

N O W T H E R E F O R E .

BE IT ENACTED BY THE SANGGUNIANG PANLUNGSOD IN SESSION ASSEMBLED, THAT:

City Ordinance No. 2023-1072

SECTION 1. For purposes of this Ordinance, the application for the grant of a franchise to establish and operate a wet and dry market located at Lots 1, 2 and 3 located at M.L. Quezon Extension, Barangay Dalig, Antipolo City, filed by Mr. Rafael G. Martinez is hereby granted subject to the following:

- a. The franchise or authority shall continue for the term of five (5) years to take effect from the date of approval or enactment of this Ordinance, renewable upon the mutual agreement of the Grantee and the City Government, hereinafter referred to as the Grantor, and is granted upon express condition that the same shall be void unless the construction of the market facilities is begun within one (1) year from the approval of this ordinance and completed within two (2) years or sooner from the said date. Provided that in the event the operation of the public market should prove to be financially unprofitable to the Grantee, then it may be allowed to discontinue operation on at least three (3) advance notice to the City.
- b. Pursuant to the applicable Zoning Code of Antipolo City (2017-800), the revised Revenue Code of Antipolo (2019) and all other existing laws such as PD 1096 (National Building Code), PD 1185 (Fire Code of the Philippines) and other applicable laws, rules and regulations and guidelines may be promulgated by concerned national government agencies, the Grantee shall faithfully and strictly comply with all the necessary statutory and documentary requirements prescribed by the City and other concerned government agencies for the establishment, operation and maintenance of a public market in the City.
- c. The Grantor shall collect each year from the Grantee a franchise tax the rate of which shall be as follows: For the year 2019, a franchise tax equal to one-twentieth of one percent (1/20 of 1%) of the capital investment shall be collected by the City. In the succeeding calendar years, the rate of tax to be collected from the Grantee by the Grantor shall be seventy-five percent (75%) of the one percent (1%) of the gross annual gross receipt, which shall include both cash sales on account, realized during the preceding calendar year within the territorial jurisdiction of the City.
- d. The City shall collect from the Grantee, aside from the franchise tax, all the taxes, fees, and charges it shall pay pursuant to the rates imposed under the Revised Revenue Code of Antipolo City 2019 (2019-879).
- e. The City of Antipolo shall issue all local permits required for the construction and operation of the public market upon submission of the required documents, subject to, but not limited to the payment of services fees as provided for under existing ordinances.
- f. The Grantee shall retain all the ownership of all construction and other materials necessary for the business up to the time of expiration of this franchise or authority.

APPROVED:



CASIMIRO A. YNARES III, M.D.

City Mayor

g. The authority shall be non-transferable and may be revoked anytime when the interest of the government so demands.

SECTION 3. Any ordinance, rules and regulations, executive orders, or issuances or/parts thereof which are inconsistent with the provisions of this ordinance shall be deemed repealed or modified accordingly.

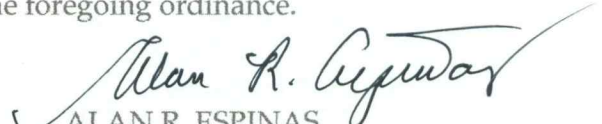
SECTION 4. If for any reason or reasons, any part or provision of this Ordinance shall be held invalid or unconstitutional by the court, another part of thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 5. This Ordinance shall take effect upon approval.

Enacted Unanimously by all the members present, there being a quorum, this 29th day of March 2023, during its Regular Session at 8th Floor, City Hall Annex Building, Antipolo City.

CERTIFICATION

I hereby certify to the correctness of the foregoing ordinance.


ALAN R. ESPINAS
Secretary to the SP I

ATTESTED:

City Mayor


SUSANA G. SAY
City Councilor


ENRICO C. DE GUZMAN, M.D., FPOGS
City Councilor



CHARMAINE DELL C. TAPALES
City Councilor/Absent


EILEEN GRACE T. ZAPANTA, M.D.
City Councilor


AGNES G. OLDAN-GRATIL
City Councilor/Absent/On-Leave


LORENZO JUAN Y. SUMULONG III
City Councilor


RONALDO L. LEYVA
City Councilor


CHRISTIAN EDWARD O. ALARCON
City Councilor


JOHN MICHAEL S. LEYVA
City Councilor


ANGIE LOU C. TAPALES
City Councilor

APPROVED:

01.03.23

CASIMIRO A. YNARES III, M.D.

City Resolution No. 2023-060


ROBERT R. CAMIRANO, SR.
City Councilor



JEWEL ANNE G. CAMACHO.
City Councilor


MARIAFE S. PIMENTEL
City Councilor

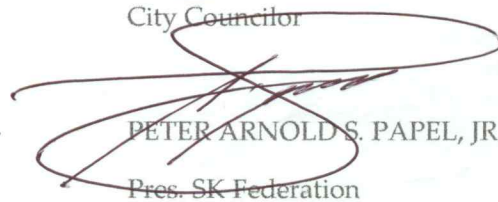

JONATHAN S. SALEN
Pres., Liga ng mga Brg/Absent



GERARDO S.J. DOROTEO
IPM-Representative/Absent/Official Business


CHRISTIAN A. MASANGKAY, DMD
City Councilor



ALFRED J. ZAPANTA, RN
City Councilor


EDWARD R. O'HARA
City Councilor


PETER ARNOLD S. PAPEL, JR.
Pres. SK Federation


JOSEFINA G. GATLABAYAN, Ph.D.
City Vice Mayor/Presiding Officer

APPROVED:


CASIMIRO A. YNARES III, M.D.
City Mayor