ORDINANCE NO. 2001-055
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AN ORDINANCE REGULATING SIDEWALK VENDING AND ALLIED ACTIVITIES WITHIN THE CENTRAL BUSINESS DISTRICT I (CBD-I) AND OTHER PLACES IN THE CITY OF NAGA, IDENTIFYING THE AREAS WHERE SUCH ACTIVITIES SHALL BE ALLOWED, THE PRODUCTS/SERVICES TO BE SOLD/OFFERED, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF:-

Author: Hon. William G. del Rosario

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

SECTION 1. – **Title of Ordinance.** – This ordinance shall be known as "The Sidewalk Vending Regulatory Ordinance of the City of Naga".

SECTION 2. – **Scope of Ordinance**. – This Ordinance shall cover the operation and maintenance of sidewalk vending and allied activities in the Central Business District (CBD-I) and other public places in the City of Naga.

SECTION 3. – **Sidewalk Vending Policy**. – There shall be no vendor, stand or post to be allowed in any public place including highways, sidewalks, road shoulders, alleys, vacant spaces, easements of private properties, plazas or parks unless otherwise specified in this ordinance and/or permitted by the City Mayor.

SECTION 4. – **Definition of Terms**. – As used in this ordinance:

a. **Sidewalk Vendor** – shall refer to any person individual who provides services or attends, sells or vends any agricultural products, cooked foods, and/or dry goods, items or articles, including any person who attends to these above-cited products which are intended to be sold, at any temporary location, highway, sidewalks, road shoulder, alley, vacant space, easement of a private property, plaza, park, or portions thereof;

b. **Central Business District I (CBDI)** – is the area bounded by P. Diaz St. on the north (from J. Hernandez Ave. to Peñafrancia Ave.), by the Naga River on the east and the south, and J. Hernandez Ave. on the west (from the Naga River to corner P. Diaz St.);

c. **Agricultural Products** – shall include the yield of the soil such as corn, rice, wheat, rye, hay, coconut/buko, sugar cane, tobacco, root crops, vegetables, fruits, and the like and their by-products; ordinary salt, sugar, honey; all kinds of fish, poultry, livestock and animal products

whether in their original form or when preserved in a more convenient and marketable Form through the simple process of freezing, drying, salting, smoking, stripping and bottling;

d. **Coked Foods** – shall refer to al kinds of foods and drinks that are cooked and/or mixed, intended to be sold for public consumption such as but not limited to rice, viands, corn, fried banana, barbeque, log-log, lugaw, peanut, pakwan seeds and peas, dinuguan, gulaman, fruit juice, other ready mixed drinks and the like;

e. **Dry Goods and Articles** – shall include, but not limited to school supplies, school uniforms, shirts, pants, footwear, leather craft, socks, chucheria, ready made dresses and clothing, kitchen wares and accessories, metal and stone crafts, handicrafts and the like;

f. **Services** – shall include, but not limited to shoe shine/repair, watch repair and rubber stamp making. locksmith and the like.

SECTION 5. – The following are the designated sites for sidewalk vendors and allied activities within CBD-I where vending shall be allowed with the corresponding Prescribed Time for Vending, to wit:

LOCATION	**Prescribed Time**
2/F, Supermarket, beside the Fish Section	8:00 AM-4:00 PM
Supermarket, Riverside	4:00 PM-8:00 PM
Supermarket, Riverside (beside the island)	4:00 PM-8:00 PM
Beside the post of commercial spaces in Gen. Luna from cor. Caceres to cor. Evangelista, facing the post and parallel to Gen. Luna	
Caceres St., beside Benito Commercial	
Short Street B	
Cor. Zamora and J. Hernandez Ave.	
Evangelista St., beside New England Bakery and the alley leading to Prieto St.	
J. Hernandez Ave., from cor. of Bichara Complex/Mercury Drug to cor. of Robertson Dept. Store	
Cor. J. Hernandez Ave., and Prieto St., in front of old Bicol Savings	
Cor. Abella St. and J. Hernandez Ave.	
Kinastilyuhan St.	4:00PM-5:00 AM
E. Angeles St. (in front of Union Bank)	6:00PM–5:00 AM
E. Angeles St. (in front of old GSIS Bldg.)	
Alongside the walls of business establishments in CBD-I but at least 6 meters from corners	

(Please see attached map)

The sidewalk Vending Task Force is tasked with designating the Type of Product/Service to be sold, Maximum Number of Stalls, Stall Sizes and Stall Types for each area, subject to the approval of the City Mayor;

SECTION 6. – Implementing Arm. – A Sidewalk Vending Task Force composed of the Chairman of the Market Affairs Committee, the Naga City Public Market Office headed by the Market Superintendent, the City Treasurer and the Executive Committee of the Naga City Traffic Management Task Force is hereby tasked to implement this ordinance; and to attend to all matters pertinent and incidental to sidewalk vendors such as, but not limited to selection and registration of qualified vendors; assignment of stalls or areas; and classification of products.

