

LEASING OF MARKET STALLS

Department Order No. 32, dated Nov. 29, 1946, as amended by Department Order No. 42, dated March 12, 1947, of the Secretary of Finance

Pursuant to the provisions of Republic Act No. 37, the following rules and regulations governing the leasing of public market stalls are hereby promulgated:

Section 1. *Definition of terms.*—“Public market” shall be understood to refer to any place, building or structure of any kind designated as such by the municipal council, city council or municipal board concerned. “Stall” refers to any allotted space or booth in the public market where merchandise of any kind is sold or offered for sale.

Sec. 2 *Vacancy of Stalls; Notice of Application.*—For the purpose of this Order, all stalls or booths in any public market shall be deemed to be vacated by their present occupants and their lease terminated on January 1, 1947, and the same shall be leased to applicants therefor beginning said date in the following manner:

(a) Notice of this general vacancy shall be posted on the bulletin board in each public market and other conspicuous places therein immediately upon the promulgation of this order.

(b) If the occupants or holders of the stalls on December 31, 1946 are citizens of the Philippines, and have been occupying or holding the same for not less than thirty (30) days before said date and they file their applications to continue occupying the same in the manner herein prescribed, they shall be given the lease to their respective stalls, subject to the conditions prescribed in these regulations. The application shall be substantially in the form prescribed in Section 3

(c) hereof and shall expressly state that the applicant is actual occupant on December 31, 1946, of the stall applied for.

(c) If their occupants on December 31, 1946 are not Filipino citizens the stalls affected shall be awarded for occupancy to the Filipino applicant who filed his application therefor in accordance with the provisions hereof. (As amended by Department Order No. 42, dated March 12, 1947, Sec. of Finance)

(d) In case two or more applications from Filipino citizens are filed for the leasing of one and the same stall, the lease of the stall shall be awarded by lot under the supervision of the Market Committee as herein provided. (As amended by Dept. Order No. 42, dated March 12, 1947, of Sec. of Finance)

(e) The award of market stalls to an alien applicant can be made only in the absence of a Filipino applicant.

Sec. 3. *Stalls Vacated after January 1, 1947, Adjudication to Applicants.*—Market stalls vacated after January 1947, and those constructed or designated as such after said date shall be leased to the applicants therefor in the following manner:

(a) Notice of vacancy of the stall or booth shall be hung for a period of not less than ten (10) days immediately preceding the date fixed for their award to the applicants above the vacant or newly-established stalls or booths, or otherwise so placed therein as to apprise the public of the fact that such stalls or booths are unoccupied and available for lease. Such notice shall also be posted on the bulletin board of the market concerned. This notice of vacancy shall be written on cardboard or any thick paper and shall conform to the following form:

N O T I C E

Notice is hereby given that Stall No. of the market is vacant (or will be vacated on, 194....). Any person, 21 years of age and is not legally incapacitated, desiring to lease this stall, shall file an application therefor on the prescribed form (copies may be obtained from the Office of the City Treasurer) during office hours and before 12 o'clock noon of , 194.... In case there are more than one applicant, the award of the lease of the vacant stall shall be determined thru drawing of lots to be conducted on, 194...., at 12 o'clock noon in the office of the city treasurer (or municipal treasurer) by the Market Committee. This stall is in the section of and is intended for the sale of

City Treasurer (or Mun. Treas.)

(b) The application shall be under oath. It shall be submitted to the office of the city or municipal treasurer concerned by the applicant either in person or through his or her attorney.

(c) It shall be the duty of the city or municipal treasurer to keep a register book showing the names and address of all applicants for vacant stalls or booths, the number and description of the stall applied for by them, and the date and hour of the receipt by the treasurer of each application. It shall also be the duty of the treasurer to acknowledge receipt of the application setting forth therein the time and date of receipt thereof.

The application shall be substantially in the following form:

Application to Lease Market Stall

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Address Date
The City Treasurer (or Municipal Treasurer) City of
(or Municipality of
Province of)

Sir:

I hereby apply under the following contract for the lease of Stall No. of the Market. I am years of age,, a citizen of the, and residing at
(Civil Status)

Should the above mentioned stall be leased to me in accordance with the market rules and regulations, I promise to hold the same under the following conditions:

(1) That while I am occupying or leasing this stall (or these stalls), I shall at all times have my picture and that of my helper (or those of my helpers) conveniently framed and hung up conspicuously in the stall.

(2) I shall keep the stall (or stalls) at all times in good sanitary condition and comply strictly with all sanitary and market rules and regulations now existing or which may hereafter be promulgated.

(3) I shall pay the corresponding rents for the booth (or booths) or the fee for the stall (or stalls) in the manner prescribed by existing ordinance.

(4) The business to be conducted in the stall (or stalls) shall belong exclusively to me.

(5) In case I engage helpers, I shall nevertheless personally conduct my business and be present at the stall (or stalls or booths). I shall promptly notify the market authorities of my absence, giving my reason or reasons therefor.

(6) I shall not sell or transfer my privilege to the stall (or stalls or booths) or otherwise permit another person to conduct business therein.

(7) Any violation on my part or on the part of my helpers of the foregoing conditions shall be sufficient cause for the market authorities to cancel this contract.

Very respectfully,

Applicant

I,, do hereby state that I am the person who signed the foregoing application; that I have read the same, and that the contents are true to the best of my knowledge and belief

Applicant

Subscribed and sworn to before me in the city (or municipality) of, Philippines, this day of 194.....

