



Republic of the Philippines
Province of Aurora
MUNICIPALITY OF BALER

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BALER, AURORA WHICH WAS HELD ON JUNE 01, 2011 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Present:

Hon. Nelianto C. Bihasa	Vice Mayor- Presiding Officer
Hon. Danilo M. Ong	SB Member
Hon. Karen G. Angara-Ularan	SB Member- PCL President
Hon. Noel P. Go	SB Member
Hon. Arthur L. Sanchez	SB Member
Hon. Reynaldo E. Mapindan	SB Member
Hon. Gina T. Ritual	SB Member
Hon. Nenita DS. Gonzales	SB Member
Hon. Sonia G. Amatorio	SB Member
Hon. Gina Z. Agapito	SB Member- ABC President
Hon. Aya Rose L. Avellaneda	SB Member- SK Fed. Chairman

ORDINANCE No.001-2011

AN ORDINANCE ESTABLISHING A “BAGSAKAN CENTER” IN THE MUNICIPALITY OF BALER, AURORA AND IMPOSING FEES AND OTHER CHARGES ON THE USE OF ITS FACILITIES.

Be it ordained by the Sangguniang Bayan of Baler, Aurora that:

Section I. Title: This Ordinance shall be known as an “Ordinance Establishing a Bagsakan Center in the Municipality of Baler, Aurora.”

Section II. Establishing and Coverage: The Bagsakan Center shall be established by the Municipal Government of Baler, Aurora. It shall be located within the Baler Public Market premises in Brgy. Suklayin, Baler, Aurora as a separate building. The designated building has an open space area, which serves as an entry point and as a service landing area for agro-fishery food products and other agricultural products/goods in bulk delivered by farmers/producers and suppliers intended for wholesale.

This Ordinance shall cover the establishment, administration, trading, supervision, and regulations in the operation of Bagsakan Center and the imposition and collection of fees and other charges as provided hereof.

Section III. Definition of Terms: When used in this ordinance, the term:

Bagsakan Center – shall mean an open building within the vicinity of Baler Public Market where the agricultural and fishery food products and other goods from producers and suppliers sold on wholesale basis.

Bagsakan Center delivery truck/delivery van – shall mean the vehicle of Bagsakan Center intended for hauling and trading of agro-fishery products.

Trucking fee – shall mean a hauling or delivery fee imposed or collected from the producers/suppliers who avail of the use of the Bagsakan Center vehicle.

Bagsakan personnel – shall mean the composition of employed staff that shall perform the Bagsakan operations.

Bagsakan Center rental fee – shall mean a fee imposed or collected from the occupants for the use of space or stalls in Bagsakan Center on a per square meter basis.

Bagsakan Center stalls/booths – shall mean a space assign by the Bagsakan Center Operations Manager to producers/suppliers or wholesalers to sell his commodities in Bagsakan Center.

Cold storage facility – shall mean the auxiliary facility provided by the Bagsakan Center to be used as storage place of perishable agricultural and fishery food products to avoid from spoilage.

Cold storage fee – shall refer to charges imposed or collected from the users of cold storage facility in Bagsakan Center.

Trader – shall mean a person who engages in commerce or business transactions.

Wholesale – sale where the purchaser buys or imports commodity for resale to persons other than the end user usually in bulk or large quantities.

Wholesaler – shall mean a person who engages in selling goods or commodities in bulk or large quantities usually for resale by retailers.

Retail - sale where the purchaser buys the commodity for his own consumption usually in small quantities.

Retailer – shall mean a person who engages in selling goods or commodities in small quantities *directly* to the consumers.

Consumer – shall mean a person who buys goods or services intended for his own consumption. It also means the buying public.

Lessee – shall refer to a natural person, having in his/her possession on a duly executed contract of lease for a specified rental for the use of space or stalls in Bagsakan Center granted in his/her favor by the Municipality of Baler.

Bagsakan Center entrance fee – shall mean regulatory fee imposed or collected from the producers/farmers and suppliers/traders who bring their goods to Bagsakan Center and in the market intended for wholesale basis.

Agricultural Products – include the yield of soil, such as corn, rice, wheat, rye, hay, coconut, sugarcane, tobacco, root crops, vegetables, fruits, flowers, and their by products, ordinary salts, all kinds of fish, poultry, and livestock and animal products, whether in their original form or not.

Agricultural by-products - those materials which in the cultivation or processing of an article remain over, and which are still of value and marketable, like copra cake (copra) and molasses (sugar cane).

Agri-fishery food products - shall mean products not limited to fish, chicken, meat, fruits, vegetables but also agricultural by products such as salt, sugar, rice, corn, etc.

Public market – shall mean a place, building or structure owned and operated by the Municipality of Baler, designated for the purpose of providing space and/or stalls where some goods of any kind from the Bagsakan may be sold or offered.

Section IV. Supervision and Control

The Municipal Mayor shall exercise general supervision, administration and control over the entire operations of the Bagsakan Center and the personnel complement assigned therein.

The Bagsakan Center shall operate under the immediate and direct supervision of the Bagsakan Operations Manager. He/She shall supervise and oversee the proper management and implementation of the rules and regulations pertaining to the operation of the Bagsakan Center.

Section V. Imposition of Fees and Charges

There shall be collections on the following fees and charges on the operation and use of Bagsakan Center and its facilities by the producers/farmers, suppliers, traders, and wholesalers of agri-fishery food products and other agricultural products/goods as follows:

1. Bagsakan entrance fees shall be collected on the following:

FISH AND OTHER MARINE PRODUCTS

- a) Fresh fish and other marine products
 - First class P1.00 per kilo
 - Second class 0.50 per kilo
- b) Shellfish 0.50 per kg
- c) Prawns, shrimps, crabs and similar species 0.10 per kg.
- d) Smoked fish(Tinapa) 0.50 per crate
- e) Dried fish: Daing/Tuyo/Tinapa 0.50 per crate
- f) Alamang/Bagoong (Isda) 0.50 per balde/bayong

➤ **FRUITS**

➤ **High Value/Imported Fruits**

- a. Grapes (Ubas) 5.00 per box
- b. Orange/Ponkan/Apple 3.00 per box
- c. Lanzones 5.00 per tiklis/crate
- d. Rambutan 5.00 per kaing (big)
3.00 per kaing (small)
- e. Mango 3.00 per kaing
- f. Pineapple/Watermelon/Melon 0.25 per piece
- g. Citrus 5.00 per sack

➤ **Other Fruits**

- a. Banana 1.00 per hundred
- b. Indian Mango 3.00 per kaing
- c. Avocado/Santol 2.00 per box
bag/crate/sack
- d. Kalamansi 2.00 per buriki
- e. Coconut/Buko 0.25 per piece
- f. Other fruits 2.00 per crate

VEGETABLES

- a. Kamoteng Baging/Kahoy/Corn (Fresh) 3.00 per sack
- b. Ube/Tugue/Ginger 5.00 per sack
- c. Garlic/Peanut 7.00 per buriki/sack
- d. Mongo 2.00 per bag
- e. Squash 0.25 per piece (big)
0.10 per piece (small)

- | | |
|---|----------------------|
| f. Kamatis/Pipino | 1.00 per crate/kaing |
| g. Ampalaya/Eggplant/baguio beans/Berll pepper/
Broccolli/Carrots/Cauliflower/Labanos/Lettuce/
Mustasa/Pechay/Okra/Patatas/Patola/Repolyo/
Sayote/Siling Panigang/Sitao/Upo and others | 1.00 per bundle |
| h. Coffee/ Soybeans and the like | 2.00 per sack |

MEAT AND POULTRY PRODUCTS

- | | |
|---|---------------|
| a. Pork/Beef/Dressed Chicken and other Poultry
Meat Products | 1.00 per kg. |
| b. Live chicken /Duck/ Goose/Turkey and others | 1.00 per head |
| c. Eggs of chicken / duck | 0.25 per tray |
2. **Bagsakan Space Rental Fee:** P 5.00/sq meter/day
3. **Kolong-kolong (Hog Carrier) Fee:**
- | | |
|--|------------------------------|
| From Baler slaughterhouse to public market
and vice -versa | P 30.00 (Carcass) |
| From Bagsakan Center to nearby barangays
and municipalities, and vice versa | P150.00/lessee (live animal) |

The herein imposition shall not cover the actual consumption of gasoline which is for the account of the lessee.

4. **Livestock Weighing Scale Fee:** P30.00/head
5. **Trucking Fee :**(all expenses such as diesel, Bagsakan driver/s, helper/s and meals shall be for the account of the lessee).
- From Baler to Pampanga (vice - versa) 4,000.00
 - From Baler to Pangasinan (vice - versa) 4,000.00
 - From Baler to Cabanatuan (vice - versa) 4,000.00
 - From Baler to Dicadi area (vice - versa) 4,000.00
 - Only a minimum capacity of 5 tons and a maximum of 10 tons shall be allowed for hauling.

Section VI. Time and Manner of Payment:

The duly bonded personnel from Municipal Treasurer’s Office assigned in the Bagsakan Center shall take charge in the collection of fees and charges imposed as provided in this Ordinance.

- a) Payment of the Bagsakan Center entrance fee shall be made to the Municipal Treasurer or his duly authorized representative assigned in Bagsakan Center before the producers/farmers, suppliers and traders can sell or offer his/her commodities within the Bagsakan Center.

A cash ticket shall be issued to the producers/farmers, suppliers and traders corresponding to the amount of payment and shall be torn in half, one half to be given to the producers/farmers and suppliers and the other half to be retained by the collector who shall remit the same to the Municipal Treasurer on daily basis.

- b) The lessee shall pay the Bagsakan rental fee to Municipal Treasurer or to his duly authorized representative assigned in Bagsakan Center within the day of actual unloading of goods and commodities of producers/farmers and suppliers.
- c) Payment for trucking fee shall be paid to Municipal Treasurer or to his duly authorized representative assigned in Bagsakan Center

immediately after the use of the truck or unloading of the goods and commodities have been completed.

- d) Payment for kolong-kolong shall be paid to Municipal Treasurer or to his duly authorized representative assigned in Bagsakan Center immediately after the use of hog carrier.
- e) Payment of livestock weighing scale shall be made to Municipal Treasurer or to his duly authorized representative assigned in the Bagsakan immediately after the hogs have been weighed.
- f) The Municipal Treasurer or his duly authorized representative assigned in Bagsakan Center shall issue an Official Receipts or cash tickets as evidence of payment of fees and other charges of the producers/farmers and market suppliers/retailers.

Section VII – Surcharge for Late Payment

Failure to pay on time the total amount due as imposed in this Ordinance shall be subject to a surcharge of twenty five percent (25%) of the original amount of due, such surcharge to be paid at the same time and in the same manner – the obligation is to be settled.

Section VIII. Administrative Provisions

- 1. The Local Chief Executive shall designate/appoint qualified personnel who are knowledgeable in the operation of Bagsakan Center. The designated/appointed personnel shall be in-charged in the operation of Bagsakan Center and shall be responsible for the proper implementation of all the guidelines, as well as the rules and regulations pertaining to the operation of Bagsakan Center.
- 2. Manpower requirements needed for the operation of Bagsakan Center are the following:
 - a). Operations Manager (1) - Take full responsibility of the BBC
 - Oversee the operation of the BBC;
 - Facilitate direct marketing linkage to producers and consumers;
 - Institute strategic marketing and management system that would ensure continuous operations of the Bagsakan Center;
 - Manages sales and distribution operations;
 - Monitor and manage the fund allocated for the implementation of the Bagsakan Center;
 - Prepare reports and submit them to concerned agencies.
 - b). Purchasing Officer (1)
 - Responsible for all the goods that were purchased by the Bagsakan Center;
 - Scouting of the commodities to be purchased, and ensures prompt delivery;
 - Make sure that orders are paid in due time;
 - Reports to finance officer regarding purchase metrics;
 - Responsible for price setting of commodities;
 - Maintains update inventory.
 - c). Store Keeper (1)
 - Counter salesman;
 - Update prices at price bulletin board;