The Market Affairs Committee Chairman shall also be the Chairman of the above-mentioned Task Force;

SECTION 7. – Special Permit. – all vendors are hereby required to secure a Special Permit from the Sidewalk Vending Task Force. The permit shall be renewable annually on or before the last day of February and shall specify the following:

1. vendor’s personal data
2. area where he is allowed to sell
3. stall/area number, for vendors within CBD-1
4. product to be sold
5. prescribed time for vending

SECTION 8. – Such Special Permit shall be governed by the following terms and conditions:

1. that the sidewalk vendors shall pay a fee of a minimum of P5.00 and maximum of P50.00 per day;
2. that only stalls, structures or containers allowed by the city for a given area will be used;
3. that only allowed products will be sold in specific stalls or areas;
4. that assigning or subleasing of stalls is not allowed;
5. that all sidewalks vendors are limited to selling only within their assigned stalls or areas;
6. that a sidewalk vendor and his family members are limited to having only one (1) stall;
7. that the vendor shall regularly wear the ID prescribed by the task force;
8. that the vendor shall be responsible for maintaining the cleanliness of the premises and shall provide a waste can or basket within the stall area;
9. that stalls should not be used as sleeping or drinking areas;
10. that should the vendor not be able to sell his wares/products for at least five (5) consecutive days, he is required to properly notify the

Sidewalk Vending Task Force, through the Market Office, about the same;

11. for semi-permanent structures, the vendor may install electrical connections under the supervision of the task force; and stall improvements shall conform to the plans and specification provided by the same.

SECTION 9. – City Sidewalk Vendor ID Card. – All sidewalks vendors are required to wear a City Sidewalk Vendor ID Card prescribed by the Sidewalk Vending Task Force. Along with the Special Permit, it shall be renewable annually on or before the last day of February, and shall indicate the following personal data of the sidewalk vendor:

1. his/her full name and complete address;
2. the classification of the products he/she is authorized to sell, such as:

    a. agricultural Product
    b. cooked foods
    c. Dry Goods & Other Articles
    d. Services

3. His/her bust size recent photo
4. His/her signature, the signature of the Chairman of the Naga City Sidewalk Vending Task Force and the City Mayor;

The ID Card is non-transferable. The Sidewalk Vending Task Force is hereby authorized to issue the ID card at a cost of P20.00 each. Instead of issuing a new ID card during the succeeding year, a special sticker with the year and Mayor’s signature shall be posted on the old ID of the sidewalk vendor after he has renewed the Special Permit and paid the sticker fee of P3.00.

SECTION 10. – Sidewalk Vending Outside CBD-1. – Any other sidewalk vendor intending to use any public place outside CBD-1 for selling of wares/products or providing services is required to secure the Special Permit and the City Sidewalk Vendor ID Card specified in the preceding sections.

SECTION 11. – Penalties. - any person or persons found guilty of violating provisions of this ordinance shall be penalized by the following;

Violation	Fines/Penalties
1. Selling of wares/products in a public place without the required Special Permit.	Automatic dismantling of stalls and impounding of products; the impounded products may be retrieved from the Sidewalk Vending Task after payment of the following fines: First Offence - P300.00 Second Offence - 500.00 Third Offence, onwards - 1,000.00 However, impounded products may only be retrieved based on the following schedule: Agricultural Products and Cooked food-after four (4) hours but within six (6) hours Other Products - after One (1) day but within five (5) days Agricultural products and cooked foods not retrieved after six (6) hours shall be donated to charitable institutions. Other products not retrieved after five (5) days shall be sold at a public auction.
2. Failure to wear the prescribed ID 3. Failure to observe the proper time of selling 4. Use of unauthorized stalls/containers 5. selling of unauthorized goods 6. vending outside the prescribed area 7. Construction of additional structures outside the prescribed limit 8. Inability to maintain cleanliness 9. Use of stall as sleeping or drinking areas	First Offense - P 100.00 Second Offense - Confiscation of products Third Offense - revocation of Special Permit

10. Failure to pay the daily fee for 15 days 11. Assignment or sub-leasing of stalls 12. Construction/operation of additional stalls 13. Inability to sell for 5 consecutive days without properly notifying the Market Office	Automatic revocation of the Special Permit

SECTION 12. – Separability Clause. – If any provision of this ordinance or the application thereof, to any person or circumstances is held invalid, the remainder of this ordinance and the application of such provision to other persons or circumstances shall not be affected thereby;

SECTION 13. – Repealing/Amendatory Clause. – All orders, resolutions, ordinances, rules and regulations or portion thereof found to be inconsistent with any provision of this ordinance are hereby amended, repealed and/or modified accordingly;

SECTION 14. – Effectivity – This ordinance shall take effect upon its approval and after publication in a newspaper of local circulation.

Adopted: August 8, 2001.

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WE HEREBY CERTIFY the correctness of the foregoing ordinance.

(SGD)GIL A. DE LA TORRE
Board Secretary II &
Secretary-Designate

(SGD)JOSE C. RAÑOLA, M.D.
City Councilor/
Acting City Vice- Mayor
& Presiding Officer

APPROVED:

(SGD)JESSE M. ROBREDO
City Mayor