Official Title

(d) Applications from Filipino citizens shall have preference in the lease of public market stalls. If on the last day set for filing applications, there is no application from a Filipino citizens, the hanging and posting of the Notice of Vacancy prescribed above shall be repeated for another ten-day period. If after the expiration of that period there is still no Filipino applicant, the stall affected may be leased to any alien applicant who filed his application first. If there are several alien applicants, the adjudication of the stall shall be made thru drawing of lots to be conducted by the market Committee. In case there is only one Filipino applicant, the stall or booth applied for shall be adjudicated to him. If there are several Filipino applicants for the same stall, adjudication of the stall shall be made thru drawing of lots to be conducted by the Market Committee on the date and hour specified in the Notice. The result of the drawing shall be reported immediately by the Committee to the city or municipal treasurer concerned for appropriate action.

(e) In chartered cities the successful applicant shall furnish the city treasurer with two copies of his or her picture immediately after the award of the lease. It shall be the duty of the city treasurer to paste copy on the record card kept for that purpose.

Sec. 4. *Vacancy of Stall before Expiration of the Lease.*—Should, for any reason, a stall holder or lessee discontinue or be required to discontinue his business before his lease of the stall expires, such stall shall be considered vacant and its occupancy thereafter shall be disposed of in the manner herein prescribed.

Sec. 5. *Partnership with Stall Holder.*—A market stall holder who enters into business partnership with any party after he has acquired the right to lease such stall shall have no authority to transfer to his partner or partners the right to occupy the stall; Provided, however, that in case of death or any legal disability of such stall holder to continue in his business, the surviving partner may be authorized to continue occupying the stall for a period of not exceeding sixty (60) days within which to wind up the business of the partnership. If the surviving partner is otherwise qualified to occupy a market stall under the provisions hereof, and is not the spouse, parent, son, daughter or relative within the third degree by consanguinity or affinity of the deceased or disqualified partner, he shall be given the preference to continue occupying the stall or booth concerned, if he applies therefor.

Sec. 6. *Lessee to Personally Administer his Stall.*—Any person who has been awarded the right to lease a market stall in accordance with the provisions hereof shall occupy, administer and be present personally at his stall or stalls, booth or booths; Provided, however, that he may employ helpers who must be citizens of the Philippines; and Provided further, that the spouse, parents and children of the stall holder who are actually living with him and who are not disqualified under the provisions hereof, may be registered as his or her helpers; and Provided, furthermore, that persons to be employed as helpers shall under no circumstance be persons with whom the stall holders has any commercial relation or transaction.

Sec. 7. *Dummies; Sub-lease of Stalls.*—In any case where the person who,

according to the records, is the registered holder or lessee of a stall or stalls, booth or booths, in the public market is found to be in reality not the person who is actually occupying said stall or stalls, booth or booths, the lease of such stall or stalls, booth or booths, shall be cancelled, if upon investigation such stall holder shall be found to have sub-leased his or her stall or stalls, booth or booths to another person or to have connived with such person so that the latter may for any reason be able to occupy the said stall or stalls, booth or booths.

Sec. 8. *Appeals*.—Any applicant who is not satisfied with the adjudication made by the city or municipal treasurer or the Market Committee of the stall applied for by him, may file with the Secretary of Finance an appeal therefrom, thru the Mayor concerned, who may submit such comment and recommendation as he may desire to make on the matter. The decision of the Secretary of Finance in such cases shall be final.

Sec. 9. *Duties and Powers of the City Municipal Treasurer*.—The city or municipal treasurer, as the case may be, shall exercise direct and immediate supervision and control over public markets in accordance with local ordinances. He shall have direct administration, control and supervision over market personnel, except those whose duties concern the maintenance of sanitary conditions of the market premises. In the case of cities, the city treasurer shall exercise the power herein conferred upon him, subject to the general executive supervision and control of the Mayor of the city.

“Sec. 10. *Market Committee*.—There is hereby created a Committee in each city and municipality to be designated as Market Committee, whose duty it shall be to conduct the drawing of lots and opening of bids in connection with the adjudication of vacant or newly created stalls or booths in the city or municipal markets as prescribed in this Order, and to certify to the city treasurer or municipal treasurer, as the case may be the result thereof. In the chartered

cities, the committee shall be composed of the City-Treasurer, as Chairman, a representative of the Mayor, a representative of the Municipal Board or City Council, a representative of the Secretary of Finance, a representative of the City Fiscal and a representative of the Market Vendors to be appointed by the Secretary of Finance, as members. In the municipalities, the municipal treasurer shall be the Chairman, and a representative of the Mayor, a representative of the Council, and a representative of the market vendors to be appointed by the Secretary of Finance, as members. In any case in which the deliberation of the Market Committee results in a tie vote, the decision of the city or municipal treasurer shall prevail. (As amended by Dept. Order No. 42, dated March 12, 1947, of Sec. of Finance.)

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RAMIE CULTURE . . .

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culture and fertilization of the plants. In severe cases the plants may be sprayed with a solution of Bordeaux mixture consisting of copper sulphate, calcium oxide, and water depending upon the degree of infection.

Uses

Ramie has a variety of uses comparable to abaca, cotton, and silk. As a textile material the yarn can be woven into cloth equal to that of flax and linen. It can be blended with cotton and woven into ramitex, a cloth much stronger, more elastic and more lustrous than the ordinary tropical drill. It can be used in the manufacture of parachutes, fishing cords, lamp mantles, laces, fancy handbags, belts, lalyards, naval cordage, tire cords, opaque papers, surgical pads, dressings, bandages, and operating gowns. Mixed with wool it can be woven into greatly improved cloth which may be comfortably and elegantly worn. The ramie fiber is said to be 30% to 60% stronger when wet than when dry and that it dries more rapidly than cotton and flax. If the fiber is treated and the spun yarn well woven, the finished fabric does not shrink unlike cotton and silk.