



Republic of the Philippines  
Tanggapan ng Sangguniang Panlungsod  
City of Naga



**ORDINANCE NO. 99-085**

**AN ORDINANCE REGULATING ALL ADVERTISING AND PROMOTIONAL ACTIVITIES WITHIN THE TERRITORIAL JURISDICTION OF NAGA CITY, SETTING RULES AND GUIDELINES FOR ITS IMPLEMENTATION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: -**

Author: Hon. William Kalaw/Hon. Fiel Rosales

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

**SECTION 1. - ALTERNATIVE TITLE.** - This ordinance shall otherwise be known as the “Rules and Guidelines in the business or advertising and other promotional activities”.

**SECTION 2. - DEFINITION OF TERMS.** - Fro the proper implementation of this ordinance, the following terms herein below provided shall have its respective meaning, to wit:

- a. Advertising Materials - shall refer to either paper, plastic, cardboard, panaflex, stickers, metal or any other similar items whereon certain company products are printed or engraved thereon for promotional purposes.
- b. Advertiser - shall refer to any person, group, association, corporation or nay private entities engaged in advertising business and whose services are utilize by private companies for promotional activities.
- c. Private Business Entity - shall refer to all kind of business with or without license to operate in the City provided that the business products or services are being sold in the market.

**SECTION 3. - COVERAGE.** - This regulatory ordinance shall apply to any act or activity to promoter or advertise the company product/s or service/s to the public through any of the means or process of promotion/advertisement such as but not limited to billboard, neon lights, sinages, panaflex, plastic, photographic, tarpaulin lighted or not streamers, poster, flyers, leaflets and other similar materials.

The provisions of this ordinance shall apply only to construction. Installation, hanging wrapping, posting or any similar scheme or manner of any of the means or process of promotion of advertisement in any place within the city limits other than its principal office and business address.

**SECTION 4. - IMPLEMENTING RULES & PROCEDURES.** - Prior to the construction, installation, posting, hanging or any promotion/advertisement, the person, association, group, partnership or corporation interested must comply with the following, to wit:

- a. Written application address to the City Mayor copy furnished the City Planning and Development Office (CPDO) and the City Engineer’s Office (CEO). Attached thereto

are the design, details & specifications and the site/location/sketch plan of the project.

- b. If the site/location is a private property, applicant must present any written document showing the consent of the owner.
- c. Affidavit of undertaking to assume all obligation and liabilities cause to any third party by reason of such project.
- d. Such other documents/papers that the city may require.

Provided that in case of application to post or put up streamers, posters and flyers, only a written application address the City Mayor will be sufficient. Such letter must state the total number, the period/duration and the areas/sites/locations.

Provided further that, except for the City Mayor, all and every application submitted must be acted upon by the persons concern within three (3) working days from receipt thereof otherwise, the City Mayor in the exercise of his discretion act on the pending application subject however to payment of fees or charges as provided hereinafter.

**SECTION 5. - FEES & OTHER CHARGES.** - (a) Payment of fees and charges as required under this ordinance shall be a condition sine qua non before the approval of every and all applications. In the determination of the amount of fees & other charges, the following schedule of rates of fees and charges must be observed, to wit:

<b>KIND</b>	<b>UNIT/SIZE</b>	<b>RATE (PER SQUARE FT/PC.)</b>
a. FOR BILLBOARDS, SINAGES (made of any materials)	12" x 24" Standard size	P 2.00
b) SINAGES (lighted of otherwise)	Single Face Double Face	5.00 7.50
c) STREAMERS, POSTERS & FLYERS, ETS.	20 pcs. Or less 20-50 pcs. 50 above	5.00/pc. 7.50/pc. 10.00/pc.
) POSTERS & FLYERS	500 pcs. Or less 500 above	25.00 (fixed rate) Additional 5.00/500 pcs.

Provided that the foregoing rates of fees can be charged only in a case such installation, hanging, posting or other scheme is done in a place other than official business address of the applicant. Provided further that in case of installation or construction of billboards on public property, easement or property of similar character which under the administration and control of the City Government of Naga, the City Treasurer shall impose an additional charge of P100.00 per month to the applicant.

- b. Effect on non-payment – any pending application shall not be approved until compliance of the Section 5.a of this ordinance. Any permit issued after the approval of this ordinance but contrary to any of the provisions of this ordinance shall be null and void ab initio.

**SECTION 6. - ISSUANCE OF PERMIT.** - The City Mayor or any of his representative, in the exercise of his discretion, may issue a permit upon receipt of the endorsement from the CPDO and the CEO or after the lapsed of three (3) working days from receipt of the application without the need endorsement from the CPDO and CEO. Such permit issued may be revoked

or canceled even before its expiration for a valid and legal cause and with prior notice to the grantee.

**SECTION 7. - PROHIBITED ACTS.** - Any of the following promotional or advertising acts or activities is prohibited, to wit:

- a. No permit from the City Government;
- b. No building or constructing permit, in case of billboards;
- c. Non-payment of fees and/or charges required
- d. Failure to comply with the number, designs, specifications and details per records submitted;
- e. Establishment hanging and/posting outside the designated area;
- f. Design is found to be contrary to morals, public policy and customs;
- g. Installation, hanging, posting or wrapping any kind of trees on both sides of any streets, highways, roads and alleys, even if done in his principal office or business address;
- h. In case of billboards and sinages, if it obstruct the light of the view of the public causing great risk to life and limbs;
- i. Such other acts done or found to have been violating any existing ordinance or other rules and regulation of the City;

**SECTION 8. - PERSON/S LIABLE.** - For all the foregoing prohibited acts or activities, unless the persons who directly committed the offense is determined, it shall be presumed that the company owner or any of its representative or its agent (advertiser) shall be deemed to have committed such violations and shall be held responsible in accordance with the penalty clause under this ordinance.

Prior to the imposition of the proper penalty, a five (5) days prior to notice of such violation must first be done by the City to the company owner or it's duly appointed representative or its agent (advertiser) and to show cause why the penalty will not be imposed against them. In nay agent, a fine of FIVE HUNDRED (P 500.00) PESOS shall be imposed for the expenses incurred by the City for its removal of demolition.

**SECTION 9. - PENALTY PROVISION.** - The following schedule of penalties shall be imposed for every and all violations, to wit:

First offense	Warning and removal of the Means & process of promotion & Advertisement
Second offense	a. If a juridical person – fine of P 1,000.00 If President or duly authorized representative or agent - fine of P 1,000.00 and/or imprisonment of ten (10) days. b. And demolition of any of the means or process of promotion or advertisement.

**SECTION 10.** -This ordinance shall take effect upon its approval and after publication in a newspaper of local circulation.

**ENACTED:** November 24, 1999.

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

**GIL A. DELA TORRE**  
Board Secretary II  
& Secretary-Designate

**ESTEBAN R. ABONAL**  
City Vice Mayor & Presiding Officer

APPROVED:

**SULPICIO S. ROCO, JR.**  
City Mayor