



SPI# 2025-1147
RECEIVED
TANGGAPAN NG
SANGGUNIANG PANLUNGSOD NG NAGA
Date: 8-10-2025
SEP 09 2025
BY: 

ORDINANCE NO. 2025-XXX

AN ORDINANCE DEPUTIZING THE BARANGAY TREASURERS OF THE CITY OF NAGA AS COLLECTORS OF PLAZADA FEES FROM VENDORS OPERATING WITHOUT A MAYOR'S PERMIT, PROVIDING FOR A REVENUE SHARING MECHANISM, AND FOR OTHER PURPOSES

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EXPLANATORY NOTE

WHEREAS, vendors operating without a Mayor's Permit within the City's 27 barangays contributes to public space congestion, sanitation problems, and unfair competition with registered businesses that comply with their tax and regulatory obligations undermining the principles of equitable taxation and shared civic responsibility;

WHEREAS, to remedy this situation, the city government is collecting Plazada on these informal vendors but due to the limited manpower of the City Treasurer's Office, not all are able to pay their dues regularly;

WHEREAS, the Local Treasury Operations Manual (LTOM) recognizes the role of barangay treasurers as deputized agents of the local treasurer in tax collection activities, providing a framework for expanding the Plazada collection effort of the city;

WHEREAS, a revenue-sharing mechanism with the barangay can serves as incentive for barangay treasurers to exercise this role of deputized collecting agents of the city treasurer benefiting both levels of government;

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. Short Title, This Ordinance shall be known and cited as the "Plazada Enforcement and Sharing Ordinance."

SECTION 2. Definition of Terms. As used in this Ordinance, the following terms shall mean:

- a. **Cash Ticket** – The official, pre-numbered, and accountable form of the City Government of Naga, designed, printed, and issued exclusively by the City Treasurer's Office, serving as the official proof of payment of the Plazada Fee.
- b. **Deputized Barangay Collector** – The duly appointed and bonded Barangay Treasurers of the 27 component barangays of the City of Naga who have been officially deputized in writing by the City Treasurer to collect the Plazada Fee in their respective barangays.
- c. **Plazada Fee** – A daily regulatory fee in the amount of Fifty Pesos (P50.00) imposed by the City Government on a Vendor Without a Mayor's Permit for the temporary use of a public place for commercial purposes within a barangay's jurisdiction. This fee is primarily for regulation and is distinct from a business tax.
- d. **Public Place** – Includes, but is not limited to, streets, sidewalks, plazas, parks, road shoulders, alleys, vacant lots, and other areas of public domain or public use within the City of Naga, unless otherwise designated as a prohibited vending area by an existing ordinance.

e. **Vendor Without Mayor's Permit** – Any individual, natural or juridical, engaged in the business of selling goods, merchandise, or services in a public place who has not been issued a Mayor's Permit for the current fiscal year as required by the Revenue Code of Naga City. This definition explicitly excludes vendors who have been granted and are in possession of a valid "Special Permit" issued pursuant to City Ordinance No. 2001-055, otherwise known as "The Sidewalk Vending Regulatory Ordinance of the City of Naga". The clear distinction between vendors covered by this ordinance and those under Ordinance No. 2001-055 is established to prevent conflict and create a tiered regulatory system. This ordinance targets the most informal tier of vendors—those with no city-issued permit whatsoever—thereby supplementing, not supplanting, existing regulations.

SECTION 3. Collection and Imposition of Plazada Fee. A Plazada Fee of Fifty Pesos (P50.00) per day is hereby imposed on every Vendor Without a Mayor's Permit found operating within the territorial jurisdiction of the City of Naga. The fee shall be collected daily on-the-spot by the Deputized Barangay Collector of the barangay where the vendor is conducting business.

The payment of the Plazada Fee and the issuance of a Cash Ticket under this Ordinance shall not be construed as a grant of a business permit, license, or permanent right to vend in the specified location. It is a temporary regulatory measure to cover the administrative costs of monitoring, sanitation, and maintaining order. The vendor remains obligated to cease operations upon order of the City Government or the Barangay Government and to apply for a proper Mayor's Permit as mandated by the Naga City Revenue Code.

SECTION 4. Deputation, Bonding, and Responsibilities of Barangay Treasurers. The City Treasurer is hereby authorized and mandated to deputize in writing, duly noted by the City Mayor, the Barangay Treasurers of the 27 component barangays of the City for the purpose of implementing this Ordinance. The written deputation order shall clearly define the scope of authority, duties, and responsibilities of the deputized official.

In accordance with the principles governing the accountability of public officers, no Barangay Treasurer shall be deputized or permitted to perform collection duties under this Ordinance unless he or she is adequately covered by a fidelity bond.

