

**ORDINANCE NO. 2014-052**

**AN ORDINANCE FURTHER AMENDING SECTIONS 118 AND 119 OF  
ORDINANCE NO. 2004-123 KNOWN AS THE REVISED REVENUE CODE  
OF NAGA CITY AS AMENDED BY ORDINANCE NO. 2007-020:-**

Author: Hon. Esteban Greg R. Abonal III  
Co-Sponsors: Hon. Elmer S. Baldemoro  
Hon. Maria Elizabeth Q. Lavadia  
Hon. Ray-An Cydrick G. Rentoy  
Hon. Jose A. Tuason

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

**SECTION 1.** – Section 118 of Ordinance No. 2004-123, **as amended by Ordinance No. 2007-020** is hereby **further** amended, now to read as follows:

Section 118. FEES AND CHARGES FOR USE **OF** PUBLIC PLACES AND PRIVATE LOTS/SPACES.

a. There is hereby levied fees and charges for use of **vacant public places and private lots/spaces and thoroughfares** in the City of Naga for purposes of vending all kinds of **non-illegal** articles and commodities during the Peñafrancia Festivities **and such other festivities as may be declared by the City Government.**

b. Definition of Terms – As used herein the following words and phrases shall mean:

1) **Transient Vendor** – shall refer to any person or individual, resident or non-resident of the City of Naga, who sells or vends or is employed **in behalf of the vendor or seller** to attend **to the sale** of goods consisting of agricultural or industrial products, cooked foods or dry goods, or any item or article of value **along thoroughfares or** at any of **vacant public or private** places or spaces designated or mentioned herein **during the Peñafrancia Festivities and such other festivities as may be declared by the City Government.**

2) **Itinerant Vendor** – shall refer to any transient vendor who secures a **permit to occupy a vacant public or private space for some time and move to another at another time.**

3) **Mobile Vendor** – shall refer to any transient vendor who conducts **business from a vehicle or other conveyance traveling upon public streets, alleys, or other public ways within Naga City.**

4) **Stationary Vendor** – shall refer to any transient vendor who **conducts business from an immobile vehicle/other conveyance or temporary stand upon privately or publicly owned property within Naga City.**

5) **Peddler** – shall refer to any transient vendor who **goes on foot from house to house or establishment to establishment to sell or deliver for sale to customers his goods, wares, or merchandise.**

6) **Public Plazas** – shall refer to all the public plazas of the **City, such as** the Plaza Quezon, Plaza Rizal, and Plaza Quince Martires.

7) **Agricultural Products** – **include** the yields of the soil, such as corn, rice, coconuts, sugar cane, 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.

c. At all times, a Naga City Mayor's Permit is required before any transient vendor may construct any temporary stall, shanty or lean-to, or spread his wares on the ground on any public or private place or space in Naga City, or begin peddling his commodities on a vehicle or conveyance or on foot. The same requirement applies to any sponsor/organizer of trade fair, exhibit and the like.

d. Such Permit may be granted to transient vendors for use of vacant public or private places or the thoroughfares on special occasions like the Peñafrancia Festivities; provided that:

1) Any Permit on the occasion of Peñafrancia Festivities shall be valid only from August 15 to October 15. Any Permit on other occasions shall be valid only within the dates indicated in the permit. No anticipation or extension shall be granted.

2) Any Permit for vending along Peñafrancia Avenue from outside the walls of Camarines Sur National High School to outside the walls of the Bicol State College of Applied Science and Technology, along Elias Angeles St., along Barlin St., and fifty meter (50m) stretches along streets leading to schools shall be valid only for ten (10) days, from Traslacion to Peñafrancia fiesta day.

3) Any Permit for vending in vacant spaces in the Naga City People's Mall and its coverage area shall be granted and regulated by the Market Enterprises and Promotions Office (MEPO). MEPO shall maintain separate recording and accounting of these transactions for submission to the Office of the Treasurer.

4) 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 government entities.

e. The grant of such Permit requires the submission of the following:

1) Application form indicating among others the vendor's personal data, product(s)/service(s) to be sold, prescribed time for vending

2) Barangay Clearance indicating the specified spot and measured area for vending reserved by the barangay

f. The fee for the Mayor's Permit for the use of vacant public or private lot/space or thoroughfare shall be Two Hundred Fifty Pesos (P250) for every square meter floor space or a fraction thereof for the full term August 15 to October 15, provided:

1) The same rate shall apply to mobile vendors according to the space occupied by their vehicle or conveyance at rest; provided, that for purposes of the Mayor's Permit they shall submit as many barangay clearances as to the barangays they plan to transfer.

2) The same rate shall apply to itinerant vendors; provided, that for purposes of the Mayor's Permit they shall submit as many barangay clearances as to the barangays they plan to transfer.

3) The same rate shall apply to transient vendors who sell their wares within the confines or compounds of malls or commercial establishments.

4) The same rate shall apply to sponsors/organizers of trade fairs, exhibits, and the like, that lease spaces for purposes of vending or promoting products or services.

5) The fee for the Mayor's Permit for vending along Peñafrancia Avenue outside the walls of Camarines Sur National High School and the Bicol State College of Applied Science and Technology, along Elias Angeles St., along Barlin St., and fifty meter (50m) stretches along streets leading to schools valid only for ten (10) days, from Traslacion to Peñafrancia fiesta day shall be One Hundred Twenty-Five Pesos (P125.00) for every square meter floor space or a fraction thereof.

6) The fee for the Mayor's Permit for peddlers shall be Two Hundred Fifty Pesos (P250.00) for the full term August 15 to October 15 or One Hundred Fifty Pesos (P150.00) for the ten (10) days, Traslacion to fiesta day.

7) 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.

g) The transient vendor shall at all times wear conspicuously the non-transferrable Mayor's Permit-ID lest he be accosted for the Mayor's Permit.

h) The transient vendor shall be fully responsible for the security of his wares and of the cleanliness of his surroundings as well as waste disposal.

i) The City Mayor is authorized under this ordinance to lease temporarily any vacant private property near the Central Business Districts if such is needed to accommodate transient vendors who may fail to secure a space at the People's Mall area and said transient vendors shall be assessed accordingly.

j) Owners of private lots, commercial or business stalls or establishments whether located at the Central Business Districts or along thoroughfares, streets and roadsides are prohibited from leasing or renting out to transient vendors spaces that protrude or go beyond their property 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.

k) Mobile vendors may not stop nor park their vehicle or conveyance to transact business on sidewalks, pedestrian lanes, intersections, regular parking spaces or any open space that may tend to obstruct driveways, fire hydrants and the like. Nor may itinerant vendors and peddlers use the aforementioned spaces.

l) 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 and shall issue citation tickets for violations.

m) Penalties

1) Any violation of any of the provisions of this Ordinance shall be penalized with a fine of Five Hundred Pesos (P500.00) at any one time of apprehension, and the revocation of the Mayor's Permit and the confiscation of goods and commodities or the closure of the trade fair area on the fourth violation and apprehension.

- 2) Any transient vendor or trade fair sponsor vending or operating as the case may be without the required Mayor's Permit shall in addition to the fine be required to pay the corresponding Barangay Clearance fee(s) and Mayor's Permit fee and be directed to claim his Mayor's Permit-ID from the nearest Treasurer's Office Station within twenty (20) hours from issuance of receipt.

Failure or refusal as directed to pay for, claim, and show his Mayor's Permit-ID after twenty (20) hours shall constitute a second violation; and one (1) more hour, a third violation. On the fourth violation, the aforementioned authorities shall confiscate the goods and commodities or cause the closure of the trade fair.

- 3) Fines and fees shall be paid only to the duly authorized personnel of the Treasurer's Office Stations at the the Philippine National Police (PNP) outposts at Plaza Quezon, Metropolitan Cathedral, and corner of Magsaysay Avenue and Balatas Road, 8:00 a.m. – 5:00 p.m.

**SECTION 2.** – Section 119 of Ordinance No. 2004-123, as amended by Ordinance No. 2007-020 is hereby **further** amended, now to read as follows:

**SECTION 119. FEES FOR PRIVATE LOTS USED FOR VENDING VARIOUS ARTICLES DURING PEÑAFRACIA FIESTA.**

There is hereby levied a fee **on any** private lot owner for the lease of **his** lot/s in the City of Naga for purposes of vending **any kind** of article and commodity during the Peñafrancia Festivities **and such other festivities as may be declared by the City Government at the rate of ten per cent (10%) of the Mayor's Permit fee (Twenty-Five Pesos [P25.00] per square meter or Twelve Pesos and Fifty Centavos per square meter, as the case may be as prescribed in the aforementioned SubSection f and fl to f7).**

**SECTION 3** - This ordinance shall take effect upon its approval.

ENACTED: August 12, 2014

xxx

xxx

xxx

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

**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

**NELSON S. LEGACION**  
City Vice Mayor  
& Presiding Officer

APPROVED:

**JOHN G. BONGAT**  
City Mayor