



Republic of the Philippines  
Tanggapan ng Sangguniang Panlungsod  
City of Naga



**ORDINANCE NO. 2003-024**

**AN ORDINANCE REQUIRING ALL OWNERS OF VACANT LOTS WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF NAGA MORE PARTICULARLY THOSE LOCATED IN THE URBAN AREAS TO CLEAN AND MAINTAIN THE CLEANLINESS OF SUCH VACANT LOTS TO PREVENT THEM FROM BECOMING EYESORES AND BREEDING PLACES OF INSECTS AND PESTS:-**

Author: Hon. Simeon F. Adan

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

**SECTION 1. - TITLE.** - The title of this ordinance shall be “An ordinance requiring all owners of vacant lots within the territorial jurisdiction of the City of Naga more particularly those located in the urban areas to clean and maintain the cleanliness of such vacant lots to prevent them from becoming eyesores and breeding places of insects and pests”.

**SECTION 2. - PURPOSE AND OBJECTIVES.** - This ordinance is in keeping with the aims and purposes of Presidential Decree No. 825 issued as early as November 7, 1975, which is to effect social, economic and political reform through discipline and order more particularly to keep his environment and surroundings clean and wholesome.

**SECTION 3. - DEFINITION OF TERMS. -**

3.1. VACANT LOTS - This term is used to mean “all lots of any size or form regardless of its owner, public or private, and located within the territorial jurisdiction of the City of Naga. For the purpose of this particular ordinance only lots in the urban or cosmopolitan area of the City where there are adjacent or nearby lots occupied by residential or commercial buildings accessible by transportation or abutting roads, streets or highways which have laid unoccupied at the time of the approval of this ordinance;

3.1.1. This definition, however, includes those lots in the rur-urban areas of the City which are now within the areas being developed for housing and subdivisions. Big tracts of agricultural lands either fully or partially used by their owners for agricultural purposes are not covered by this ordinance;

3.1.2. This definition also covers those lots which although already utilized by its owner/ proprietor for the construction of their homes or buildings, yet the same have been abandoned or left unutilized and unoccupied leaving the building and lot in ruins or in state of disrepair.

**SECTION 4. - MANDATE. -**

- 4.1. This ordinance mandates the owner, proprietor and/or caretaker or their representatives to clean their vacant lot to free it from tall grasses, of debris, or dirt and maintain the same as clean and orderly as possible.
- 4.2. This ordinance empowers the Office of the Punong Barangay of every affected barangay in the City of Naga within the jurisdiction of his barangay to survey the entire lots of this nature described in this ordinance and make an inventory of the same determining for the purpose the following information, to wit:
  - 4.2.1. The exact location of the lot based on its technical description found in the Offices of the Register of Deeds for those titled properties and/or from the City Assessor's Office if the lot is without a title.
  - 4.2.2. The name of its registered owner and in his absence, the caretaker or surviving heirs or co-owners whoever is identifiable or could be contacted for the purpose.
  - 4.2.3. The present condition of the lot especially as to its topography and presence of obstruction, dirt, grasses or ruins.
- 4.3. This ordinance also requires all Punong Barangay to submit its survey and directory of vacant lots to the Office of the Environment and Natural Resources (ENRO), for the purpose of consolidating the inventory and as a reference for monitoring of said program.
- 4.4. The ENRO is mandated by this ordinance to gather all such data within a period of three (3) months after the approval of this ordinance and after such date or earlier assist the Punong Barangay in sending letters and notices to lot owners, giving details on their obligations under this approved ordinance especially as to the sanction and penalties imposed upon violators. For the purpose of implementing the same all Barangay Kagawads shall assist the Punong Barangay to conduct the survey in their own respective sitios.

#### **SECTION 5. - PENALTIES. -**

- 5.1. Any registered owner or in his absence, the caretaker or his representative of said owner or caretaker, after due notice who fails to clean and maintain such cleanliness every quarter of the year the vacant lot owner concerned shall be fined the amount of Five Hundred Pesos (P500.00) for every one hundred square meters (100 sq.m.) area or a fraction thereof depending upon the entire area of the lot in question. The total fine, however, shall not exceed Five Thousand Pesos (P5,000.00) or an imprisonment not to exceed six (6) months or both at the discretion of the court.
- 5.2. Upon second notice if found to be not implemented, the fine shall be increased twofold, that is One Thousand Pesos (P1,000.00) for every one hundred square meters (100 sq.m.) of the lot or a fraction thereof, provided, that the total penalty shall not exceed Five Thousand Pesos (P5,000.00) or an imprisonment of a total of six (6) months or both per lot at any one time, the latter at the discretion of the court.
- 5.3. In case of lots of this nature whose ownership belongs to the government or government-owned or controlled corporations, for LGU-Naga, the ENRO as its own branch shall be responsible for cleaning the same; if such belong to the

national or provincial government, the head of the same shall be notified in writing, and if such owner be a government-owned or controlled corporation, the same entity shall be treated like private individuals in their corporate capacity.

- 5.4. Failure of the owners to clean the premises as required, the actual cleaning of the lots concerned shall be undertaken by the respective Barangays and Zones of the Barangay but all expenses in labor and materials shall be assessed by the said barangay and charged to the owner at the rate of Two Hundred Pesos (P200.00) per lot of 100 square meter or a fraction thereof, the same charges to be collected by the barangays from the owner or caretaker and if not available be charged to the tax payments due the owners thereof during the taxable year and like such taxes shall incur lawful interests.

**SECTION 6. - PAYMENT AND DISPOSAL OF FINES.** - All fines collected or charged in implementation of Section 5 herein shall be paid directly to the Barangay Treasurer including those for penalties and interests thereon. The Barangay Treasurer shall issue corresponding receipts thereof but Twenty five percent (25%) of such collections shall be forwarded to the City Treasurer to constitute a Special Fund for the quarterly cleaning of all roadsides of the City to be undertaken by the ENRO.

The Barangay concerned constitute their retention fund as special fund shall allocate such retention of Seventy five percent (75%) of this fund to the Zones in their barangays as maybe needed for cleaning materials such as grass cutters in a manner agreed upon by the Barangay Council.

**SECTION 7. - Implementation of the provisions of this ordinance shall be subject to coverage by City Ordinance No. 2003-013 or the "Bantay Kapalibotan" Ordinance especially as to its monitoring and evaluation by the Barangay Enforcers.**

**SECTION 8. - APPROPRIATIONS.** - The amount of Three Hundred Thousand Pesos (P300,000.00) shall initially be appropriated charged to ENRO budget but the same shall be replenished from time to time as it becomes necessary coming from the fines and penalties earned under Section 5 of this ordinance in the same proportion coming from the City and Barangay Funds.

**SECTION 9. - REPEALING OR AMENDATORY CLAUSE.** - Any provisions of existing ordinances, rules and regulations and/or parts thereof inconsistent with the provisions of this ordinance are hereby repealed and/or modified accordingly.

Should any portion or provision of this ordinance be declared unconstitutional or invalid, the other parts or provisions thereof not affected thereby shall remain and continue to be in full force and effect.

**SECTION 10. - EFFECTIVITY.** - This Ordinance shall take effect immediately upon its approval and publication in a newspaper of local circulation and the posting thereof at City Hall and at every Barangay Hall in the City of Naga.

**ENACTED:** February 19, 2003

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

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

**GIL A. DE LA TORRE**  
Board Secretary II  
& Secretary Designate

APPROVED:

**JESSE M. ROBREDO**  
City Mayor