the cleanliness or sanitation of their workplaces, especially regarding proper waste disposal;
- c. Ensure that they do not obstruct the flow of traffic;
- d. Sell quality and legal foods and goods.
- e. Always wear their official uniform and health card.
- f. Ensure that they do not vend while intoxicated or under the influence of illegal and regulated substances.

Aside from the above mentioned duties, hawkers are encouraged to attend seminars sponsored by the Local Government on sanitation, waste disposal and issues affecting their livelihood. Every hawker must also assist and active participate in maintaining the discipline among the hawkers in a particular vending area.

SECTION 12. IMPOSITION OF FEES- Each vendors will have to pay the following fees;

- a. Registration Form- one time fee, Php 10.00
- b. Hawker's Vending Permit Fee- renewable every three months for a fee of Php. 200.00
- c. Rental Fee-minimum of Php. 35.00 per day
- d. Payment of Kiosk-Php. 12,000.00 per Kiosk, payable on a daily basis of Php. 25.00 per day (minimum).

SECTION 13. VIOLATIONS AND PENALTIES – The following acts are considered violations and will be penalized under this Ordinance:

- a. **Vending without a vending permit:** A hawkers even registered, who is vending without a Vending Permit shall be penalized according to the following procedure:
 - i. The violator shall be given a Notice of Eviction and encouraged to acquire a Vending Permit in his or her present workplace or in other approved workplaces with free vending spaces based on the records of the Council for the Security of Registered Street Vendors;
 - ii. If the violator cannot acquire a Vending Permit within thirty (30) days after receiving the Notice of Eviction, he or she shall be evicted from his or her workplace.
- b. **Fines and Penalty:** A violation of any of the duties enumerated in Section 13 of this Ordinance shall be penalized as follows:

- i. On the first violation a penalty payment of Two Hundred Pesos (P200.00);
- ii. On the second violation, a penalty payment of Five Hundred Pesos (P500.00);
- iii. On the third violation, a penalty payment of One Thousand Pesos (P1,000.00)
- iv. On the fourth violation, cancellation of Vending Permit and eviction from workplaces.

SECTION 14. SEPARABILITY CLAUSE – If any provision of this ordinance if found invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the remaining or other provisions of this ordinance.

SECTION 15. REPEALING CLAUSE – All Ordinances, executive orders, proclamations and administrative regulations, or part or part thereof, which are inconsistent with any of the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 16. EFFECTIVITY CLAUSE – This Ordinance shall take effect upon its passage and publication as provided by law.

ADOPTED this 17th day of September, 2007 at Taguig City.