

Republic of the Philippines  
Province of Cagayan  
**TUGUEGARAO CITY**

**NINTH CITY COUNCIL**

**COMMITTEE REPORT**

January 17, 2024

**Submitted by:**

**COMMITTEE ON AGRICULTURE AND FOOD, MARKET AND LIVESTOCK  
AUCTION CENTER - LEAD  
COMMITTEE ON RULES, LAWS AND ETHICS**

**PRESENT:**

HON. JUDE T. BAYONA	- Vice Chairman (Market) (Rules)
HON. BIENVENIDO C. DE GUZMAN II	- Chairman (Market)/ Principal Sponsor
HON. IMOGEN CLAIRE M. CALLANGAN	- Member (via zoom)
HON. GRACE B. ARAGO	- Member (Market) (Rules) (via zoom)
HON. RONALDO S. ORTIZ	- Member
HON. MARC ALDOUS C. BACCAY	- Chairman (Rules)
HON. ARNEL T. ARUGAY	- Member
HON. MARIA ROSARIO B. SORIANO	- Member (via zoom)

**GUESTS:**

HON. MARK ANGELO B. DAYAG	- City Councilor
HON. TIRSO V. MANGADA	- City Councilor
HON. RESTITUTO C. RAMIREZ	- Ex-officio Member
HON. CERENE PEARL C. QUILANG	- Ex-officio Member

**RESOURCE PERSONS:**

MS. JANE G. VARGAS	- Market Supervisor
DR. PASTOR TUMALIUAN	- OIC Market Administrator
MR. BUENAVENTURA F. LAGUNDI	- City Treasurer
MR. EDISON NGO	- Punong Barangay, Centro 7
REGULAR STALL OWNERS	(See attached attendance)
NIGHT MARKET AMBULANT VENDORS	(See attached attendance)

**FOR THE PRESIDING OFFICER:**

The joint committees met and deliberated on the referral:

**COMMITTEE REPORT NO. 032-2024**

**SUBJECT:**

Draft Ordinance authorizing the conduct of Night Market along Gomez Street from corner Bonifacio Street to corner Magallanes Street from 5:45 PM to 2:00 AM Every Friday, Saturday

and Sunday starting December 10, 2023 to December 31, 2023 sponsored by Hon. Bienvenido C. De Guzman II, et, al.

#### **FINDINGS:**

1. The Ninth City Council passed City Ordinance No. 64-09-2022 "*City Ordinance authorizing the conduct of Night Market along Gomez Street from corner Bonifacio Street to corner Taft Street to operate from 5:45 PM to 2:00 AM starting December 8, 2022 to June 30, 2023.*"
2. Section 21 (d) of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that any city, municipality, or barangay may, by a duly enacted ordinance, temporarily close and regulate the use of local street, road, thoroughfare or any other place where shopping malls, Sunday, flea or night markets or shopping areas may be established and where goods, merchandise, foodstuffs, commodities or articles of commerce may be sold and dispense in the general public.
3. The establishment of night market is a possible alternative in bestowing micro and small entrepreneur's substantial exposure to the market, and the entrepreneurs are given more opportunities to sell their products and goods as the night market will be an extension of business operations of vendors.
4. The establishment of night market in the city is a tool for economic advancement for businesspersons and ambulant vendors to be given additional avenue to sell their goods for them to earn more amidst economic crisis.
5. The conduct of the night market will enable local residents and visitors to buy their necessities after working hours up to late evenings for their convenience as it is being done in other urban cities.
6. The herein-stated proposed ordinance was harmonized with the resolution sponsored by Hon. Mark Angelo B. Dayag, et, al, titled, "*A Resolution Requesting the City Mayor to Allow the Use of the Sidewalk of the Tuguegarao City Commercial Center for the Conduct of Night Market from February 1 to March 30, 2024*" since the said legislative measures dealt with the same subject matter.
7. Regular stallholders of the Tuguegarao City Commercial Center shall be prioritized in the conduct of the Night Market.

#### **RECOMMENDATIONS:**

After a thorough discussion, the joint committees favorably recommend the enactment of an Ordinance titled *An Ordinance Establishing and Regulating the Tuguegarao City Night Market, Prescribing Fees for Its Use and Imposing Penalties for Violation Thereof*, with the following conditions:

- a. For the Market Administrator to come up with an inventory of all street vendors operating at night time before the implementation of this ordinance.
- b. The Business Permits and Licensing Office (BPLO) shall be in-charge of the registration of vendors and shall control and supervise the activities in the area.
- c. Only bonafide residents of Tuguegarao City operating their businesses at night time shall be allowed to sell in the area.
- d. The stalls to be put up in the area shall measure 2 meters x 3 meters.
- e. Awarding of stalls shall be done by lottery.
- f. No vendor shall be allowed to transfer or lease any stall assigned to him/her for the purpose of gain.

- g. There should be no installation of permanent structures in order that, before and after the operation, the place can be made very clean and free from garbage and other obstructions to traffic and pedestrians.
- h. The Public Order and Security Unit (POSU), Philippine National Police (PNP) Tuguegarao City Station, Bureau of Fire Protection (BFP) Tuguegarao City Station and the barangay tanods concerned are hereby tasked to maintain peace and order during the entire duration of the Night Market.
- i. One-meter distance between stalls shall be strictly implemented.
- j. Street vendors from Barangays Centro 1-12 shall be centralized along Gomez Street from corner Bonifacio Street to corner Magallanes Street

**Respectfully submitted:**

  
**HON. BIENVENIDO C. DE GUZMAN II**

Chairman, Committee on Agriculture and Food, Market and Livestock  
Auction Center/Principal Sponsor

  
**HON. JUDE T. BAYONA**

Vice Chairman, Committee on Agriculture and Food, Market and Livestock  
Auction Center  
Vice Chairman, Committee on Rules, Laws and Ethics

  
**HON. IMOGEN CLAIRE M. CALLANGAN**

Member, Committee on Agriculture and Food, Market and Livestock  
Auction Center

  
**HON. GRACE B. ARAGO**

Member, Committee on Agriculture and Food, Market and Livestock  
Auction Center  
Member, Committee on Rules, Laws and Ethics

  
**HON. RONALDO S. ORTIZ**

Member, Committee on Agriculture and Food, Market and Livestock  
Auction Center

  
**HON. MARC ALDOUS C. BACCAY**

Chairman, Committee on Rules, Laws and Ethics



**HON. ARNEL T. ARUGAY**

Member, Committee on Rules, Laws and Ethics

**HON. MARIA ROSARIO B. SORIANO**

Member, Committee on Rules, Laws and Ethics

**AN ORDINANCE ESTABLISHING AND REGULATING THE TUGUEGARAO CITY  
NIGHT MARKET, PRESCRIBING FEES FOR ITS USE AND IMPOSING PENALTIES  
FOR VIOLATIONS THEREOF**

**Sponsors: HON. BIENVENIDO C. DE GUZMAN II  
HON. MARK ANGELO B. DAYAG  
HON. JUDE T. BAYONA  
HON. RONALDO S. ORTIZ**

**WHEREAS**, Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that “Every LGU shall exercise the powers expressly granted, those necessarily appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare”;

**WHEREAS**, Sec. 21 (d) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that “any city, municipality, or Barangay may, by a duly enacted close and regulate the use of any local ordinance, temporarily street, road, thoroughfare, or any other public place where shopping malls, Sunday, flea or night markets, or shopping areas may be established and where goods, merchandise, foodstuffs, commodities, or articles of commerce may be sold and dispensed to the general public”;

**WHEREAS**, the establishment of night market is a possible alternative in bestowing micro and small entrepreneur’s substantial exposure to the market, and the entrepreneurs are given more opportunities to sell their products and goods as the night market will be an extension of business operations of vendors;

