



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 94-127

**AN ORDINANCE MANDATING FOR THE PUBLIC BIDDING OF ALL DELINQUENT STALLS
IN THE NAGA CITY PUBLIC MARKET UNDER CERTAIN GUIDELINES: -**

Author: Hon. Julian Lavadia, Jr.

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - REASONS FOR THE ORDINANCE. - The following herein cited reasons necessitate for the enactment of this ordinance, to wit:

1. Delinquencies of market stallholders in both monthly rentals and business taxes have been amounting due allegedly to losses in their market operations;
2. Per records of the Treasurer's Office many of said stallholders have been delinquent for more than six (6) months;
3. In spite of repeated demands for payment of their obligations, stallholders failed to do so;
4. Said liabilities now include 25% surcharges and interest of 14% per annum which makes it more difficult to them to liquidate their obligations;
5. such extended delinquencies violate the provisions of the lease contract entered into between them and the city government;
6. The civil remedies provided under Sec. 174 of R.A. 7160, otherwise known as the Local Government Code of 1991, are quite cumbersome and entail additional expenses on the part of the City Government;
7. An alternative civil remedy has to be provided to solve the problem with less expense and more assurance that the delinquencies can be collected;

SECTION 2. - GUIDELINES FOR PUBLIC BIDDING. - All delinquent stalls in the Naga City Public Market are hereby mandated for the Public Bidding under the following guidelines:

1. All market stalls shall be deemed delinquent for purposes of this ordinance, after failure of the stallholders to settle monthly rentals and business taxes for the period of two (2) successive months;
2. After said period, the stalls shall be deemed vacant and shall be advertised in a newspaper of general circulation for 3 consecutive weeks and duly posted at the public market and City treasurer's office.

3. Such public bidding shall be advertised in a newspaper of general circulation for 3 consecutive weeks and duly posted at the public market and City Treasurer's Office.
4. Upon the start of the publication for public bidding the delinquent stallholders shall vacate the stalls for inspection of the interested party;
5. The participating bidders shall submit a bidder's bond equivalent to 10% of the total delinquency plus surcharge and interest up to the time of bidding;
6. The winning bidder shall, upon payment of the bid price to the Office of the City Treasurer execute a lease contract with the City Government with all the rights and privileges appurtenant thereto;
7. The winning bidder shall for with assume occupancy of the stall, and his monthly rental shall be reckoned with on said date.

SECTION 3. - The City market Committee headed by the City Treasurer is empowered to conduct the said public Bidding;

SECTION 4. - All ordinances, rules or regulations, part or parts thereof , which are inconsistent with the provisions of this ordinance are hereby amended and/or modified accordingly.

SECTION 5. – This ordinance shall take effect upon its approval and publication in a local paper of general circulation.

ENACTED: December 28, 1994.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J ANTONIO A. AMPARADO
City Secretary

LOURDES V. ASENCE
Vice Mayor & Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor