



**Office of the Sangguniang Bayan**

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BALER, AURORA WHICH WAS HELD ON NOVEMBER 23, 2011 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.**

**Present:**

Hon. Nelianto C. Bihasa	Vice Mayor- Presiding Officer
Hon. Danilo M. Ong	SB Member
Hon. Noel P Go	SB Member
Hon. Arthur L. Sanchez	SB Member
Hon. Reynaldo E. Mapindan	SB Member
Hon. Gina T. Ritual	SB Member
Hon. Nenita DS. Gonzales	SB Member
Hon. Sonia G. Amatorio	SB Member
Hon. Gina Z. Agapito	SB Member- ABC President
Hon. Aya Rose L. Avellaneda	SB Member- SK Fed. Chairman

**Absent:**

Hon. Karen G. Angara-Ularan	SB Member- PCL President (OB)
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**ORDINANCE No.006-2011**

**AN ORDINANCE IMPOSING RENTAL FEE AND OTHER FEES AND CHARGES FOR THE USE OF SPACE/STALL AND OTHER FACILITIES OF THE NEW PASALUBONG CENTER LOCATED AT PUBLIC MARKET COMPOUND, BALER, AURORA.**

Be it ordained by the Sangguniang Bayan of Baler, Aurora that:

**Section I. Short Title**-This ordinance shall be known as the Imposition of Fees and Other Charges on the Use of the New Pasalubong Center

**Section II. Scope**- This Ordinance shall cover the collection of fees and charges and administration of the New Pasalubong Center

**Section III. Definition of Term**-When used in the Ordinance, the term:

- 1) **Lessee**-is a natural person having in his/her possession a duly executed contract of lease for a specified rental granted in his/her favor by the Municipality of Baler
- 2) **Lessor**-means Local Government Unit of Baler represented by the Municipal Mayor who transfers, conveys, and assigns the possession and occupancy of-stall in the New Pasalubong Center to any person for a specified rental, by an agreement or contract of lease duly executed in writing.
- 3) **Occupancy Fee**-Fee imposed on stall owners or occupant representing his right to lease the Pasalubong Center at a specified period of time intended for the maintenance and repair, infrastructure development and for the improvement of new Pasalubong Center such as buildings, light and water supply equipment and the facilities, solid waste disposal for the benefit of the occupants and consumers.
- 4) **Pasalubong Center**-refers to the building or structure located at the Baler Public Market Compound intended as a showroom for locally made products and merchandise.
- 5) **Stall Rental Fee**-the amount charged to the stall lessees who occupy space inside the new Pasalubong Center and collected on a per stall basis monthly.
- 6) **Fee**-means fees and charges fixed by law or Ordinance for the regulation or inspection of a business activity. It shall also include charges fixed by law or agency for the services of a public officer in the discharges of his official duties.



**Section IV. Imposition of Fees**- There shall be collected from stall lessees the following fees and charges per stall basis:

- a. **Stall Rental Fee** P1,200.00 Per stall
- b. **Occupancy Fee** P10,000.00 Per stall
- c. **Other Taxes, Fees and Charges:** Business Tax, Mayor's Permit fee and others in accordance with the Revised Revenue Code.

**Section V. Administrative Provision**- The Municipal Tourism Office shall manage the operation and control of the New Pasalubong Center He oversees the proper implementation of ordinance and all the guidelines, rules and regulation relative to its operation. The Market authority as the policy making body shall recommend the necessary rules and regulations and guidelines for proper, effective and efficient implementation of this ordinance.

**Section VI. Time and Manner of Payment:**

- a) **For Stalls**-The fee for the rental of the Pasalubong Center, stalls shall be paid to the Municipal Treasurer or the duly authorized representative within the first 20 days of each month. In case of a new lessee, the rental due for the month in which the lease start, shall be paid before the occupancy of the stall. If the lessee of the stall fails to pay the monthly rental fee within the prescribed period, shall pay a surcharge of twenty five percent (25%) of the total amount of rental due. Failure to pay the rental fee for three (3) consecutive months shall cause automatic cancelation of the contract of lease without prejudice to suing the lessee for the unpaid rents at expense of the lessee. The stall shall be declared vacant and open for lease.
- b) **For Occupancy Fee**- The fee shall be paid in accordance with the approved guidelines on application for lease of stall in the Pasalubong Center

**Section VII. Penalties**-any violation of the provisions of this ordinance shall be penalized by revocation of his business permit, cancellation of contract, forfeiting his previous payment and shall likewise be punished by a fine of not less than One Thousand Pesos (P 1,000.00) but not more than Five Thousand Pesos (P 5,000.00) or imprisonment of not less than one (1) month but not more than six (6) months or both such fine and imprisonment, at the discretion of the court.

**Section VIII. Effectivity**- This ordinance shall take effect upon approval.

**ENACTED:** 23 November, 2011

**AUTHORS:** **HON. REYNALDO E. MAPINDAN**

Chairman-SB Committee on  
Market and Slaughterhouse

**HON. NENITA DS. GONZALES**

Chairman- SB Committee on Ways and  
Means

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

**GLORIOSO A. VILAFRANCA**  
Secretary to the Sangguniang Bayan

Attested: - -

**NELIANTO C. BIHASA**  
Vice Mayor-Presiding Officer

Approved:

**ARTURO J. ANGARA, DMD.**  
Municipal Mayor