



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-090

18th Regular Session

ORDINANCE NO. SP- 3175, S-2022

AN ORDINANCE REQUIRING ALL MOBILE FOOD CARTS AND AMBULANT FOOD VENDORS IN QUEZON CITY TO SECURE A HEALTH AND SANITARY CLEARANCE AND PROVIDING PENALTIES THEREFOR.

Introduced by Councilor CANDY A. MEDINA.

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Aly Medalla, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Alfredo "Freddy" Roxas and Noe Dela Fuente.

WHEREAS, the 1987 Constitution provides that the promotion of social justice shall include the commitment to create economic opportunities based on freedom of initiative and self-reliance;

WHEREAS, it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the Local Government Code of 1991 mandates the local government units (LGUs) to promote health and safety and enhance economic prosperity of their inhabitants;

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WHEREAS, in recent years, mobile food carts and ambulant food vendors or those selling street foods have assumed significant cultural, economic and social roles in Quezon City by having significant economic potential where food is readily-made available at affordable prices to consumers;

WHEREAS, these vendors also generate employment for the unskilled members of the society, thereby reducing unemployment rate in Quezon City and uplifting the economy especially those belonging to the lower income groups;

WHEREAS, as the country gradually lifts restrictions and now, conducts face to-face classes, children and students, while outside their residence or school, have the liberty to buy and consume street foods sold by mobile food carts and ambulant food vendors;

WHEREAS, it is not only the students and children who are fond of eating street foods, but also other people from all walks of life, the same being part of modern Filipino culture;

WHEREAS, to ensure that the food sold by these vendors are clean, hygienic, and safe for consumption, health and sanitary clearance are imperative;

WHEREAS, there is a need to balance the economic gain of vendors with the safety and health of QCitizens.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. DECLARATION OF POLICY. - The Quezon City Government recognizes the potential of mobile food carts and ambulant food vendors as a significant economic driver while also recognizing the health and safety of its citizens as a priority.

SECTION 2. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following terms shall be defined as follows:

- a. STREET FOODS - prepared or cooked food sold by vendors in a street or other public location for immediate consumption.
- b. VENDOR - a person or company offering something for sale, especially a trader in the street.

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- c. *MOBILE VENDOR* - any person engaged in the business of selling prepared, pre-packaged, unpackaged food or foodstuffs of any kind, goods, wares, merchandise, or any other thing of value from a mobile vending unit on private or public property.
- d. *AMBULANT VENDOR* - a vendor who does not permanently occupy a definite place or stall in the public market but who comes either daily or occasionally to sell his/her goods within the market premises.
- e. *HAWKER* - an ambulant vendor who sells his goods or merchandise that can be transported outside the premises of public market usually on sidewalks, streets, thoroughfares, government lot and other public spaces.
- f. *PEDDLER* - an ambulant vendor who travels around and approach potential costumer to sell his goods and carries items in his own head or back.
- g. *SANITARY PERMIT* - refers to a certificate in writing issued by the Quezon City Health Officer of the Quezon City Health Department which shall be a pre-requisite in the issuance of a business permit.
- h. *HEALTH CERTIFICATE* - a document signed by a doctor and issued to any persons involved in the operation and management of an establishment regardless of job description.
- i. *MOBILE FOOD CART* - are those who sell street foods (i.e. barbecue, banana cue, isaw, fishball, tempura, tokneneng, and the like) or its equivalent, which prepare or cook food sold by vendors in streets and other public places for immediate consumption or consumption at a later time without further processing or preparation.

SECTION 3. COVERAGE. - All "mobile food cart" or "ambulant food vendor" in Quezon City duly registered and has secured the necessary permits with the Quezon City government and their respective barangays shall be covered by the provisions of this Ordinance; provided, that those which operate street food business without the necessary clearance and permits shall be meted with penalties in accordance with this Ordinance.

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SECTION 4. IMPLEMENTATION. - All mobile food carts or ambulant food vendors shall secure the necessary health and sanitary clearance from Quezon City Health Department. The health and sanitary clearance shall be different from a barangay business clearance.

A requirement for the approval of a Health and Sanitary clearance of a mobile or ambulant vendor is the submission of Health Certificate issued by the Quezon City Health Department. Also, to attend a Basic Food Safety Seminar to ensure that health and safety food standards are complied with.

The Health and Sanitary clearance shall at all times be displayed in a visible spot in their mobile food cart.

SECTION 5. PENALTIES. - In relation to Section 4 hereof, the penalties for the violation of this Ordinance are provided as follows:

- (a) Those operating without barangay business clearance and health and sanitary barangay clearance shall be ordered closed or to cease from operating.*
- (b) Those that have already secured barangay business clearance but do not have a sanitary clearance from their barangays shall be ordered to comply and to pay:*

*First Offense: Notice of Warning;
Second Offense: Php100.00 fine and notice of warning for closure;
Third Offense: Php200.00 fine and closure of the business.*

SECTION 6. SEPARABILITY CLAUSE. - In case any provision of this City Ordinance is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall remain in full force and effect.

SECTION 7. REPEALING CLAUSE. - All ordinances, resolutions, local executive orders, rules and regulations or any part thereof inconsistent herewith are deemed repealed, modified and amended accordingly.

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6

18th Regular Session

Ord. No. SP- 3175, S-2022
Page -5- PO22CC-090

SECTION 8. EFFECTIVITY CLAUSE. - This City Ordinance shall take effect immediately after its publication in a newspaper of general circulation and posting in conspicuous places in Quezon City.

ENACTED: December 12, 2022.



GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III


APPROVED: FEB 13 2023



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 12, 2022 and was PASSED on Third/Final Reading under Suspended Rules on the same date.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

