ORDINANCE NO. 2007- 020

AN ORDINANCE AMENDING SECTION 118 AND 119 OF ORDINANCE NO. 2004-123, OTHERWISE KNOWN AS "AN ORDINANCE CODIFYING AND REVISING THE VARIOUS REVENUE ORDINACES OF THE CITY OF NAGA, AND FOR OTHER PURPOSES":-

Author: Salvador M. del Castillo

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

Section 1. - Section 118 of Ordinance No. 2004-123 is hereby amended, now to read as follows:

"SECTION 118. FEES AND CHARGES FOR USE PUBLIC PLACES AND PRIVATE LOTS/SPACES.

There is hereby levied fees and charges for use of Public Places and Private Lots/Spaces in the City of Naga for purposes of vending all kinds of articles and commodities during the Peñafrancia Festivities.

Definition of Terms - As used $\underline{\text{herein the following}}$ words and phrases shall mean:

Transient Vendors - shall refer to any person or individual, resident or non-resident of the City of Naga, who sells or vends or is employed to attend or watch goods in behalf of the vendor or seller, consisting of agricultural or industrial products, cooked foods or dry goods, or any item or article of value at any of the public places or spaces designated or mentioned herein.

Public Plazas - shall refer to all the public plazas located at the Central Business District of the city more particularly named as the Plaza Quezon, Plaza Rizal, Plaza Quince Martires.

Agricultural Products - includes the yield of the soil, such as corn, rice, wheat, rye, hay, coconut, sugarcane, tobacco, root crops, vegetables, fruits, flowers, and their by-products; ordinary salt, all kinds of fish; poultry; and livestock and animal products, whether in their original form or not.

No transient vendors during the period of the Peñafrancia Festivities from August 1 to October 15, each year, shall be allowed to construct any temporary stall, shanty, or lean to or spread their wares on the ground along the main thoroughfares, side streets, sidewalks, or intersection of the City more particularly at the present Central Business District and those streets leading to the schools, churches and public plazas and the take off and landing sites of the Traslacion and Fluvial Procession of the Peñafrancia Festivities, except only those stalls temporary or otherwise, which have been installed with permits granted by the City Government.

Ordinance No. 2007-020 Series 2007

Page - t w o -

Trade Fairs, Exhibits and/or Carnival Shows that admit transient vendors inside shall not be allowed at any of the places and plazas mentioned in this Section, whether they be sponsored by government or non-government entities. The Sports Complex beside the Naga Central School II and the DIGITEL Co., may, by proper arrangements with the authorities concerned be used for such purpose, provided, this will not unduly disturbed the peace and quiet of the neighboring residences.

Only public spaces located at the ramps leading to the third floor of the Naga City Public Supermarket as are indicated by the Market Awards Committee and to include this spaces not occupied by stall holders at the third floor of the said market are to be lease to transient vendors on a first-come, first-served basis and at rates provided for under existing Ordinances of the City of Naga.

The vacant spaces at the Riverside between the Public Supermarket and the Naga River revetment shall likewise be leased to transient vendors whose articles and commodities match those vendors now occupying the area.

Special occupancies by transient vendors of certain Side streets during special occasion. Some Side streets in the City maybe occupied by transient vendors during special occasions such as Peñafrancia festivities (Sept. 1 to Oct. 15), Kamundagan Festival, and Trade and Industrial Fairs for a period of thirty (30) days from date of issuance of permit.

The fees for use of Public Places and Spaces in the City of Naga for purposes of vending all kinds of articles and commodities during the Peñafrancia Festivities are as follows:

a. At vacant spaces (side streets) along Panganiban Avenue, Peñafrancia Avenue, outside the wall of CSNHS up to BCAT, E. Angeles St., where vending is allowed only for a period of ten (10) days from the Traslacion up to Peñafrancia Fiesta Day, the rates shall be as follows:

1. General Merchandise:

a. Small (2x2) P1,300.00 b. Big (2x2) but not to exceed (4x4) 1,800.00

2. Carinderia:

a.	Small	500.00
b.	Big	1,200.00

Ordinance No. 2007-020 Series 2007

Page - three-

At vacant spaces along Peñafrancia Avenue outside the walls of the Camarines Sur National High School up to the gate of the Bicol College of Arts and Trade at a rate of P4,000.00 per booth (2x2m).

b. Inside private lots along both sides of Barlin St. and Peñafrancia Ave., Balatas Rd., and Magsaysay Ave., - vendors <u>selling their wares and paying</u> rentals with arrangements from private lots owners thereof and shall pay the required fees at the City Treasurer's Office in the amount indicated hereunder:

1. General Merchandise

i.	With	an	area	of	2 m. x 2 m.	-	P2,000.00
iī.	With	an	area	of	4m. x 4 m.	_	4,000.00

2. Eatery/Carenderia:

i <u>.</u>	With	an	area	of	2 m. x 2 m.	_	750.00
ii.	With	an	area	of	4m. x 4 m.	-	1,500.00

3.	Soft	drinks	Both	_	500.00

_	200.00
	_

	5.	Others	_	Cash	Ticket
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6. Inside Malls P200.00/day/stall

provided that no stalls are constructed to protrude into the sidewalks & roadsides.

- c. Provided that those transient vendors who want to vend during the period from the Traslacion up to the Peñafrancia Fiesta day shall pay only 50% of what is charged.
- d. The City Mayor is authorized under this ordinance to lease temporarily any private property near the Central Business District if such is needed to accommodate transient vendors who may fail to secure a space at the supermarket are and said transient vendors shall be assessed in accordance with the size available to them.
- e. Owners of private commercial or business stalls and establishments whether located at the Central Business District or along thoroughfares, streets, And roadways leading to schools, churches or plazas as described above, are prohibited from leasing or renting out to transient vendors spaces that protrude of go beyond their lot lines to include those spaces reserved under existing laws and ordinances as pedestrian lanes or parking spaces, unless the same spaces are without doubt inside their privately owned premises.

Ordinance No. 2007-020 Series 2007

Page - f o u r -

- f. The personnel of the Naga City PNP, Public Safety Office and the City Market Guards so designated, are hereby deputized to implement strictly the provisions of this ordinance.
- g. Penalties. Any violation of any of the provision of this <u>Section</u> shall be penalized with a fine of Five Hundred (P500) Pesos at any one time of apprehension, <u>for the second time of</u> apprehension the revocation of license of the establishment and the confiscation of goods and commodities.
- h. The fines herein imposed shall be collected by the deputized PNP, <u>PSO</u> or Market Guard and acknowledged by an official receipt from the office of the City Treasurer.
- i. These above-mentioned rates or fees shall include Mayor's Permit, Business Tax, Sanitary permit and Fire inspection Fee and shall be payable to the office of the City Treasurer or its authorized collectors before the construction/installation of booths.

Section 2. Section 119 of Ordinance No. 2004-123 is hereby amended, now to read as follows:

"SECTION 119. FEES FOR PRIVATE LOT OWNERS USED FOR VENDING VARIOUS ARTICLES DURING PEÑAFRANCIA FIESTA.

There is hereby levied a fee for private lot owners, for the lease of their lot/s in the City of Naga, for purposes of vending all kinds of articles and commodities during the Peñafrancia Festivities, to wit:

<u>Area</u> <u>Rate</u>

<u>4 m. x 4 m.</u> <u>P200.00</u>

Section 3 - This ordinance shall take effect upon its approval.

ENACTED: August 13, 2007

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 $\ensuremath{\mathbf{WE}}$ $\ensuremath{\mathbf{HEREBY}}$ $\ensuremath{\mathbf{CERTIFY}}$ to the correctness of the foregoing ordinance.

(SGD) JOSE L. GRAGEDA

Secretary to the Sangguniang Panlungsod

(SGD) GABRIEL H. BORDADO, JR.

City Vice-Mayor & Presiding Officer APPROVED:

(SGD) JESSE M. ROBREDO City Mayor