**WHEREAS**, the establishment of night market in the city is a tool for economic advancement for businesspersons and ambulant vendors to be given additional avenue to sell their goods for them to earn more amidst economic crisis;

**WHEREAS**, the night market will enable local residents and visitors to buy their necessities after working hours up to the late evenings for their convenience as it is being done in urban cities;

**NOW, THEREFORE**, be it **ORDAINED** by the Sangguniang Panlungsod of Tuguegarao City in session duly assembled that:

**CHAPTER I - GENERAL PROVISIONS**

**SECTION 1. TITLE.** This Ordinance shall be called as the “**THE TUGUEGARAO CITY NIGHT MARKET ORDINANCE.**”

**SECTION 2. STATEMENT OF PURPOSE.** The purpose of this ordinance is to establish and regulate the Tuguegarao City Night Market, specifically for the following purposes:

- a. To promote the general welfare of its constituents by offering alternatives for their economic gains;
- b. To attain inclusive socioeconomic development through patronizing and promoting the interests of micro, small and medium entrepreneurs;
- c. To increase the influx of people visiting the city since night market is considered a tourist attraction;
- d. To provide employment opportunities to its constituent.

**SECTION 3. SCOPE AND APPLICATION.** This ordinance shall apply to the use, management, administration and payment of fees and charges during the operation of the night market by the ambulant, market vendors and stall holders/stall owners within the territorial jurisdiction of Tuguegarao City.

**SECTION 4. DEFINITION OF TERMS.** As used in this ordinance, the following terms shall be construed, understood and shall mean as follows:

- a. **AMBULANT VENDORS** refers to vendors who do not occupy a definite or permanent place or stall in the market who come to sell goods either daily or occasionally by sitting or moving place within the market premises.
- b. **CENRO** refers to City Environment and Natural Resources Office
- c. **COLLECTOR** refers to a city government employee from the City Treasurer Office authorized to collect tax, fees and charges and to issue corresponding receipts to authorized occupants.
- d. **CUSTOMER** refers to any person buying the goods or the products sold at the night market.
- e. **MARKET** refers to a place, building or structure for the general public where basic commodities are displayed, offered for sale and for profit.
- f. **NIGHT MARKET** refers to a government regulated street market conducted at specific time and duration outside the city public market/designated place or streets within the city and temporary closed to vehicular traffic to accommodate people indulged in the business of selling goods or offering services;
- g. **NIGHT MARKET OCCUPANTS** refers to interested person or persons allowed to display and sell goods or offer services after an application has been approved and a definite space has been assigned on a temporary basis and has paid the nightly fee.
- h. **NIGHT MARKET PREMISES** refers to any open space in the night market where sellers are permitted to display their goods and commodities for sale.
- i. **NIGHT MARKET STALLHOLDER** refers to any person who has been granted the right to occupy and use a stall/s where he/she can display or sell goods, commodities or foodstuffs in compliance with the requirements as provided by this ordinance.
- j. **NIGHT MARKET VENDOR** refers to a person or persons who are allowed to sell goods or offer services within the market premises upon compliance with all the requirements provided by the city.
- k. **TCCC** refers to Tuguegarao City Commercial Center

## **CHAPTER II - THE ADMINISTRATIVE PROVISIONS**

**SECTION 5. GUIDELINES AND PROCEDURES.** The establishment and regulation of the Night Market shall be subjected to the following:

- a. The Market Administrator shall be in charge of the registration of vendors and shall control and supervise the activities in the area.
- b. Only bonafide residents of Tuguegarao City operating their businesses at night time shall be allowed to sell in the area.
- c. The stalls to be put up in the area shall measure 2 meters x 3 meters.
- d. Awarding of stalls shall be done by lottery.
- e. Each TCCC stall holder will only be given or assigned one (1) space at the night market.
- f. All vendors must wear the identification card issued by the City Government.
- g. No vendor shall be allowed to transfer or lease any stall assigned to him/her for the purpose of gain.
- h. There should be no installation of permanent structures in order that, before and after the operation, the place can be made very clean and free from garbage and other obstructions to traffic and pedestrians.

- i. One-meter distance between stalls shall be strictly implemented.
- j. Street vendors from Barangays Centro 1-12 shall be centralized along Gomez Street from corner Bonifacio Street to corner Magallanes Street.

**SECTION 6. LOCATION AND TIME OF THE NIGHT MARKET.** The Tuguegarao City Night Market shall be allowed to operate along Gomez Street corner Bonifacio Street to corner Magallanes Street from 6:00 P.M. to 2:00 A.M.

**SECTION 7. DESIGNATED DAYS.** The City Night Market shall be conducted every Fridays Saturdays and Sundays but it shall cease to operate every time the City Government will conduct an activity in the streets where the same was established to be endorsed by the local chief executive.

**SECTION 8. INSTALLATION OF STRUCTURES, DISPLAY OF GOODS AND ITS REMOVAL.** Occupants shall occupy and install their structures and paraphernalia in the designated area.

- a. The City Government shall provide a uniform design for the installation of the structures and shall regulate the same for safety purposes.
- b. Only light structures and materials shall be installed since the duration of the activity is limited and temporary.
- c. The structures, equipment and goods for sale shall be removed on or before closing time.
- d. Night Market Vendors/stall owners shall display their goods and commence the selling activity on the time frame approved by this ordinance.

**SECTION 9. REQUIREMENTS AND ELIGIBILITY.** The following shall be the requirements to be submitted with compliance to the eligibilities hereof:

Applicants shall submit their application forms to the Market Administrator's Office with the following documents:

1. Community Tax Certificate
2. Health Clearance from the City Health Office food vendors
3. Certificate of Barangay Residency
4. Business Clearance from Centro 07

Applicants must be:

- a. Bonafide residents of the Tuguegarao City;
- b. Of legal age;
- c. Registered voters in the city

**SECTION 10. RENTAL FEES.** The following shall be the space rental fee per night per vending space to be paid before the start of the activity:

- a. P50.00 for TCCC stall holders
- b. P120.00 for TCCC non-stall holders

### **CHAPTER III - CLEANLINESS AND SANITATION**

**SECTION 11. OBLIGATION OF THE OCCUPANTS.** It is the duty and obligation of the occupants to maintain the cleanliness and sanitation of their own space place.

**SECTION 12. PROPER DISPOSAL OF SOLID WASTE.** For convenient of collection by garbage trucks, occupants are hereby obliged to observe proper segregation of solid

waste and to place their garbage in separate disposable containers, properly labelled either as biodegradable or non-biodegradable and orderly kept at the side of the gutter of the road with top openings tied or sealed to avoid scattering or spillage.

**SECTION 13. DRYNESS OF THE AREA.** To avoid foul odor and unclean surroundings, occupants must maintain dryness of their respective areas.

**SECTION 14. PROPER DISPOSAL OF LIQUID WASTE.** Liquid waste must be placed in a separate container which shall be properly labelled as "liquid waste" and orderly kept at the side of the gutter of the road with its top opening tied or sealed to avoid spillage.

The City Government through the CENRO will assign street cleaners and such other personnel to maintain the cleanliness and sanitation of the place.

#### **CHAPTER IV - PEACE AND ORDER.**

**SECTION 15.** The Public Order and Security Unit (POSU), Philippine National Police (PNP) Tuguegarao Station, Bureau of Fire Protection (BFP) Tuguegarao Station and the Barangay Tanods concerned are hereby tasked to maintain peace and order during the entire duration of the Nigh Market.

#### **CHAPTER V – CLOSURE OF ROADS**

**SECTION 16.** Pursuant to the Local Government Code of 1991, Chapter I Section 21 (d), *any city, municipality, or barangay may, by a duly enacted ordinance, temporarily close and regulate the use of any local street, road, thoroughfare or any other public place where shopping malls, Sunday, flea or night markets or shopping areas may be established and where goods, merchandise, foodstuffs, commodities or articles of commerce may be sold and dispense in the general public,* along Gomez Street corner Bonifacio Street to corner Magallanes Street shall be temporarily closed from 6:00 P.M. to 2:00 A.M. for the conduct of the night market by virtue of an ordinance to be enacted upon the approval of this ordinance.

#### **CHAPTER VI- FINAL PROVISIONS**

**SECTION 17. PENALTIES.** The following prohibited acts shall be imposed with the herein penalties:

- a. Subleasing the area awarded
- b. Non-payment of fees and other charges
- c. Displaying of goods before 6:00 PM
- d. Violation of the provisions of the environment, sanitary laws and this ordinance
  - First Offense - Warning
  - Second Offense - Fine of P500.00
  - Third Offense - Fine of P1,000.00
  - Fourth Offense - Revocation of the occupant's Night Market Permit
- e. Non-wearing of identification card - fine of P50.00 per day

**SECTION 18.** The Office of the City Mayor shall designate/assign the Market Administrator or the Market Supervisor to implement the distribution or awarding of the space to the qualified occupant, ensure that fees are collected, sanitation, security, peace and order are maintained, and the opening and closing time of the night market are properly observed.



**SECTION 19. IMPLEMENTING RULES AND REGULATIONS.** The Office of the City Mayor shall formulate the implementing rules and regulations of this Ordinance.

**SECTION 20. REPEALING CLAUSE.** All other ordinances or parts thereof which are inconsistent with the provision of this Ordinance are hereby repealed, amended and/or modified accordingly.

**SECTION 21. SEPARABILITY CLAUSE.** Should any provision of this Ordinance be subsequently declared unconstitutional or invalid, other provisions not affected by such declaration shall remain in full force and effect.

**SECTION 22. EFFECTIVITY.** This Ordinance shall take effect upon its approval.

RECORD OF ATTENDANCE  
 COMMITTEE MEETING

DATE: January 17, 2024 Wednesday

TIME: 2:00 in the afternoon

PLACE: 3<sup>rd</sup> floor SP Session Hall

AGENDA:

- o Draft Ordinance Authorizing the Conduct of Night Market among Gomez Street from Corner Bonifacio Street to Corner Magallanes Street to Operate from 5:45 PM to 2:00 AM Every Friday, Saturday and Sunday Starting December 10 to December 31, 2023.

A. COMMITTEE ON AGRICULTURE and FOOD, MARKET and LIVESTOCK AUCTION CENTER:

Chair: HON. BIENVENIDO C. DE GUZMAN II	Zoom
Vice-Chair: HON. JUDE T. BAYONA	9
Members: HON. IMOGEN CLAIRE M. CALLANGAN	Zoom
HON. GRACE B. ARAGO	Zoom
HON. RONALDO S. ORTIZ	h

B. CITY OFFICIALS AND EMPLOYEES:

NAMES	POSITIONS/OFFICE	SIGNATURES
Jane G. Vargas	Market Supervisor II	[Signature]
Person [unclear]	City Vet	[Signature]
Hon. Mark Angelo B. Dayag	Councilor	[Signature]
Hon. Gerene Pearl T. Quiang	SK Fed President	[Signature]
Hon. Restituto C. Ramirez	Councilor	[Signature]
Hon. Tired V. Mangada	Councilor	[Signature]

. COMMITTEE ON RULES, LAWS AND ETHICS:

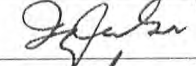
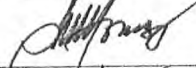
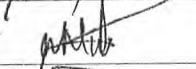

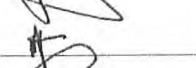

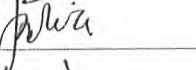
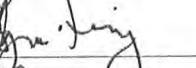
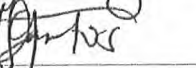
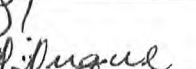
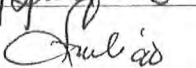
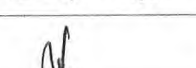
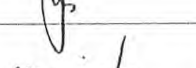
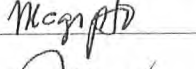
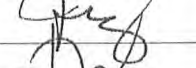
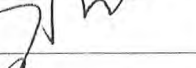

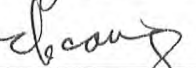
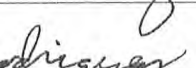
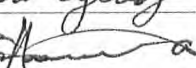
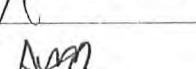
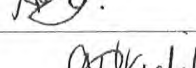
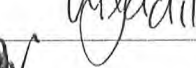
Chair: HON. MARC ALDOUS C. BACCAY	[Signature]	-
Vice Chair: HON. JUDE T. BAYONA	[Signature]	-
Members: HON. ARNEL T. ARUGAY	[Signature]	-
HON. MARIA ROSARIO B. SORIANO	Zoom	-
HON. GRACE B. ARAGO	Zoom	-

1. CLOREY G. CAMACHO	
2. LIZEL S. DAQUIOAG	
3. JACQUELINE M. MACABABBAD	
4. MARK KEVIN A. HIPOLITO	
5. HERBERT S. CALUBAQUIB	

6. PAUL JOHN BUTACAN

Andrea Taguian	Tanza	
Esperanza C. Curtapay	Catag. N. Tug. City	
Jessilyn S. Dayag	Ugac Norte Tug City	
Mertlyn G. Balisi	Ugac Sur Tug. City	
IRISH PIZAPPA	UGAC SUR TUG. CITY	
<del>LETICIA V. ACARIN</del>	<del>UGAC SUR, TUG. CITY</del>	
Elcie Barriata	Centro W. Tug. City	
Cristina Ligutan	Caritan Norte	
Corazon Jurand	Tanza	
Gemalyn Tejamo	Caritan Norte	
CHANEL GALINDO	Tug Catag. Nueva	
Martina A. Rabuya	Peque Ruy	
Carmel B. Iovin	Libag Sur	
Vanessa Gracia	Catag. Nuevo	
Ohivia Delayun	Libag	
Jessica Cenosa		
Mary GRACE Magaña		
Chesca Quidan	Catag. Nuevo	Chesca Quidan
Virginia T. Canaya	Gasi Sur, Tug City	Virginia
Harvi DEENA	Macdaranlog Tug City	Harvi Deena
Vanessa T. Tuazon	Ugac Sur	Vanessa Tuazon
Marites Pascual	Caritan Highway	Marites
GLENFORD VITO	CENTRO "	
Melinda Balisi	Centro 7	Melinda
Marta A. Rabuya	Centro 7	
Cherlie M Bantute	Abulayan Sur	
Edna Balmore	Ugac Norte	
Rodaniel TUMAYAN	Abulayan Sur	
Zong Pascual	Abulayan Sur	

GUESTS / RESOURCE PERSONS:

NAMES (Please Write Legibly)	ADDRESS / OFFICE / POSITION	SIGNATURE
Luzmila G. Balisi		
RANDY TOMAS		
Vilma Llanto		
Francis Zamora		
Melody Calder		
EDISON NED	CENTRO 7	
Mariaglen T. Bolido		
Arlene M. Gutierrez		
Jovelyn T. Santos		
Dominga B. Duque		
Annalya A. Talico		
DAISI DAYAG	CENTRO 7	
MARIA EGIPTO	CENTRO 7	
MARITES GUZMAN	CENTRO 7	
Divina Calimag	CENTRO	
Asmyriza Tamayo	CENTRO 7	
Beth B. CARAG		
Merilyn B. Abig	CENTRO 7	
ROBERTO C. CAÑERO	CENTRO 7	
Amielyn Padilla		
Arlene Padilla	CENTRO 7	
Buenaventura F. Lagunday	C90	
Mylene Imepain	CENTRO 10	
RITAL ESPINOSA / LEVITA	CENTRO 7	