



**Republic of the Philippines  
Tanggapan ng Sangguniang Panlungsod  
City of Naga**



**ORDINANCE NO. 96-034**

**AN ORDINANCE AUTHORIZING THE LEASE OF THE PERIPHERAL WALLS AND POSTS OF THE NAGA CITY PUBLIC MARKET FOR BUSINESS OR COMMERCIAL ADVERTISEMENTS, AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF:-**

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

**SECTION 1. - OBJECTIVES.** - The purposes for which the peripheral walls and posts of the Naga City Public Market are being offered for lease are as follows:

- a. To improve the facade or aesthetic appearance of the Naga City Public Market;
- b. To brighten or better illuminate the areas surrounding the Naga City Public Market; and
- c. To raise additional revenues for the Naga City Public Market and the Naga City Hospital.

**SECTION 2. - AUTHORITY TO LEASE.** - The City Mayor of Naga is hereby authorized to lease the peripheral walls and posts of the Naga City Public Market to any interested person or entity for business or commercial advertisements, under such minimum terms and conditions herein provided.

**SECTION 3. - MINIMUM TERMS AND CONDITIONS OF THE LEASE.** - Any lease contract executed under and pursuant to this ordinance shall be valid and binding upon the City Government of Naga only if it contains all of the following minimum terms and conditions, to wit:

- a. The first or initial lease of the spaces shall be negotiated for a minimum period of one (1) year. Lease of spaces with expired contracts shall be awarded to the highest bidder for a minimum period of one (1) year.
- b. The leased spaces of the peripheral walls and posts shall be uniform in size or measurement, and equidistant to, and symmetrically aligned with, each other.
- c. The City Government shall assume the installation, operation, repair and maintenance of all electrical connections, and the electric consumption of the advertisement materials at nighttime
- d. The lessee shall assume all expenses for the installation, maintenance, repair and/or replacement of the advertisement materials, including the lighting fixtures.

- e. Failure on the part of the lessee to cause the necessary maintenance, repair or replacement of the advertisement materials for a period of five (5) consecutive days from knowledge or notice of the necessity therefor, shall cause the automatic termination of the lease and forfeiture of the rental paid or due for the period covered.
- f. The City Government shall not be liable for the damage, destruction or loss of the advertisement materials caused by third persons or due to natural calamities and other force majeure; provided, that the obligation of the lessee to maintain, repair or replace the materials within five (5) days from the discovery of such damage, destruction or less shall not be condoned by such events.
- g. The City Government shall have the right to cause the removal of the advertisement without notice to, or consent of, the lessee if any of the terms and conditions of the lease is violated or not complied with, or if such advertisement be generally perceived to be offensive to public decency.
- h. Rentals for the leased spaces shall be payable annually and in advance. It shall be uniform for all leased spaces of the same size and at the same side of the Naga City Public Market, unless such rentals were determined through public bidding.
- i. Only neon or plastic signs shall be used as advertisement materials. No part of the peripheral walls and posts of the Naga City Public market shall be painted, printed or inscribed with any advertisement.

**SECTION 4. - AUTHORITY TO FIX RENTALS AND MEASUREMENTS OF SPACES. -** The City Mayor shall from time to time issue such guidelines as may be necessary to implement this ordinance, imposing such other terms and conditions of the lease not inconsistent with the provisions hereof.

The actual measurements of the spaces offered for lease, initial rates of the annual rentals and the minimum annual rates in the public biddings shall be fixed by the City Mayor in accordance with the guidelines set for the purpose. However, no decrease in the minimum annual rates of rentals fixed for public bidding shall be valid without consent of the majority of the members of the Sangguniang Panlungsod.

**SECTION 5. - TRUST FUNDS. -** After deducting such amounts as the City Mayor may allocate for the maintenance and operation of the electrical connections and for the payment of the energy consumption of the advertisement materials, fifty (50%) percent of the rentals or proceeds from the lease shall be held in trust for the maintenance, repair and administration of the Naga City Public Market and fifty (50%) percent thereof shall be held in trust for the maintenance, repair, administration and improvement of the facilities of the Naga City Hospital.

**SECTION 6. - EFFECTIVITY. -** This ordinance shall take effect immediately upon its approval.

**ENACTED:** August 7, 1996.

**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

**J. ANTONIO A. AMPARADO**

Secretary to the  
Sangguniang Panlungsod

**FIEL L. ROSALES**

City Councilor/Acting Vice Mayor  
& Presiding Officer

APPROVED:

**JESSE M. ROBREDO**

City Mayor