

75th Regular Session

4-27-01

ORDINANCE NO. SP- 993, S-2000

AN ORDINANCE PROVIDING FOR THE REGULATION AND SECURITY IN THE WORKPLACE OF REGISTERED STREET VENDORS, IN ACCORDANCE WITH EXECUTIVE ORDER NO. 452, ENTITLED "SECURITY OF REGISTERED VENDORS IN THE WORKPLACE", SIGNED ON OCTOBER 24, 1997.

Introduced by Councilors GODOFREDO T. LIBAN II, VINCENT P. CRISOLOGO, ELIZABETH A. DELARMENTE, WINSTON "Winnie" T. CASTELO, MA. FRESCA M. BIGLANG-AWA, MARCIANO P. MEDALLA, ERIC Z. MEDINA, JORGE L. BANAL, EUFEMIO C. LAGUMBAY, MICHAEL F. PLANAS, FERNANDO V. AVANZADO, MARCEL C. RILLO, RAMON G. MATHAY, BAYANI V. HIPOL and ALMARIO E. FRANCISCO.

WHEREAS, it is the declared policy of the Quezon City government to fight poverty and to uplift the quality of life of its residents and others who ply their livelihood in the City;

WHEREAS, it is also the policy of the City government to provide security to the livelihood of street vendors in the City, in line with the provisions of the Constitution of the Philippines and the Local Government Code of 1991 that mandates local government units to promote the welfare and protect the rights of their citizens, especially the job of workers since it is their only source of livelihood and property;

WHEREAS, the City government promotes the partnership of people's organizations and non-government organizations with the local government towards peace and order and development in Quezon City, as in the development and implementation of policies and programs for the street vendors in the City;

WHEREAS, the street vendors are recognized as an important sector of the city's economy, creating their own employment, providing cheap 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 a need to regulate street 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 a need to provide supporting local laws for its implementation by local government units;

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4/28/01

NOW, THEREFORE,

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

SECTION 1. Title. - This Ordinance shall be known as "AN ORDINANCE PROVIDING FOR THE REGULATION AND SECURITY IN THE WORKPLACE OF REGISTERED STREET VENDORS."

SECTION 2. Definition of Terms. - For the purpose of this ordinance, the following terms are used as defined herein:

- a. Vendor is a natural person who sells goods as a means of livelihood.
- b. Street Vendor refers to vendor who sells 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 move around with their commodities in search of buyers.
- c. Registered Street Vendor refers to street vendor who has registered in accordance with the provisions of Section 3 of this Ordinance.

SECTION 3. Registration. - All street vendors in Quezon City shall register with the designated agency of the City government within sixty (60) days of this ordinance. Those who will register within this period shall be included in the initial list of registered street vendors in the city and will be given priority in the recognition of their workplaces and in the issuance to new or unregistered street vendors.

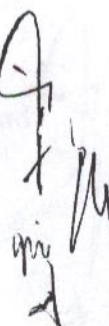
The registration of a street vendor shall not be taken to mean giving permission to vend. A registered street vendor will still have to acquire a Vending Permit as provided for by Section 4 of this Ordinance.

The process of registration shall comply with the following:

- a.) Submission of Barangay Certificate specifying the street vendor's residence;
- b.) Submission of Barangay Certificate specifying the street vendor's choice of workplace;
- c.) Completion of a registration form indicating the street vendor's residence and chosen workplace;
- d.) Payment of the registration fee; and
- e.) Issuance of Certificate of Registration.

SECTION 4. Designation of Workplaces and Assignment of Vending Spaces. - The designation of viable workplaces for street vendors and the assignment of vending spaces shall be undertaken by the Council to be created by the City government in accordance with sub-paragraph b 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:

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a.) No designation of workplaces or assignment of vending spaces will be implemented unless consultations with affected vendors and community are undertaken. The consultation must result to an agreement approved by all concerned parties.

b.) Within thirty (30) days after the effectivity of this ordinance, the City Mayor shall form and convene a Council for the Security of Street Vendors. This Council shall be composed of the chairperson of the Committee on Markets and Slaughterhouses, as the Council Chairman, the chairperson of the Committee on Laws, both of the City Council, the President of the City's Liga ng mga Barangay, the City Administrator, the City Markets Administrator, the City Planning Officer, a representative of the City Health Department, and four (4) representatives of recognized street vendors organizations.

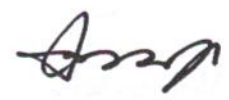
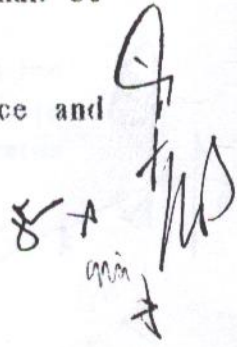
The Council will have the following functions.

