

ORDINANCE NO. 2011-046

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AN ORDINANCE REVISING ORDINANCE NO. 99-098 REQUIRING ALL BUSINESS ESTABLISHMENTS TO SECURE A BUSINESS PERMIT/LICENSE REGISTRATION PLATE BEFORE STARTING TO OPERATE A BUSINESS IN NAGA AND THE SAME SHOULD BE POSTED/DISPLAYED IN THE MOST VISIBLE PLACE OF THE BUSINESS ESTABLISHMENT:-

Authored: Hon. Nelson S. Legacion
Hon. Esteban R. Abonal
Hon. Salvador M. Del castillo
Hon. Jose A. Tuason
Hon. Alex C. Nero

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

SECTION 1. - ALTERNATIVE TITLE. - This Ordinance shall otherwise be known as the "New Business Registration Scheme in the City of Naga".

SECTION 2. - COVERAGE. - This ordinance shall cover all type of business establishments registered with the City Treasurer's Office and shall include all those who will apply for issuance of a Business/Mayor's Permit from the City after the passage of this ordinance.

Any person, natural or juridical that is exempt from paying fees and taxes by virtue of an existing law, rules or regulations shall nevertheless be required to secure the Business Registration Plate and shall be required to pay the fees hereunder provided prior to issuance of the corresponding Business Registration Plate.

SECTION 3. - DEFINITION OF TERMS. - For purpose of proper implementation of this ordinance, the terms hereunder provided shall have the following meaning, to wit:

- a) Business/Mayor's Permit - shall refer to the legal authority granted by the City Government of Naga to all person/s (natural or juridical), business establishments, offices, institutions and similar others to operate within the territorial jurisdiction of the city for a given period of time.
- b) Business Registration Plate - shall refer to the permanent business registration plates which will be issued by the City Treasurer Office after compliance with all the requirements under existing rules and regulations.
- c) Business Establishment - shall refer to any person, natural or juridical, association, group partnership or organization that is registered with the Office of the City Treasure's and was previously granted an authority to operate within the territorial jurisdiction of the city. It shall include all other business establishments that will apply for a Business/Mayor's Permit after the passage of this ordinance.

- d) Annual Fees - shall refer to the amount required by the City Treasurer's Office prior to issuance of said business/mayor's permit based on the previous year's gross income and payment computed in accordance with the Revised Local Tax Code of Naga City as amended.
- e) Cost of Registration Plates --shall not be less than the actual expenses incurred by the City Government in the fabrication of the Business Registration Plates. The amount hereunder fixed shall be in addition to the amount computed by the City Treasurer's Office as provided by the revised Local Tax Code as amended.

SECTION 4. - THE CITY GOVERNMENT IS TO PROVIDE A PERMANENT UNIFORM BUSINESS REGISTRATION PLATE. A STICKER CORRESPONDING TO THE YEAR OF/ISSUE/RENEWAL SHALL BE PLACED ON THE STICKER SIDE OF THE PLATE (NEW) OFFICIAL PLATE/STICKER DESIGN. - There shall only be one, uniform and official design for the Business Registration Plate and shall bear the following information, to wit:

A. BUSINESS PLATE DESIGN

- 1. Business Plate Number
- 2. Sticker Box
- 3. Naga City Official Seal(new)
- 4. Naga Smiles Logo (new)
- 5. Background design - MEPO Bldg (new)
- 6. Glossy Fiberglass material, water proof, rust proof, tamper proof, no fading and reversed digital printing
- 7. Size - 5 ft x 10 ft

B. STICKER DESIGN (NEW)

- 1. Year of Issue
- 2. Signature of the Mayor

SECTION 5. - FEES/CHARGES. - All persons applying for the issuance of a Business/Mayor's Permit shall be required to pay an additional imposition in the amount mentioned-below representing the actual cost incurred by the city for the fabrication of the color-coded business registration plates, to wit:

Business Registration Plates - no less than the actual cost of the fabrication of the business registration plate

Sticker - not less than the cost of printing

In the event of loss, destruction or defaced of the Business Registration Plate, immediate replacement of the same must be initiated by the grantee subject to payment in the amount charge to every new application.

SECTION 6 - ADMINISTRATION AND ENFORCEMENT. - For the proper enforcement of this Ordinance, The Office of the City Treasurer's is tasked to ensure compliance thereof and to make a periodic report to the office of the City Mayor and if necessary, recommend to the Sangguniang Panlungsod enactment of certain legislative measures to further improve the implementation of this ordinance.

SECTION 7. - PROHIBITED ACTS. - Effective upon approval of this Ordinance, it is hereby declared unauthorized the following acts, to wit:

- a. Failure to secure or renew the Business Registration Plate prior to its business operation.
- b. Failure to place the business plate at the area required.
- c. Unauthorized fabrication of Business Registration Plate and sticker
- d. Alteration or destruction of the Business Registration Plate and sticker.
- e. Utilization of Business Registration Plate of another.

SECTION 8. - PENALTY. - Any act that is found in violation of the foregoing provisions shall have the corresponding penalty:

- a. FIRST OFFENSE Fine of P2,000.00
- b. SECOND OFFENSE Fine of P4, 000.00 and/or suspension to operate for a Period of fifteen days.
- c. THIRD OFFENSE Fine of P5, 000 and revocation of Business Permit.

The penalty imposed under this section shall not bar the City from imposing other penalties provided under existing ordinances, rules and regulations.

SECTION 9 - REPEALING CLAUSE. - Any ordinances, rules & regulations found inconsistent to any of the provisions of this ordinance shall be deemed repealed.

SECTION 10 - EFFECTIVITY. - This ordinance shall take effect on January 1, 2012 for all new and old registrants.

ENACTED: September 6, 2011.

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GABRIEL H. BORDADO, JR.
City Vice Mayor &
Presiding Officer

GIL A. DELA TORRE
Secretary to the
Sangguniang Panlungsod

APPROVED:

JOHN G. BONGAT
City Mayor