- Undertakes stock inventory;
- Maintains volume and quality of food products on display;
- Maintains food safety and hygiene of the Bagsakan Center.

d). Driver (2)

- Perform daily pre-trip and post trip vehicle inspection;
- Perform maintenance tasks on bagsakan trucks;
- Prepare trip reports;
- Drives official vehicle carrying passengers on official business under direct request of the municipal officials;
- Make sure that vehicle is in good mechanical condition before usage;
- Complies with the municipal and national rules and regulations on gas tickets, driving authorization, trip tickets, and other orders aimed at conserving fuel and minimizing unnecessary travel;
- Perform other related works as maybe assigned from time to time by the immediate supervisor.

e). Encoder (1)

- Performs computer works and other related duties that maybe assigned by the immediate supervisor from time to time.

f). Watchman (3)

- Ensure safety and security within the Bagsakan Center premises;
- Perform such other functions that may be assigned from time to time by the immediate supervisor.

g). Truck Helper (2)

- Load and unload cargoes and stocks onto delivery truck;
- Help purchasing officer in delivering stocks to customers;
- Assist driver in maintenance task of Bagsakan Truck.

h). Utility Worker Messenger (1)

- Maintains the cleanliness and orderliness of the office and the Bagsakan Center premises;
- Collects and haul garbage around the premises;
- Perform such other functions that maybe assigned from time to time by the immediate supervisor.

3. The Bagsakan Operations Manager shall submit monthly financial and status operations report to the Local Chief Executive and other concerned agencies.
4. Local farmers shall be given the priority in occupying Bagsakan space at a rental fee specified herein.

Section IX. Regulatory Provisions

These rules and regulations presented in this Ordinance shall govern the operation of Bagsakan Center.

1. Bagsakan Center shall operate initially as food depot where the farmers and producers/wholesalers/traders bring their agricultural products, fish

and marine products, and other agricultural by-products and sell the commodities on wholesale basis to market vendors and retailers.

2. It shall be opened to all accredited farmers, producers and licensed suppliers, traders, wholesalers and market retailers.
3. It shall not be used by producers/traders and farmers as warehouse of their goods and other agricultural commodities.
4. Only market vendors and retailers are allowed to purchase goods and or commodities at Bagsakan Center in order that the retail market shall not be jeopardized except on auction hours which is on Thursday and Saturday (6pm to 6am).
5. Owners/operators of commercial food establishment shall be allowed to buy agri-fishery products directly from Bagsakan Center for at least a minimum of five (5) kilos.
6. Bagsakan Center shall perform two auction days of agricultural products every week. Auction days shall take place every Thursday and Saturday. Auction time shall start at 6:00 pm and shall end at 6:00 am of the following day. Retailing shall be allowed at Bagsakan Center during auction days.
7. Bagsakan Center shall be allowed to engage in trading of agricultural products in Baler, Aurora to other Bagsakan Center to provide necessary marketing assistance to farmers, fisher folks, and livestock raisers such as marketing linkages and others. To supply the unavailable agri-fishery product and to satisfy the demand of the local market and nearby municipalities, the Bagsakan Center may opt to purchase at any nearest Bagsakan Center/Markets or other suppliers.
8. Trading proposals duly approved by the Municipal Mayor and other concerned agencies shall govern the trading operations of Bagsakan Center.
9. The trading capital deposited under Trust Fund shall be used as initial trading capital for the operation of Bagsakan Center. Disbursement shall be in accordance with the usual accounting and auditing procedures.
10. There shall only be one entry point of incoming agricultural and fishery products of farmers, traders, suppliers, producers and wholesalers to Bagsakan Center. Designated entry point shall start at the right side of the Bagsakan Center building. The time of entry shall start at 4:00 pm and will end at 8:00 am of the following day. Point of entry shall be manned by designated personnel assigned in the Bagsakan Center. Farmers, traders and wholesalers of agri-fishery food products shall not be allowed to unload goods within the 200 meter radius of the Bagsakan or public market premises unless payment pertaining to entrance fees are settled.
11. Bagsakan Center shall have the authority to take full responsibility of the kolong-kolong (hog carrier) and the livestock weighing scale.

