ORDINANCE NO. 04-126

AN ORDINANCE AMENDING ARTICLES III (a), IV (a) AND IV (d) OF THE CONTRACT OF LEASE, ATTACHED AS ANNEX “A” TO THE RESOLUTION 03-194 OTHERWISE KNOWN AS, “A RESOLUTION AUTHORIZING THE HONORABLE CITY MAYOR, ATTY. JAIME R. FRESNEDEI, TO ENTER INTO A CONTRACT OF LEASE WITH THE INDIVIDUAL STALLHOLDERS IN THE NEW MUNTINLUPA PUBLIC MARKET AND ADOPTING THE GROUND RULES PREPARED BY INTERIM MARKET COMMITTEE (IMC) IN THE AWARDING OF STALLS”.

Sponsored by:  
Hon. Dr. Nicanor L. Echavez  
Hon. Artemio A. Simundac  
Hon. Melchor R. Teves  
Hon. Aldrin L. San Pedro  
Hon. Patricio L., Boncayao, Jr.  
Hon. Allan Rey A. Camilon  
Hon. Atty. Raul R. Corro  
Hon. Atty. Icasiano M. Dela Rea  
Hon. Rene Carl S. Cayetano  
Hon. M. nerto T. Sevilla, Jr.  
Hon. Rufino B. Joaquin  
Hon. Santiago V. Carlos, Jr.  
Hon. Christian Glenn D. Lorica

WHEREAS, a Contract of Lease was entered into by the City Mayor, Atty. JAIME R. FRESNEDEI, with the individual stallholders in the New Muntinlupa Public Market by virtue of Resolution No. 03-194, passed by the Sangguniang Panlungsod on March 6, 2003;

WHEREAS, a letter was submitted by the Pederasyon ng mga Magtiinda ng Pamilihan Lungsod ng Muntinlupa dated October 28, 2003 addressed to the City Mayor, requesting for the amendment of Resolution No. 03-194;

WHEREAS, a position paper was submitted by the members of the New Muntinlupa Public Market Hog Dealers Association and Stall Holders of Pamilihan Lungsod ng Muntinlupa stating their demand for a longer period of the lease contract and assurance of their rights on the stalls located at New Muntinlupa Public Market;

WHEREAS, the stallholders justified their position of a longer term, considering the slowing down of business nowadays and a longer period for the return of investment;

WHEREAS, a public hearing was conducted by the Committee on Livestock, Market, Hawkers and Slaughterhouse held last November 28, 2003, wherein the Contract of Lease was deliberated therein;

WHEREAS, the said Committee recommended the amendment of certain provisions specifically Articles III (a), IV (a) and IV (d) of the Contract of Lease;
NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED, by the Sangguniang Panlungsod of Muntinlupa duly assembled the following:

Section 1. This Ordinance amends Articles III (a), IV (b) and IV (d) of the Contract of Lease, which read as follows:

Article III (a). NA and NANGUNGUPAHAN matapos at kasunduan iito ay nararapat magbayad ng tatlong buwang deposito (3 months security deposit), base sa Resolution 02-150 na inaprubahan ng Sangguniang Panlungsod ng Muntinlupa, na maaaring ibalik (refundable) sa NANGUNGUPAHAN kung walang pinansyal na obligasyon o pananagutan na obligasyon matapos ang kabuuang ng kontrata;

Bukod sa mga nabanggit, ang NANGUNGUPAHAN ay nararapat ding magbayad ng mga bayarin sa araw-araw katulad ng mga sumusunod:

1.) Arkabala
2.) Kuryente
3.) Tubig
4.) At iba pa

Article IV (a). NA ang kasunduan iito ay magkakabisa sa loob ng isang (1) taon mula sa araw ng pag lagda dito at maaaring baguhin alinsunod sa kautusan o ordinansa na pinagtilay o pagtitibayin ng Sangguniang Panlungsod;

Article IV (d). Ang kontratang iito ay maaaring i-renew pagkatapos nito alinsunod sa pahintulot na binigay sa PulongLungsod ng Resolution No. 03-194 na inaprubahan ng Sangguniang Panlungsod ng Muntinlupa.

Section 2. Articles III (a), IV (a) and IV (b) shall now be read as follows:

Article III (a). Ang NANGUNGUPAHAN ay nararapat na magbayad ng mga bayarin sa araw-araw katulad ng mga sumusunod:

1.) Arkabala
2.) Kuryente
3.) Tubig
4.) At iba pa.

Article IV (a). NA ang kasunduan iito ay magkakabisa sa loob ng limang (5) taon mula sa unang arow ng paglagda ng naunang kontrata bago pa man ang anyendang isinusog dito.

Article IV (d). Ang Kontratang iito ay maaaring i-renew pagkatapos nito alinsunod sa pahintulot na binigay sa PulongLungsod ng Resolution No. 03-194 na inaprubuhan ng Sangguniang Panlungsod ng Muntinlupa. At kung sakaling ang NANGUNGUPAHAN ay mawalan ng kakayahang (incapacitated) o namatay (died), ang karapatang mangupahan ay maaaring ilipat sa mga lehitimong kamag-anakan (legitimate heirs) nito.
Section 3. SEPARABILITY CLAUSE. If for any reason, any part or provision of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 4. REPEALING CLAUSE. All ordinances or part or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 5. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon its approval.

ENACTED, by the Sangguniang Panlungsod of Muntinlupa this 15th day of January, 2004, on its 100th Regular Session.

CONCURRED:

ALDRIN L. SAN PEDRO
Councilor

ATTY. PATRICIO L. BONCAYO, JR.
Councilor

ALLAN REY A. CAMILON
Councilor

ATTY. RAUL R. CORRO
Councilor

RENE CARLOS CAYETANO
Councilor

MAMERTO T. SEVILLA, JR.
Councilor

RÚFINO B. JOAQUIN
Councilor

SANTIAGO V. CARLOS, JR.
Councilor

MELCHOR R. TEVES
Councilor

ATTY. ICAIANO M. DELA REA
Councilor

CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan

ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains
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ABSENT:

BALNIEFES
Councilor

DR. NICANOR L. ECHAVEZ
Councilor

LUCIO B. CONSTANTINO
Councilor

MARIO E. BULAY, JR.
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing ordinance.

LEONORA M. MARCELO
Acting-Secretary
SANGGUNIANG PANLUNGSOD

ATTESTED:

ATTY. JO JASON T. ALCARAZ
City Vice Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: ___

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City Hall of Muntinlupa
National Road, Putatan, Muntinlupa City, Philippines