

Sp file

RESOLUTION NO. 033-D-2004

WHEREAS, this August Body feels the need to amend Municipal Ordinance No. 001-A-2003 entitled "An Ordinance imposing rental charges on spaces/rooms at the New Cebu Township One (NCTO) Bus Terminal and Facilities located at East Poblacion, Naga, Cebu, particularly on fixing the due date of payment, granting rebate to early payments and imposing surcharge on late payments;

NOW THEREFORE, Be it resolved by the Sangguniang Bayan of Naga, Cebu, on mass motion to promulgate and adopt the following Ordinance:

ORDINANCE NO. 002-2004
Series of 2003

AN ORDINANCE AMENDING PROVISIONS OF ORDINANCE NO. 001-A-2003 "IMPOSING RENTAL CHARGES ON SPACES/ROOMS AT THE NEW CEBU TOWNSHIP ONE BUS TERMINAL AND FACILITIES" AND PROVIDING ADMINISTRATIVE PROVISIONS PERTINENT THERETO

BE IT ORDAINED by the Sangguniang Bayan of Naga, Cebu that:

SECTION 1. IMPOSITION OF RENTAL FEES. Any person or entity, desiring to establish any business or occupy any space/room in the New Cebu Township One Bus Terminal and Facilities shall pay the rental fees as provided hereunder:

AS SHOWN IN THE ATTACHED ILLUSTRATION:

- | | |
|---------------------|-----------------------------|
| 1. Rooms A1 - A6 | - P 2,500.00 per space/room |
| 2. Rooms A7 - A12 | - 2,200.00 per space/room |
| 3. Rooms B1 - B 6 | - 2,500.00 per space/room |
| 4. Rooms B 7 - B 11 | - 2,200.00 per space/room |
| 5. Rooms C1 - C 6 | - 2,500.00 per space/room |
| 6. Rooms C7 - C 11 | - 2,200.00 per space/room |

It shall be unlawful for any occupant to occupy any space in excess of what has been specified and allowed in the Contract of Lease.

SECTION 2. TIME, MANNER, REBATE AND SURCHARGE OF PAYMENT OF RENTAL FEES.

- a) The fees imposed in this Ordinance shall be paid monthly to the Municipal Treasurer or his authorized representative, which will become due and payable every end of the month. If the end of the month falls on a Saturday, Sunday or a Holiday, the last working day immediately before such non-working days shall be considered as end of the month. For purposes of computation, a fraction of a month is considered as one (1) month.
- b) Upon signing of the Contract of Lease, the occupant shall pay a deposit of two-months rental, the amount of which shall automatically be converted as payment of the basic rental charge plus the surcharge for late payment, when the occupant suffers delinquency in payments.
- c) A grace period of one (1) month shall be given to occupants who are delinquent in paying the monthly rental for the space/s rented. Failure on the part of occupant to pay the rental within the given grace period shall be construed as forfeiting all his right to the occupancy of the rented space/s. In consequence thereof, such space/s shall be declared vacant and a notice of vacancy shall be posted by any local government personnel duly authorized by the Municipal Mayor.

- d) When the lessee pays the monthly rental fee before the due date or end of the month, a rebate equivalent to ten percent (10%) of the monthly rental fee shall be deducted from the rental due. But when the lessee fails to pay on the due date or end of the month, the rental fee due shall be increased by ten percent (10%) for every month of delinquency.

SECTION 3. ADMINISTRATIVE PROVISIONS.

- a) **Abandoned Articles.** Any article, goods or commodities left in the space/s, which have been declared vacant, shall be taken under custody by the Municipal Treasurer for seven (7) days, after which the left articles, good or commodities shall be disposed of in accordance with pertinent laws, in favor of the Local Government of Naga, Cebu. However, in case the articles are claimed within the prescribed seven (7) days period, said articles shall be returned to the owner upon payment to the Municipal Treasurer of the safekeeping fee of P100.00 per day
- b) **Screening of Occupants.** The Municipal Mayor shall have the authority to screen applicants for occupancy of space/s on first come first serve basis, at his full discretion as to qualification.
- c) **Dwelling in Stalls.** Nobody shall be allowed to use the space/s for dwelling purposes or living quarters of occupants.
- d) **Term of Contract.** The term of contract shall be for one (1) year and renewable every year, thereafter.
- e) The Municipality of Naga, Cebu shall not be responsible to the occupants, for any loss or damage to their properties caused by fire, theft, robbery, force or any other cause.
- f) No occupant shall construct, repair, renovate, add or change the structure of any space/s, without first securing permission from the Municipal Mayor. In this instance, all permitted permanent improvements or changes shall form part of the building and shall not be removed in case of lease termination.
- g) Occupants shall allow periodic inspection of his leased premises by authorized officials of the Local Government Unit of Naga, Cebu.

SECTION 4. PENALTY. Occupants who violates any of the provisions of this Ordinance shall pay a fine of ONE THOUSAND (P1,000.00) PESOS per violation and or revocation of the Business Permit and Contract of Lease.

SECTION 5. REPEALING CLAUSE. Any existing Ordinance or parts thereof which are inconsistent with this Ordinance are hereby repealed.

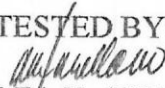
SECTION 6. SEPARABILITY CLAUSE. If, for any reason any part or provision of this Ordinance shall be declared unconstitutional or invalid by proper authorities, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

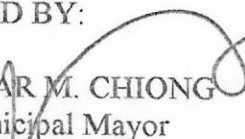
SECTION 7. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately.

ENACTED AND APPROVED this 9th day of August, 2004.

CERTIFIED CORRECT:

PABLO ABANGAN
SB Member/Temporary Presiding Officer

ATTESTED BY:

DELZA T. ARELLANO
Secretary to the Sanggunian

APPROVED BY:

VALDEMAR M. CHIONG
OIC - Municipal Mayor

Approved:
SP Res. No. 1764-20