Section X. Segregation and Disposal of Solid Wastes.

All stallholders/space occupants, proprietors and or administrators shall be responsible for the cleanliness and orderliness of the immediate surroundings, approximately 5-6 meters radius from the occupied properties. Likewise, orderly and

proper arrangements of stall/space are the principal responsibility of the administrators/ stallholders/space occupant.

1. Mandatory segregation of solid waste – the segregation of solid waste shall be mandatory in Bagsakan Center, Segregation shall primarily be conducted by the concerned stallholders/space occupants/traders and suppliers.
2. Categories of solid waste – solid waste shall be segregated into the following categories:
 - a) Compostable or biodegradable
 - b) Recyclable
 - c) Residual waste
 - d) Special waste
3. Requirements for segregation and storage of solid waste – the sources of solid waste as listed above shall have separate receptacles or containers (i.e. sacks, bins, boxes, cans, bags, etc.) for each type of solid waste shall be properly marked or identified for on-site collection as compostable, recyclable, residual or special waste and properly sealed or tied for easy handling and collection. The receptacles shall be properly covered, secured or protected to prevent spillage or scattering of the waste and to ensure its containment.
4. Non-collection of unsegregated waste – only segregated waste and only the type of waste that are scheduled for collection on a particular day and time shall be collected.
5. The stallholders/Administrators shall provide a designated area and containers in which to accumulate source separated recyclable materials for collection. In addition, the stallholder shall notify his/her workers.
No scavenging or unauthorized collection in designated segregation containers or areas shall be allowed.

Section XI. Security

- a) Losses of stallholders – The Municipality of Baler shall not be responsible for any loss or damage which stallholders may incur in Bagsakan Center, by the reasons of fire, theft or robbery, “force majeure”, or any other cause. Any merchandise, goods and commodities left in Bagsakan Center during closure time shall be at risk of the stallholders. It shall, however the duty of the Bagsakan Operations Manager and his/her subordinate that have the authority to apprehend and turn over to the police any person caught stealing or committing any offense in Bagsakan Center.
- b) In addition to the security guard/watchman, the Philippine National Police (PNP) officer on duty shall provide assistance at entry point and routinely patrolling within the premises of Bagsakan Center especially during night time. Proper coordination with the PNP officer shall be made to augment the security force within the Bagsakan Center.

Section XII. Penal Provision

Any persons, traders, suppliers, wholesalers, retailers and consumers who willfully violate any provision of this Ordinance shall be penalized as follows:

- | | |
|----------------------------|----------|
| a) 1 st offense | 1,000.00 |
| b) 2 nd offense | 2,000.00 |
| c) 3 rd offense | 3,000.00 |

Section XIII. Separability Clause

If for any reason or reasons, any part or provision of this Ordinance is declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall remain to be in full force and effect.

Section XIV. Repealing Clause

Any ordinance, executive orders, and other rules and regulations which are contrary or inconsistent, whole or in part, with this Ordinance are hereby repealed, amended or modified accordingly.

Section XV. Effectivity

This Ordinance shall take effect ten (10) days after approval and posting.

ENACTED: 01 June, 2011

AUTHOR : **HON. KAREN G. ANGARA-ULARAN**
Chairperson- SB Committee on Agriculture

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

GLORIOSO A. VILLAFRANCA
Secretary to the Sangguniang Bayan

Attested:

NELIANTO C. BIHASA
Vice Mayor-Presiding Officer

Approved:

ARTURO J. ANGARA, DMD.
Municipal Mayor

Date: _____