- 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 sixty (60) days from the effectivity of this ordinance.
- b.) Recommend to the City Council the workplaces within the city where vending by registered street vendors can be allowed.
- c.) Recommend specific policies and guidelines on vending (such as the days and hours of vending, the kinds of merchandise, and the type of vending structure) in the different workplaces designated and approved by the City Council.
- d.) Issue Vending Location Certificate to street vendors-applicants.
- e.) Monitor compliance with this ordinance, especially on the registration of street vendors, the formation of street vendors' organizations, the designation of workplaces, and the issuance of vending permits.
- f.) Document specific cases of eviction or demolition of registered street vendors from their approved workplaces.
- g.) Promote the security of registered vendors in their workplaces.
- h.) Periodically review this Ordinance and recommend measures, mechanisms, and sanctions to ensure full compliance with this ordinance.
- i.) Request the assistance, if necessary, of any government agency, private organization, and people's organization for a more effective implementation of this ordinance.

The Council shall hold a regular meeting every quarter and other special meetings called by the Chairman of the Council.

SECTION 5. Issuance of Vending Permit. - The Vending Permit shall be issued by the City, subject to the compliance of the following:

- a.) Completion of an application form identifying the residence and workplace of the street vendor.



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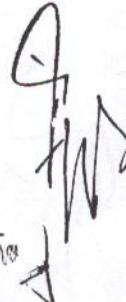
- b) Acquisition of a Vending Location Certificate from the Council for the Security of Registered Street Vendors stating that there is a vacant vending space in the workplace identified in the vendor-application form.
- c) In cases of application to sell cooked food, acquisition of a Health or Sanitation Certificate from the City Health Department.
- d) Payment of a daily Vending Tax which shall be assessed at not less than Five Pesos (P5.00) nor more than Ten Pesos (P10.00) for every square meter of vending space
- e) Issuance of the Vending Permit and Identification Card.

The Vending Permit must be renewed annually

SECTION 6. Eviction and Demolition The street vendors existing before the effectivity of this ordinance shall not be arbitrarily deprived of their livelihood by the unjust eviction from their workplace while they are in the process of registering and acquiring a vending permit as provided for by this Ordinance. 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 these objectives, the following shall be observed

- a) While waiting for the designation and approval of vending areas, existing street vendors 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 street vendors previously given permits but whose workplaces are removed from the list of workplaces approved under this ordinance.
- b) Before a public market is closed, sold or destroyed, all vendors in the market, whether with or without stalls, shall be transferred by the City government to a temporary new public market. The intention of the government to close, sell, or destroy a public market shall be announced to the affected vendors at least sixty (60) days before the actual transfer to a temporary or new market. Within the sixty-day period, the City government shall undertake consultations with the affected vendors on the choice of relocation site and the process of relocation.
- c) If a new market is constructed on the site of a demolished market, the vendors who occupied stalls in the old market shall be given priority in getting stalls in the new market. However, no vendor shall be allowed to acquire more than one (1) stall in the new market.

SECTION 7. Empowerment of Street Vendors The street vendors in the City shall be assisted by empowering themselves to protect their rights and welfare and to enable them to contribute to the order and development of the City. Towards this goal, the street vendors shall be:

- a) encouraged to form their own organizations for their collective support and protection and for other legitimate purposes.
- b.) given by local government agencies and government financial institutions to develop their organizations; and
- c.) mandated by the City government to participate in the formulation of policies and programs that will affect them.

SECTION 8. Duties and Responsibilities of Street Vendors. - Street vendors are allowed under this ordinance to discharge the following duties:

- 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. use calibrated weighing scales and put price tags on their merchandise;
- e. sell quality and legal foods;
- 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 drugs.

Aside from the above mentioned duties street vendors are encouraged to attend seminars sponsored by the local government on sanitation, waste disposal and other issues affecting their livelihood. Every street vendor must also assist in maintaining the discipline among the street vendors in a particular vending area.

SECTION 9. Violations and Penalties. The following acts are considered violations and are penalized under this Ordinance

- a. **Vending without a vending permit.** A street vendor, even if registered, who is vending without a Vending Permit shall be penalized according to the following process:
 - 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. **Violation of Duties.** A violation of any of the duties enumerated in Section 8 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, 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 workplace.

SECTION 10. The Sanggunian barangay (barangay councils) in Quezon City shall pass resolutions providing specific guidelines, but in accordance with this ordinance, for the street vendors under their jurisdiction.

SECTION 11. All ordinances, orders, issuances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 12. This Ordinance shall take effect immediately.


ENACTED: December 5, 2000.


JORGE L. BANAL
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


EUGENIO V. JURILLA
City Council Secretary

APPROVED: _____


ISMAR A. MATHAY, JR.
City Mayor