

SB file

RESOLUTION NO. 043-G-2004

WHEREAS, based on the Audit Observation Memorandum submitted by the Commission on Audit dated January 2, 2004, there is a need to supplement a provision in the Market Code to specify the due date for stall rental payment, imposition of penalties in case of late payments, grant of rebates in case of advance payment and likewise, to amend portion on the manner of payment of such stall rental fees;

NOW THEREFORE, Be it resolved by the Sangguniang Bayan of Naga, Cebu, on motion of Hon. Dominga Paunil to approve and adopt the following Ordinance:

ORDINANCE NO. 007-2004

AN ORDINANCE SUPPLEMENTING PROVISIONS AND AMENDING A PORTION OF THE MARKET CODE OF NAGA, CEBU

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

Section 1. That Section 6, Chapter III of Municipal Ordinance No. 001, s. of 2002 known as the Market Code of Naga, Cebu shall be supplemented with new provisions and amended to read as follows:

TIME, MANNER, REBATE AND SURCHARGE OF PAYMENT OF RENTAL FEES:

- a) The market rental fees for stalls, booths, open spaces (third level), open spaces (within the market premises) and for tiled tables at fish & meat section as 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, a penalty of 10% shall be added to the monthly rental fee.




Section 2. REPEALING CLAUSE. Any existing Ordinance or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed.

Section 3. 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.

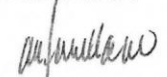
Section 4. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately.

ENACTED AND APPROVED without objection after its second and final reading on November 8, 2004.

CERTIFIED CORRECT:


VALDEMAR M. CHIONG
Vice Mayor/Presiding Officer

ATTESTED BY:


DELZA T. ARELLANO
Secretary to the Sanggunian

APPROVED BY:


FERDINAND M. CHIONG
Municipal Mayor

*Approved:
SP Res. No. 1670-2005
04-11-2005*