ORDINANCE NO. 95-059

AN ORDINANCE ESTABLISHING GUIDELINES IN THE USE OF PUBLIC PLACES AND SPACES IN THE CITY OF NAGA FOR PURPOSE OF VENDING ALL KINDS OF ARTICLES AND COMMODITIES DURING THE PENAFRANCIA FESTIVITIES: -

Author: Hon. Simeon Adan

Be it ordained by the Sangguniang Panlungsod of the City of Naga that:

SECTION 1. - This ordinance shall set forth the guidelines in the use of all public places and spaces (streets, roadways, sidewalks, passageways and public plazas), by transient vendors in vending all kinds of commodities and articles during the entire period of the Penafrancia Festivities more particularly from September 1 to October 15, 1995 and thereafter.

SECTION 2. - These guidelines shall also cover the use of the vacant spaces at the ramp leading to the deck floor and all other spaces at the Public Supermarket not otherwise occupied by permanent stall owners.

This also covers all spaces at the public plazas that maybe used for Trade fairs and Exhibits by government or non-government agencies or entities during the same period mentioned hereinabove.

SECTION 3. - DEFINITION OF TERMS - As used in this ordinance:

a) Transient Vendors - shall refer to any person or individual, resident or non-resident of the City Of Naga, who sells or vends or is employed to attend or watch goods in behalf of the vendor or seller, consisting of agricultural or industrial products, cooked foods or dry goods, or any item or article of value at any of the public places or spaces designated or mentioned in Section 1 and 2 of this Ordinance.

b) Public Plazas – shall refer to all the public places located at the Central business District of the city more particularly named as the Plaza Quezon, Plaza Rizal, and Plaza Quince Martires.

c) Agricultural Products, Cooked foods, and Dry goods, and Articles defined under Section 3b, 3c, and 3d of Ordinance No. 92-026 of the City of Naga which is appended hereto and such portions adopted by this Ordinance.

SECTION 4. - This Ordinance strictly prohibits transient vendors during the period of the Peñafrancia Festivities mentioned in Section 1 above, to construct any temporary stall, shanty or lean to or spread their wares on the ground along or inside any of the public plaza, the main thoroughfares, side streets, sidewalks, or intersections of the City more particularly at the present Central Business Districts and those streets leading to the schools, churches and public plazas and the take off and landing sites of the Traslacion and fluvial Procession of the
Peñafrancia festivities, except only those stalls temporary or otherwise, which have been installed with permits granted by the City government.

SECTION 5. - Trade Fairs, Exhibits, and/or Carnival Shows that admit transient vendors inside shall not be allowed at any of the places and plazas mentioned in sections 1 to 3 of this ordinance whether they sponsored by government or non-government entities. The Sports complex beside the Naga Central School and the DIGITEL Co., may by proper arrangements with the authorities concerned be used for such purpose provided this will not unduly disturbed the peace and quiet neighboring residences.

SECTION 6. - Only public spaces located at the ramps leading to the third floor of the Naga City Public Supermarket as are indicated by the market Awards Committee and to include those spaces not occupied by stallholders at the third floor of the said market are to be leased to transient vendors on a first-come, first-served basis and at the rates provided for under Section 1A, 1B, 1C and 1D of Ordinance No. 92-028 of the City of Naga such provisions of which are being adopted en toto by this ordinance appended hereto as part of the same.

The vacant spaces at the Riverside between the Public Supermarket and the Naga River Revetment shall likewise be leased to transient vendors now occupying the area.

SECTION 7. - The City is authorized by this Ordinance to lease temporarily any private property near the Central Business district if such is needed to accommodate transient vendors who may fail to secure a space at the Supermarket area and said transient vendors shall be assessed in accordance with the size available to them.

SECTION 8. - Business stalls and establishments whether located at the Central Business districts or along thoroughfares, streets and roadways leading to schools, churches or plazas as described in hereinabove given sections, are prohibited from leasing or renting out to transient vendors spaces that protrude or go beyond their lot lines to include those spaces reserved under existing laws and ordinances as pedestrian lanes or parking spaces, unless the same spaces are without doubt inside their privately owned premises.

SECTION 9. - The City PNP officers and men and the City Market guards so designated are hereby deputized under this ordinance to implement strictly the provisions of this ordinance.

SECTION 10. - PENALTIES - Any violation of any of the provision of this ordinance shall be penalized with a fine of One Hundred (P100.00) Pesos at any one time of apprehension and the confiscation of goods and commodities after a third violation.

Violation under Section 8 hereof shall incur a fine of Five hundred (P500.00) Pesos at any one apprehension and after a third apprehension the revocation of license of the establishment.

The fines herein imposed shall be collected by the deputized PNP or Market guard and acknowledged by an official receipt from the office of the city treasurer.

SECTION 11. - If any of the provision or part of the provisions of this ordinance shall be declared invalid by competent authority, the remainder of said provision or provisions not otherwise declared to be so, shall remain effective and binding to persons and entities affected by it.

SECTION 12. - All ordinances, rules and policies or portions thereof inconsistent with the provision of this Ordinance are hereby repealed, modified or amended accordingly.
SECTION 13. - EFFECTIVITY - This ordinance shall take effect upon its approval.


WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

LOURDES V. ASENCÉ, M.D.
City Vice Mayor & Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor