

REPUBLIC OF THE PHILIPPINES TANGGAPAN NG SANGGUNIANG PANLUNGSOD

City of Naga "An Maogmang Lugar"



ORDINANCE NO. 2018-047

AN ORDINANCE REVISING ORDINANCE NO. 2011-009 ENTITLED, "AN ORDINANCE SETTING THE GUIDELINES FOR THE RESALE AND DISPOSITION OF THE REAL ESTATE PROPERTY ACQUIRED BY THE CITY GOVERNMENT OF NAGA DUE TO NON-PAYMENTS OF REAL ESTATE PROPERTY TAXES", CREATING AN AUCTION COMMITTEE TO CONDUCT THE AUCTION SALE OF ALL DELINQUENT REAL PROPERIES AND ACQUIRED PROPERTIES PURSUANT TO SECTION 263, R.A. 7160 IN THE CITY OF NAGA, AND PROVIDING FOR THE MECHANISM FOR THE RESALE AND DISPOSITION OF SAID REAL PROPERTIES AS MANDATED UNDER SECTION 264 OF SAID LAW:-

Sponsors: Hon. Gregorio Re Abona G Hon. Salvador M. del Castillo

Hon. Ray-An Cydrick G. Rentoy

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

Section 1.Objective: - This Ordinance seeks to provide for the procedures and mechanism for the conduct of Auction Sale of both delinquent Real Properties for non-payment of taxes, and those Real Properties acquired by the City Government of Naga for want of bidder;

Section 2. The Auction Committee: Composition - To properly conduct the Auction Sale of real Properties, both under Section 260, and 264 of the Local government Code, a Real Property Auction Committee (RPAC) is hereby constituted to be composed of the following:

- a. Chairman The City Treasurer
- b. Members:

The City Assessor

The City Engineer

The City Legal Officer

The Register of Deeds (upon prior notice and acceptance)

Section 3. Functions: - The Auction Committee created under the preceding Section, shall have the following functions:-

- a. To declare all delinquent Real Properties which shall be subject to Auction Sale for non payment of the Real Property taxes due and collectible, after the issuance of a warrant of levy, and publication of all delinquent real properties as provided under Section 260,R.A. 7160;
- b. To conduct and supervise the actual Auction Sale;
- c. After the lapse of the redemption period as provided under Section 261 of the Code, it shall determine the fair market value of all real properties taken by the City for want of Bidder;
- d. To conduct the Auction Sale of all Delinquent Real Properties in the City of Naga acquired by the city by virtue of Section 263 of the Code.

Section 4. - Date of Auction Sale. The Annual Auction Sale shall be held at the City Hall building:

a) for all delinquent real properties on the last Wednesday of July; and

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b) for properties acquired by the City for want of Bidder shall be held on the last Wednesday of October.

Section 5. Procedural Guidelines in the Conduct of Auction Sale for Properties Taken by the City for Want of Bidders.

- a) The Fair Market Value (FMV) at the time of the Aution Sale as determined by the Committee for each property subject to auction, shall be the Floor Price in order that any and all bids for each property shall be considered responsive and qualified;
- b) There must be a public auction duly published to be conducted by the Auction Committee on all Real Estate Properties acquired by the city for non-payments of Real Property Taxes;
- c) The previous owner of the auctioned property or the person having legal interest therein shall have priority to participate in the auction sale of the said real estate property forfeited. In case there are two (2) winning bidders of the same price, and one of the is the previous owner of the property, preference shall be given to the previous owner for the award of such property;
- d) The acceptable mode of payment from the bidders shall be in cash, Manager's Check or Certified Check only.
- e) After the public auction, the City Treasurer shall immediately post at the bulletin board the names of the winning bidders.
- Section 6. Repealing Clause The provisions of Ordinance No. 2011-009 and all rules and regulations which are inconsistent with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

Section 7. Effectivity - This ordinance shall become effective upon its approval.

ENACTED: July 24, 2018

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE

Secretary to the Sangguniang Panlungsod

City Mce Mayor & Presiding Officer

APPROVED:

JOHN G. BONGAT