



Republic of the Philippines



SP FILE

Province of Cebu
SANGGUNIANG PANLUNGSOD
City of Naga

4th SP
EXCERPT FROM THE MINUTES OF THE 104TH REGULAR SESSION OF THE 4TH SANGGUNIANG PANLUNGSOD (SP) HELD AT SP SESSION HALL, LEGISLATIVE BUILDING, BARANGAY EAST POBLACION, CITY OF NAGA, CEBU ON JULY 29, 2021.

112th Session

PRESENT:

- | | |
|------------------------------|--|
| HON. VIRGILIO M. CHIONG | - Vice Mayor /Presiding Officer |
| HON. JUSTINO L. DAKAY | - Majority Floor Leader |
| HON. SCOTT JUVENAL A. CHIONG | - Assistant Majority Floor Leader/Liga ng mga Barangay President |
| HON. AURELIO B. ALINSONORIN | - Sangguniang Panlungsod Member |
| HON. AFSHIN MARK K. SEÑOR | - Sangguniang Panlungsod Member |
| HON. PORFERIO V. RESABA, JR. | - Sangguniang Panlungsod Member |
| HON. DOMINADOR A. LIBOR | - Sangguniang Panlungsod Member |
| HON. LUZMINDA R. LAPITAN | - Sangguniang Panlungsod Member |
| HON. LETECIA F. ABANGAN | - Sangguniang Panlungsod Member |
| HON. RAY A. MANABAT | - Sangguniang Panlungsod Member |

SELF-QUARANTINE AS PER CSC MC 08, S, 2020

- | | |
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| HON. CLINT ISIDRO A. CHIONG | - Sangguniang Panlungsod Member |
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ON LEAVE:

- | | |
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| HON. CHARMAINE R. NAVARRO | - Sangguniang Panlungsod Member |
| HON. JHUN MARK T. SISMAR | - SK Federation President |

ORDINANCE NO. 2021- 71
Series of 2021

HON. AURELIO B. ALINSONORIN - SPONSOR
Chairperson, Committee on Franchises, Utilities and Facilities



OFFICIALLY NAMING THE RENTABLE SPACES AT THE CITY BOARDWALK AND SETTING THE LEASE RATES PER SQUARE METER AND ADMINISTRATIVE PROVISIONS FOR THE USE/OCCUPANCY THEREOF

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.

The City Government is set to open for lease to interested parties its rentable commercial spaces/food stalls at the city-managed boardwalk, an added feature at the city's scenic baywalk that has become a major tourist attraction in Metro Cebu.

The opening of these food stalls, numbering about seventeen (17) with floor spaces ranging from 33 square meters (sq.m.), 43 sq.m. to 57 sq.m., is seen to stimulate the economic activity at the boardwalk, and further entice the public to enjoy the al fresco dining with family and friends while savoring the panoramic view of the city's coastline.

Moreover, the setting of the lease rates will serve as additional sources of income of the City whose proceeds will be used for the upkeep of the boardwalk and other city-owned rentable commercial facilities.

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

SECTION 1. TITLE. - This Ordinance shall be known as "OFFICIALLY NAMING THE RENTABLE SPACES AT THE CITY BOARDWALK AND SETTING THE LEASE RATES PER SQUARE METER AND ADMINISTRATIVE PROVISIONS FOR THE USE/OCCUPANCY THEREOF."

1 | ORDINANCE NO. 2021-71 LEASE RATES BOARDWALK

Handwritten signatures and dates at the bottom of the page, including a date of 11/16/21 and a signature dated 11/16/21.

SECTION 2. SCOPE AND COVERAGE. - This Ordinance shall apply to all rentable commercial spaces/units at the City of Naga Boardwalk located in Barangay East Poblacion, City of Naga, Cebu.

SECTION 3. OFFICIAL NAME. - the commercial spaces at the city boardwalk, with the corresponding available number of stalls and floor area per stall, shall be officially named as follows:

OFFICIAL NAME	NO. OF STALLS	FLOOR AREA PER STALL
The Harbor Lane	10	43.20 sq.m.
Naga Boardwalk Food Stall	4	33.53 sq.m.
The Food Hub	3	57.6 sq.m.

SECTION 4. RENTAL RATES. - Two Hundred Fifty Pesos (P250.00) per sq.m. monthly rental fee shall be applicable for the Naga Boardwalk Food Stall, while Three Hundred Pesos (P300.00) per sq.m. rental rate shall be imposed for the Harbor Lane and the Food Hub, respectively.

SECTION 5. CONTRACT OF LEASE. - This Ordinance hereby authorizes the City Mayor to sign, for and in behalf of the City Government of Naga, Cebu, a Contract of Lease between the LGU-City of Naga and the lessee/space holder, which shall terminate at the end of two (2) years and renewable every start of the year.

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. ESCALATION RATE AND PENALTIES. - An escalation rate of five percent (5%) shall be imposed on the third (3rd) year and every year thereafter, while ten percent (10%) discount shall be given to the lessee for his/her prompt payment (payment prior to due date).

Payments rendered after the due date shall bear 10% surcharge penalty, which shall be added to the rental fee due, and cancellation of Contract of Lease if the lessee fails to pay the rental fee for three (3) consecutive months.

SECTION 9. SEPARABILITY CLAUSE. - If any provision of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the other provisions unaffected shall remain valid and subsisting.

SECTION 10. 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 accordingly.

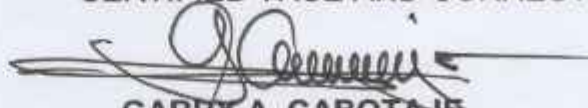
SECTION 11. COPIES FURNISHED CLAUSE. - Let copies of this Ordinance be furnished to all offices concerned for their information, reference, guidance, and documentation.

SECTION 12. EFFECTIVITY. This Ordinance shall take effect upon its approval and compliance with all the pertinent requirements as provided for by law.


ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU, in its Regular Session held on the 29th day of July 2021.

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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:


KRISTINE VANESSA T. CHIONG
City Mayor

Date: 8/2/2021

