



Republic of the Philippines
SANGGUNIANG BAYAN
Taytay, Rizal

DO No. 2211-029

ORDINANCE NO. 777 series of 2023

**AN ORDINANCE REGULATING THE OPERATIONS OF AMBULANT
VENDORS WITHIN THE MUNICIPALITY OF TAYTAY, RIZAL**

Introduced and Authored by: Coun. John Tobit E. Cruz
Co-Sponsored by: Coun. Joanne Marie P. Calderon
LnB Pres. Rufe C. Tapawan

WHEREAS, Presidential Executive Order No. 452 provides that all cities and municipalities shall establish a system for registration and issuance of permits to vendors to protect their rights and the interest of consumers and the general public;

WHEREAS, the safety of the vendors and buyers is being jeopardized if there is no presence of proper assistance from the government;

WHEREAS, the Local Government Unit of Taytay, Rizal shall also ensure the health and sanitary conditions of the ambulant vendors' business operations considering the health risks of working in the streets;

WHEREAS, the Local Government Unit of Taytay, Rizal shall take the initiative and effort to protect the rights of the ambulant vendors by providing them with a decent place to operate their own businesses;

WHEREAS, the Local Government Unit of Taytay, Rizal shall prevent the frequent harassment of ambulant vendors as they are only seeking livelihood that also contributes to the economic activities of the municipality;

NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained by the 12th Sangguniang Bayan of Taytay, Rizal, in session duly assembled, that:

Section 1. Title of Ordinance - This Ordinance shall be known as the "Ambulant Vendors Regulation Ordinance."

Section 2. Declaration of Policy - The Local Government Unit (LGU) of Taytay, Rizal recognizes and upholds the importance of the ambulant vendors' rights to have a sound and decent livelihood. However, some of the business operations of these ambulant vendors impede peace and order and public safety within the municipality both in private and public spaces. In light of this matter, the LGU of Taytay, Rizal shall pursue a policy of institutionalizing the regulation of the operation of our ambulant vendors while promoting a well-ordered community.

Section 3. Definition of Terms - For purpose of this ordinance, the following terms shall mean as follows:

- a. **Ambulant vendors** - Also known as “street vendors” refer to a type of vendor that conducts business activities without a permanent location but stays on a particular spot for more than 10 minutes to do business.
- b. **Health risk** - refers to the possibility of acquiring a negative impact on one's health.
- c. **Public spaces** - refer to areas open for public consumption and demand no restrictions to anyone.
- d. **Standard precautions** - refer to practices or procedures required to prevent the spread of infection.
- e. **Peddlers** - refers to ambulant vendors that do not stay in a particular location for more than 10 minutes and go around to sell.

Section 4. Registration - In order for ambulant vendors to conduct business operations in public spaces, vendors must register and comply with the requirements and fees. The following subsections are required to be observed as follows:

4.1 Eligibility

- a. **Residence** – Only individuals who have been residents of Taytay, Rizal for at least one year shall be allowed to register and operate as ambulant vendors within Taytay, Rizal.
- b. **Type of products** – Only ambulant vendors selling food items shall be allowed to register.
- c. **Mode of selling** – The mode of selling of an ambulant vendor is important to be elaborated as an observance of standard precautions and health risks.

4.2 Requirements

Ambulant vendors must submit the following to attest their eligibility and compliance with health and sanitation standards:

- a. Valid Government ID with printed address
- b. A clear image of the cart or any materials used in business activities
- c. Certificate of Residency from the Barangay
- d. Sanitary Permit from the Municipal Health Office
- e. Environmental Permit from Municipal Environment and Natural Resources Office
- f. Ambulant Vendors Permit from the Business Permits and Licensing Office as reflected in Section 4.3
- g. Duly Accomplished Application Form from the Business Processing and Licensing Office

4.3 Fees

Ambulant vendors shall pay a quarterly Ambulant Vendors Permit with the fee of Five Hundred Pesos (Php500.00) along with the permits for health and sanitary inspection of their products. This fee shall also cover for their certificate of registration and ID which are renewable every quarter. The amount of the fee may be subject to changes depending on the type of product being sold.

4.4 Identification Cards and Certificate of Registration

Upon registration, the BPLO shall issue an official Identification Card for officially registered ambulant vendors and a Certificate of Registration. The ID shall be worn at all times when selling and a copy of the certificate of registration shall be displayed on the cart at all times.

The Business Permit and Licensing Office shall establish a system to ensure proper registration and assignment of zones for registered ambulant vendors. Permits shall be non-transferrable.

Section 5. Regulations - the following regulations shall be observed:

- a. A quality and sanitary inspection by the Municipal Public Safety Office (MPSO) and the Municipal Health Office (MHO) shall be conducted on a quarterly basis to guarantee the health and safety of not only the products being sold but also the operation of the business that would include health risk assessment and standard precautions.
- b. All non-registered ambulant vendors, especially those selling non-eligible items (i.e. clothes, non-food products) shall not be allowed to sell on identified zones or on any public space.
- c. Selling on private roads without the permission of the owners shall also not be allowed. In the event private owners allow selling within their properties, the Local Government of Taytay may enforce this ordinance especially if the activities impose threats and/or dangers to public safety or may impede mobility. Private owners who will engage in selling shall be subject to existing and necessary permits and business compliance requirements by the Local Government Unit of Taytay.

The BPLO has the authority not to renew the certificate of registration of an ambulant vendor who is found not compliant to pertinent safety and health measures.

Section 6. Zoning - The Municipal Council for ambulant vendors is tasked to identify zones in the municipality where ambulant vendors can sell, and the specific time when they can sell.

6.1 Area

For private spaces - The LGU shall indicate areas to serve as a zone for ambulant vendors in private spaces where private landowners are allowing them to operate a business and acting as middlemen for negotiations between private landowners and ambulant vendors. The LGU shall enter into a Memorandum of Agreement (MOA) with the private sector if deemed necessary.

For public spaces - The LGU shall provide scope and area in public spaces for ambulant vendors without compromising other people's activities. The LGU shall also provide proper carts or business stalls for the ambulant vendors if the municipal budget will allow.

Zones, as much as possible, shall be located in areas with high economic activities. Zones may also change depending on the recommendation of the Municipal Council for Ambulant Vendors.

6.2 Specification or Space for Ambulant Vendors

A list of areas with certain measurements wherein ambulant vendors can operate would be provided for guidance and could be constantly updated for alterations. The MPDO and MPSO shall provide identified ceiling zones that will dictate the number of available areas and spaces at a specific duration of time.

This list of ceiling zones shall be released every second week of January and shall be updated every 2nd week of July of the similar year. The list shall also be submitted to the Municipal BPLO to control the number of applications to be granted permit.

Section 7. Regulation of Market Competition - The following subsections are cases of market competition that concern not only the ambulant vendors but other stakeholders in the market. Listed here are the guidelines that shall be exercised to avoid further complications:

- a. To secure and promote healthy market competition, there is a need for regulation of market competition between ambulant vendors who are more advantageous as they are mobile and do not pay any rent fee compared to business owners operating in an establishment. Considering this matter, the LGU of Taytay, Rizal shall prohibit ambulant vendors who are operating in front of business establishments selling the same products.
- b. To protect low-income families from financially capacitated business owners that possess a great number of carts which can monopolize specific areas and zones within Taytay, Rizal, the LGU shall prohibit the application of multiple carts restraining it to two (2) cart per family and permits are non-transferable. Owning more than the allowed number of carts is a violation of the policy and shall be subject to the penalties listed below.
- c. In compliance with the standards of the Department of Trade and Industry (DTI), the selling of illegal and unregistered products is prohibited to guarantee the safety and protection of our market.

Section 8. Prohibited Acts - The following acts shall constitute an offense:

- a. Selling without registration
- b. Selling outside designated areas (for non-mobile)
- c. Improper conduct towards buyers and/or enforcers that may constitute an offense
- d. Multiple store ownership
- e. Falsification of BPLO-issued Identification Card and/or Certificate of Registration
- f. Leaving of any items and/or makeshift stalls on identified zones beyond the allowed period of selling
- g. Private house owners asking for fees from ambulant vendors outside of their residences or properties
- h. Illegal collection of fees

Section 9. Penalties - Persons found violating the prohibited acts in Section 8 shall be penalized as follows:

- a. Any ambulant vendors found to have violated provisions a, b, c, d, e, and f in Section 8 shall be subject to the following penalties:

First Offense: Php 500.00 and confiscation and donation of items (with proper inventory)

Second Offense: Php 1,000.00 and confiscation and donation of items (with proper inventory)

Third Offense: Php 2,500.00, confiscation of items, and permanent ban from selling

Confiscated items may be donated to charitable institutions and/or to the Municipal Lock-up Facility upon clearance from the Municipal Health Office.

- b. Any person or organization found to have violated provisions d, g, and h of Section 8 shall be subject to the following penalties:

First Offense: Php 1,000.00 and confiscation of Government ID

Second Offense: Php 2,000.00 and confiscation of Government ID

Third Offense: Php 2,500.00 and filing of appropriate criminal charges

- c. Any government employee or official found to have any of the prohibited acts shall be subject to administrative charges.

Penalties provided under this section shall be without prejudice to the filing of appropriate civil, criminal, and administrative action.

Section 10. Creation of Municipal Council for Ambulant Vendors - To sustain the livelihood of our ambulant vendors and assure the execution of this policy, the creation of a Municipal Council for Ambulant Vendors is hereby created for the process of planning, implementing, monitoring, and evaluating the business operations of our ambulant vendors. The Council shall be composed of representatives:

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| Chairperson | Municipal Mayor |
| Co-Chairperson | Head, Municipal Public Safety Office |
| Members | All Punong Barangays |
| | Chairperson, Committee on Trade and Industry |
| | Chairperson, Committee on Peace and Order |
| | Head, Municipal Planning and Development Office |
| | Head, Municipal Business Permit and Licensing Office |
| | Representative, local Department of Trade and Industry |
| | Representative, Vendors Association |

Other office representatives the municipal mayor may deem necessary to fulfill the role of the council. The Council shall be organized upon the effectivity of this Ordinance.

Section 11. Duties and Responsibilities of the Council - In pursuit of this Ordinance, Municipal Council for Ambulant Vendors shall have the following powers and functions:

- a. Identify zones that may be used by registered ambulant vendors;
- b. Review bi-annually the list of the zones and recommend revisions as may be deemed necessary;
- c. Conduct a meeting within the Council at least once every quarter;
- d. Formulate policies and recommendations to the Municipal Mayor for the protection of ambulant vendors; and
- e. Draft the Implementing Rules and Regulation (IRR) of this ordinance within sixty (60) days upon its enactment.


Section 12. Separability Clause - If for any reason, any section or part of this Ordinance is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

Section 13. Repealing Clause - All other Taytay Municipal ordinances, orders, issues, rules, and regulations that are inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.


Section 14. Effectivity Clause - This Ordinance shall take effect ten (10) days following posting in all municipal Transparency Boards.

ENACTED, this 8th day of March, 2023, 4:13 PM at the Sangguniang Bayan Session Hall, Municipality of Taytay, Province of Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay on second reading on March 1, 2022 and was passed on third and final reading on March 8, 2023, during the 35th Regular Session held on the 8th day of March, 2023.


ATTY. STANLEE D. CALMA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. SOPHIA PRISCILLA L. CABRAL
Municipal Vice Mayor / Presiding Officer

APPROVED BY HIS HONOR
DATE 29 MAR 2023


HON. ALLAN MARTINE S. DE LEON
Municipal Mayor 