



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 99-003

AN ORDINANCE FIXING THE RATES OF RENTAL ON THE COMMERCIAL STALLS AND BOOKING OFFICES IN THE NAGA CITY CENTRAL BUS TERMINAL, SETTING THE POLICIES AND GUIDELINES FOR THE PROPER USE AND DISPOSITION THEREOF, PROVIDING PENALTIES FOR VIOLATIONS, AND CREATING THE AWARDS & OVERSIGHT COMMITTEE:

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Be it ordained by the 6th Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - TITLE. - This Ordinance shall be known as the “Ordinance Governing the Use and Disposition of the Commercial Stalls in the Naga City Central Bus Terminal”.

SECTION 2. - SCOPE. - This ordinance shall apply to and cover the commercial stalls and booking offices of the Naga City Central Bus Terminal which shall hereinafter be referred to as the Terminal.

SECTION 3. - UTILIZATION. - The commercial stalls in the Terminal shall be managed and disposed by the City of Naga under the provisions of this Ordinance. For this purpose, the disposition thereof shall be through lease for a minimum period of One (1) year up to a maximum period of ten (10) years, renewable upon agreement between the City and the Lessee, and without prejudice to voluntary pre-termination of the lease contract upon agreement between the City and the Lessee.

SECTION 4. - TYPE OF ENTERPRISE ALLOWED. - The following shall be the only type of business activity/enterprise that may be carried out within the commercial stalls in the Terminal:

1. eateries
2. bake/pastry shop
3. groceries
4. frozen meat products
5. dry goods
6. drugstore
7. auto supply
8. office/school supplies
9. barber shop/beauty parlor
10. Booking Offices of transport companies

and such other businesses as the Awards and Oversight Committee may recommend.

SECTION 5. - RENTAL RATES. - The commercial stalls and the booking offices shall be leased at the following rates of rental:

5.1 Commercial Stalls:

- a) Eighty-four (84) sq.m. – P10/sq.m./day
- b) Forty-two (42) to Forty-five (45) sq. m. – P9.00/sq.m./day
- c) Thirty (30) to Thirty-six (36) sq.m. – P8.00/sq.m./day

All corner spaces, specifically stall numbers 3,4,6,7,8,18, and 19, regardless of size shall be charged an additional rental of P2.00/sq.m./day.

5.2 Booking Offices:

- a) Twenty-one (21) to Twenty-two point five (22.5) sq.m. - P7.00/sq.m./day
- b) Fifteen (15) to Eighteen (18) sq.m. – P6.00/sq.m./day

All corner spaces, specifically offices numbers 1,6,7, and 18, regardless of size shall be charged an additional rental of P1.00/sq.m./day

Provided, however, that the City Mayor is granted the authority to accept lower rental as may be recommended by the Awards & Oversight Committee but not lower than Eight (P8.00) Pesos per sq. meter.

SECTION 6. - MANDATORY RENTAL RATE REVIEW. - The rental rates herein provided shall be subject to a mandatory review at the end of three (3) years from the effectivity of this Ordinance and at such time and frequency as the Awards and Oversight Committee may recommend.

SECTION 7. - LEASE APPLICATION REQUIREMENTS. - Lease Applicants shall comply with the following requirements in addition to other requirements which the Awards & Oversight Committee may set and as may be approved by the City Mayor:

1. Submission of the application form duly filled up, signed, and notarized, containing the following information:
 - a. Name, address, telephone number. In case of Juridical persons, the names and addresses of the officers/board of directors shall also be indicated;
 - b. Court and PNP Clearance;
 - c. Business activity/enterprises to be carried out;
2. Payment of the amount equivalent to two (2) months rental as deposit and one (1) month advance rental;

SECTION 8. - LEASE ENTITLEMENT/DISPOSITION. - Each qualified applicant, whether natural or juridical person, shall be entitled to only one (1) stall at a time.

SECTION 9. - PROHIBITIONS. - To achieve the purposes of this Ordinance, the following acts are strictly prohibited:

- a. sub-leasing the entire or any portion of the leased premises;
- b. selling, disposing, assigning, or in any manner transferring his/her rights as the lessee of the leased premises;
- c. Effecting structural improvements/alterations of the leased premises without approval of the Awards & Oversight Committee

For this purpose, the lessee shall be required to display within the stall premises a copy of the Lease Contract together with his/her 2x2 picture, and the Business Permit/License.

Contracts, written or oral, entered into in violation of this provision shall be null and void ab initio, and the City reserves the right to summarily evict the illegal occupant.

SECTION 10. - MAINTENANCE OF ORDER AND CLEANLINESS. - The maintenance of order and cleanliness within the leased stalls and its immediate surrounding shall be the responsibility of the lessee thereof.

SECTION 11. - THE AWARDS & OVERSIGHT COMMITTEE. - For the proper disposition of and utilization of the commercial stalls and booking offices in the Terminal, an Awards and Oversight Committee shall be created by the City Mayor and shall have the following duties and functions:

1. Formulate the Implementing Guidelines of this Ordinance subject to the approval of the City Mayor which shall include, but not limited to:
 - i) Documentary requirements;
 - ii) qualifications of lease applicants;
 - iii) terms and conditions of the lease contracts
2. Evaluate, assess, and recommend to the City Mayor the approval or disapproval of lease applications;
3. Act as the Oversight Committee that shall monitor and recommend measures for the effective enforcement of the provisions of this Ordinance.

SECTION 12. - PENALTIES. - Violation of any of the provisions of this Ordinance may be a ground for the cancellation of the Lease Contract, imposition of fine ranging from P1,000.00 to P5,000.00, and/or the forfeiture of rentals advanced and deposits made.

SECTION 13. - SEPARABILITY CLAUSE. - Should any provision hereof be declared unconstitutional or ultra vires, the others not so declared shall remain in full force and effect.

SECTION 14. - REPEALING CLAUSE. - All other provisions of existing ordinances, resolutions, and executive issuances inconsistent with this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 15. - EFFECTIVITY. - This Ordinance shall take effect immediately upon its approval.

ENACTED: January 27, 1999

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

ESTEBAN R. ABONAL
City Vice Mayor & Presiding Officer

APPROVED:

SULPICIO S. ROCO JR.
City Mayor