



Republic of the Philippines
City of Angeles
Sangguniang Panlungsod
17th Council

Ordinance No. 409, Series of 2017
(PO-954-11-16)

AN ORDINANCE AUTHORIZING THE INSTALLATION AND OPERATION OF COLLAPSIBLE/MOVABLE STALLS ALONG THE ADJACENT BARANGAY ROADS OF PEOPLE'S PARK AND PROVIDING CONDITIONS FOR THE REGULATIONS THEREOF.

(Introduced by Councilor Edgardo D. Pamintuan Jr.)

WHEREAS, the City Government of Angeles has established a People's Park at the Old Philippine National Railroad (PNR) Station;

WHEREAS, the said park is an ideal place where residents and tourists may spend leisure time;

WHEREAS, there is a need to establish food and merchandise stalls around the area to encourage people to stay longer in and appreciate the park, and to make the experience more complete;

WHEREAS, there is a need to set the parameters in the grant of the privilege to operate stalls in and around the park;

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod of Angeles City in session assembled that:

Section 1. AUTHORITY. The City Government is hereby authorized to grant the privilege to install and operate commercial stalls along the adjacent barangay roads of the People's Park established at the old PNR Station, Angeles City.

The four (4) barangays: Agapito del Rosario, Claro M. Recto, Lourdes Sur and Lourdes Sur East shall pass a resolution identifying the exact areas where the commercial stalls shall be installed.

Section 2. LIMITATIONS. The installation of the said stalls shall be subject to the following limitations:

- a. Stalls can only be installed in the area or road owned by the City Government and not in any area owned by the PNR. Only collapsible stalls are allowed to operate.
- b. Collapsible Stalls shall conform to the dimensions of 2.4 meters high and area of 1.5 meters x 2.5 meters wide and must be installed and disassembled completely within the period of one (1) hour.
- c. Stalls shall observe the theme of the park and conform the standards set by the People's Park Board Committee (PPBC) to be stipulated in the Implementing Rules and Regulations (IRR) and master plan of this ordinance to be approved through a

- c.1. Creation of People's Park Board Committee (PPCB)
- Chairman: City Mayor
- Vice Chairman: City Vice Mayor
- Members: Chairman, Committee on Parks, Monuments and Playgrounds
- Chairman, Committee on Tourism
- Chairman, Committee on Market
- Chairman, Committee on Commerce and Industry
- Chairman, Committee on Peace and Order
- One (1) Representative from Barangay Agapito del Rosario
- One (1) Representative from Barangay Claro M. Recto
- One (1) Representative from Barangay Lourdes Sur
- One (1) Representative from Barangay Lourdes Sur East
- c.2. The cost of collapsible stalls must be shouldered by the awarded stall operator
- d. The slot for the stalls shall be rented out an amount with a minimum guarantee lease of Php 3,500.00 per month, with an escalation rate of ten percent every three years.
- e. The stalls may be operated from 3:00 PM to 12:00 midnight.
- f. Only residents of the barangays where the PNR traverses shall be given priority in the distribution of the slots, namely:
- f.1 Agapito del Rosario
- f.2 Claro M. Recto
- f.3 Lourdes Sur
- f.4 Lourdes Sur East
- g. The slots shall be raffled to and among pre-qualified operators which shall be screened by a sub-committee to be set up by the People's Park Board Committee (PPBC) taking into consideration the formulated qualifications of the IRR of this ordinance. The board shall consider only one (1) type of food cart concept so as to give each stall operators the opportunity to recoup their investment and increase probability of success.

Section 3. SECURITY AND CLEANLINESS. The four barangays mentioned shall be responsible for the security, peace and order and cleanliness of the Collapsible stalls surrounding within their respective areas of jurisdiction.

Section 4. PROCEEDS, COLLECTION AND DISTRIBUTION. The City Government shall be responsible for the collection of rentals for the respective stalls. The income that may be generated from rentals shall be subjected to usual government accounting and auditing rules. The income will then be part of the General Fund of the four barangays comprises of 90% divided equally to each barangay and the remaining 10% remitted to the City Government.

Section 5. CONTRACT. No stalls may be installed and operated unless a contract conforming to the conditions prescribed in the IRR is executed. For such purpose, the City Mayor is hereby authorized to enter into such contract, which contract shall be a minimum term of one year. The contract shall be renewed yearly unless there is a just and legal cause to replace the stall operator or the program is discontinued by the City Government as may be decided by the Mayor's Office.

Section 6. PROHIBITION ON TRANSFER OF ASSIGNMENT. No stall operations shall have the right to transfer, sub-lease and/or mortgage or assign slot to any person. Any contract or act executed purporting to transfer of privilege shall have no legal effect and shall give the Mayor's Office the cause to revoke the privilege and transfer the same to another operator, which operator shall be selected under the same procedure prescribed by the IRR.

Section 7. SEPARABILITY. If for any reasons, any part or provision of this ordinance shall be declared unconstitutional or invalid, other parts of the provisions thereof that are not affected shall continue to be in full force and effect.

Further, in any event that the Philippine National Railways (PNR) shall use a portion of the said area for its railroad, then the tenants shall immediately leave the affected area.

Section 8. REPEALING. All ordinances, rules and regulations or parts thereof, whose provisions are in conflict with, or contrary to, the provisions of this ordinance are hereby repealed, ended and modified accordingly.

Section 9. EFFECTIVITY. This ordinance shall take effect upon its approval.


Sponsored by Councilors **Edgardo D. Pamintuan, Jr.**, Amos B. Rivera, Alexander P. Indiongco and Joseph G. Ponce

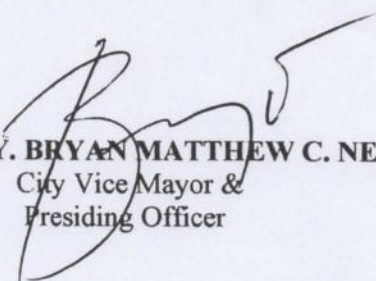
Seconded by Councilors Danilo D. Lacson, Jae Vincent T. Flores, Joseph Alfie T. Bonifacio and Jericho G. Aguas

UNANIMOUSLY APPROVED by the Members Present during approval: Councilors Jericho G. Aguas, Edgardo D. Pamintuan Jr, Alexander P. Indiongco, Joseph Alfie T. Bonifacio, Danilo D. Lacson, Joseph G. Ponce, Jesus S. Sangil, Amos B. Rivera, Jae Vincent T. Flores and Carlito M. Ganzon during Regular Session No. 08 held on March 14, 2017.

Approved by His Honor, the City Mayor on MAR 22 2017

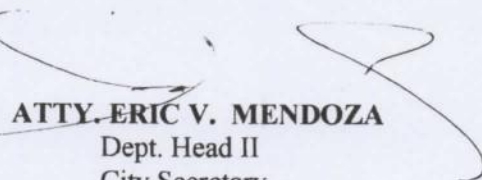
APPROVED:


EDGARDO D. PAMINTUAN
City Mayor


ATTY. BRYAN MATTHEW C. NEPOMUCENO
City Vice Mayor &
Presiding Officer

ATTESTED:


LEONARDO KIRK I. GALANZA
Executive Assistant V


ATTY. ERIC V. MENDOZA
Dept. Head II
City Secretary