

SB file

RESOLUTION NO. 015-E-2005

WHEREAS, in favorable action to the petition of the Stall Holders/ Occupants of the Naga Public Market, there is a need to amend a portion of the Market Code of Naga, Cebu in a manner that the deposit of two-months rental shall not be required from the Occupants/Lessee/Stall Holders upon signing of the Contract of Lease;

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. 2005-004

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

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

Section 1. Section 6, Chapter III of Municipal Ordinance No. 001, s. of 2002 known as the Market Code of Naga, Cebu shall be 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) Failure on the part of Occupant/Lessee/Stall Holder to pay the rental within the given period shall be construed as forfeiting all his right to the occupancy of the rented space/s as contained in the Contract of Lease. 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. A penalty of 10% shall be added to the monthly rental fee for late or overdue payments.

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Any existing Ordinance or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed.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

UNANIMOUSLY CARRIED this 18th day of April 2005 on motion of Hon. Dominga P. Millena.

ATTESTED BY:
Delza T. Arellano
DELZA T. ARELLANO
Secretary to the SB

CERTIFIED CORRECT:
ValdeMAR M. Chiong
VALDEMAR M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:
Ferdinand M. Chiong
FERDINAND M. CHIONG
Municipal Mayor