SECTION 5. Duties and Responsibilities. The Deputized Barangay Collector shall have the following duties and responsibilities:

- a. To collect the Plazada Fee of P50.00 daily from every Vendor Without a Mayor's Permit operating within the barangay's jurisdiction.
- b. To immediately issue the corresponding official Cash Ticket for every collection made.
- c. To ensure the proper safekeeping of all collections and Cash Tickets entrusted to his or her custody, in line with the procedures outlined in the Local Treasury Operations Manual.
- d. To remit and report all collections in the manner and frequency prescribed in this Ordinance.
- e. To maintain a simple record book of daily collections, noting the serial numbers of Cash Tickets issued and the total amount collected.

SECTION 6. Collection, Remittance, and Reporting Procedures. To ensure a system of accountability, transparency, and efficiency, the following procedures shall be strictly observed:

a. **Accountable Forms.** The City Treasurer's Office shall be the sole authority for the issuance of the official, serially numbered Cash Tickets. The Deputized Barangay Collector shall requisition these forms from the City Treasurer and shall be held strictly accountable for every piece, in accordance with the rules on accountable forms prescribed by the Commission on Audit and the LTOM.

b. **Collection Procedure.** Upon collection of the P50.00 fee, the Deputized Barangay Collector shall immediately issue one (1) official Cash Ticket to the vendor as proof of payment. The ticket shall be torn from the booklet, and the duplicate copy shall be retained for reporting and auditing purposes.

c. **Remittance Procedure.** The Deputized Barangay Collector shall remit the City Government's share of the collections to the City Treasurer's Office. Remittance shall be made not later than the next working day following the day of collection.

d. **Reporting Procedure.** The Deputized Barangay Collector shall prepare and submit a weekly Summary Report of Collections to the City Treasurer's Office, with a copy furnished to the City Accountant's Office and the Punong Barangay. The report shall detail the inclusive serial numbers of Cash Tickets issued, the total amount collected, the amount remitted to the City, and the amount retained by the Barangay.

SECTION 7. Revenue Sharing and Utilization. The gross proceeds from the collection of the Plazada Fee shall be shared equally—that is, one-half of the total collection each—by the City Government and the barangay where the fee was collected which amount shall accrue to their respective General Fund.

SECTION 8. Automatic retention. To maximize efficiency and provide a direct incentive to the barangays, the fifty percent (50%) share of the collecting barangay shall be automatically retained by the Deputized Barangay Collector. The collector shall only be required to remit the City's fifty percent (50%) share to the City Treasurer. The barangay's share derived from this Ordinance shall be treated as local income under the General Fund subject to the usual budgeting and appropriation process.

SECTION 9. Accounting and Auditing. The City Accountant and the Deputized Barangay Collector shall maintain separate records of all collections, remittances, and shares pertaining to the Plazada Fee. All transactions under this Ordinance shall be subject to the usual accounting and auditing rules and regulations as prescribed by the Commission on Audit (COA) and other relevant fiscal agencies.

SECTION 10. Prohibited Acts and Penal Provisions.

a. **For Vendors.** Any Vendor Without a Mayor's Permit who refuses to pay the Plazada Fee upon demand by the Deputized Barangay Collector shall be ordered to immediately cease his or her business operations for the day. Continued refusal shall be grounds for the confiscation of the vendor's goods or wares by the Deputized Barangay Collector, with the assistance of the barangay tanod or any authorized peace officer. The penalties prescribed in Section 11 of City Ordinance No. 2001-055 for similar offenses shall be applied suppletorily.

b. **For Deputized Barangay Collectors.** Any Deputized Barangay Collector who commits any of the following acts shall have his or her deputization immediately revoked by the City Treasurer, without prejudice to the filing of appropriate administrative and/or criminal charges under existing laws, including the Revised Penal Code and Republic Act No. 3019 (The Anti-Graft and Corrupt Practices Act):

i. Failure to issue an official Cash Ticket for every collection made.

- ii. Use of unofficial, used, recycled, or counterfeit Cash Tickets
- iii. Failure to remit the City Government's share within the prescribed period
- iv. Under-reporting or falsification of collection reports
- v. Misappropriation of collections

SECTION 11. Implementing Guidelines. The City Mayor, in consultation with the City Treasurer, the City Legal Officer, the City Accountant, and the President of the Liga ng mga Barangay is hereby authorized to issue such guidelines as necessary for the effective enforcement of this Ordinance.

SECTION 12. Separability Clause. If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. Repealing Clause. All ordinances, resolutions, executive orders, rules, and regulations, or parts thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 14. Effectivity Clause. This Ordinance shall take effect ten (10) days after its approval and upon compliance with the posting and publication requirements stipulated under Republic Act No. 7160.

ENACTED: