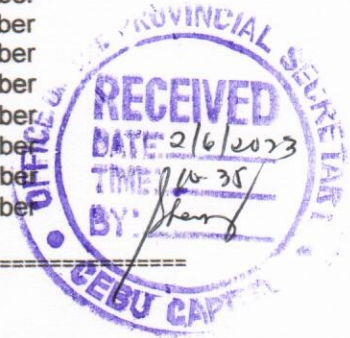




EXCERPT FROM THE MINUTES OF THE 24TH REGULAR SESSION OF THE 5TH SANGGUNIANG PANLUNGSOD (SP) HELD AT THE SP SESSION HALL, LEGISLATIVE BUILDING, EAST POBLACION, CITY OF NAGA, CEBU ON DECEMBER 21, 2022.

PRESENT:

- | | |
|------------------------------|--|
| HON. VIRGILIO M. CHIONG | - Vice Mayor /Presiding Officer |
| HON. CLINT ISIDRO A. CHIONG | - Presiding Officer Pro Tempore |
| HON. CARMELINO N. CRUZ, JR. | - Majority Floor Leader |
| HON. SCOTT JUVENAL A. CHIONG | - Assistant Majority Floor Leader/Liga ng mga Barangay President |
| HON. ALEXANDER R. LARA | - Sangguniang Panlungsod Member |
| HON. AURELIO B. ALINSONORIN | - Sangguniang Panlungsod Member |
| HON. CHARMAINE R. NAVARRO | - Sangguniang Panlungsod Member |
| HON. RAY A. MANABAT | - Sangguniang Panlungsod Member |
| HON. LUZMINDA R. LAPITAN | - Sangguniang Panlungsod Member |
| HON. JUSTINO L. DAKAY | - Sangguniang Panlungsod Member |
| HON. DOMINADOR A. LIBOR | - Sangguniang Panlungsod Member |
| HON. LETECIA F. ABANGAN | - Sangguniang Panlungsod Member |
| HON. KERSY C. BAFLOR | - SK Federation President |



ORDINANCE NO. 2022-10

Hon. Clint Isidro A. Chiong - Sponsor
Chairperson, Committee on Investments and Large Business Industries

SETTING THE LEASE RATES OF A NEWLY CONSTRUCTED STRUCTURE BESIDE THE VOLLEY AND LOB (VAL) TENNIS COURT, AND COMERCIAL SPACES BEHIND THE ENAN MENDIOLA CHIONG MEMORIAL COMMUNITY STAGE AND THE OLD ADMINISTRATIVE OFFICE BESIDE OSTING'S BY THE SEA RESTAURANT AND BAR + GRILL IN BARANGAY EAST POBLACION

EXPLANATORY NOTE

Section 5 Article X of the 1987 Philippine Constitution empowers the local government units (LGUs) to create its own sources of revenues, and to levy taxes, fees, and charges, which shall accrue exclusively to the local governments.

In line with this Constitutional mandate, the City Government is setting the rates of its commercial spaces as part of its thrust to achieve self-sufficiency and sustainability of its financial resources, and likewise provide economic opportunities of its constituents.

Moreover, the setting of the lease rates will serve as additional sources of income of this LGU whose proceeds will be used for the upkeep of its city-managed rentable facilities and commercial spaces.

NOW THEREFORE, BE IT ORDAINED, as it is hereby ORDAINED by the Sangguniang Panlungsod of the City of Naga Cebu, in a session duly assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as "SETTING THE LEASE RATES OF A NEWLY CONSTRUCTED STRUCTURE BESIDE THE VOLLEY AND LOB (VAL) TENNIS COURT, AND COMERCIAL SPACES BEHIND THE ENAN MENDIOLA CHIONG MEMORIAL COMMUNITY STAGE AND THE OLD ADMINISTRATIVE OFFICE BESIDE OSTING'S BY THE SEA RESTAURANT AND BAR + GRILL IN BARANGAY EAST POBLACION."

SECTION 2. COVERAGE. This Ordinance shall apply to the above-mentioned city-owned commercial spaces/units all located in Barangay East Poblacion, City of Naga, Cebu with details specified hereunder as follows:

	BUILDING	LOCATION
1	Volley and Lob (VAL) Commercial Spaces	2 nd Floor of the newly constructed structure beside the VAL Tennis Court
2	Rentable Spaces	Behind the Enan Mendiola Chiong Memorial Community Stage (EMCMCS)
3	Rentable Spaces	Old Administrative Office & Public Restroom along Naga Food Court and beside Osting's By the Sea Restaurant and Bar + Grill

2/6/23 [Signature]

SECTION 3. LEASE RATES. The rental rate shall start from Three Hundred Fifty Pesos (P350.00) to Five Hundred Pesos (P500.00) per square meter (sq.m.) and/or based on the unsolicited proposal, whichever is beneficial to the City Government, and subject to five percent (5%) escalation rate after the third (3rd) year and every year thereafter, exclusive of value-added tax (VAT).

SECTION 4. CONTRACT OF LEASE. An annual Contract of Lease, which contains the terms and conditions including the aforementioned rental and escalation rates, shall be executed by and between the LGU-City of Naga (lessor), as represented by the Local Chief Executive, and the interested lessee/space holder.

SECTION 5. PRE-TERMINATION. In case the lessee decides to pre-terminate the lease, he/she shall give the lessor (City Government) at least sixty (60) days notice prior to the date of intended termination. In the event the lessee shall violate any of the terms and covenants of the contract, the lessor may, at its exclusive option and with notice to the lessee, pre-terminate the same, and the lessee shall immediately return the possession thereof to the lessor within fifteen (15) days from receipt of such notice.

SECTION 6. SECURITY DEPOSIT. Prior to occupancy, the lessee shall be required to pay to the City Treasurer's Office (CTO) two (2) months security deposit based on rental rate plus one (1) month advance rental.

SECTION 7. TIME AND MANNER OF PAYMENT. Rental fees imposed in this Ordinance shall be paid to the CTO, due and demandable on or before the last working day of each calendar month. If the end of the month falls on a non-working day, Saturday or Sunday, the last working day preceding to the said non-working day, shall be considered as "end of the month or due date."

SECTION 8. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the other provisions unaffected thereby shall remain valid and subsisting.

SECTION 9. REPEALING CLAUSE. All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

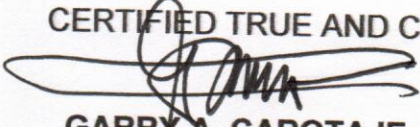
SECTION 10. COPIES FURNISHED CLAUSE. Let copies of this Ordinance be furnished to all offices concerned for their information, reference, guidance, and documentation.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval and compliance with the publication/posting requirements of RA 7160 or the Local Government Code of 1991.

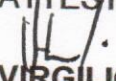
ENACTED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF NAGA, CEBU, in its 24th Regular Session held on the 21st day of December 2022.

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CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


VALDEMAR M. CHIONG
City Mayor

01/24/2023