



DISTRICT I

HON. MIGUEL N. BAUTISTA  
City Councilor

HON. MICHAEL E. SOLIS  
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA  
City Councilor

HON. ADRIELITO G. GAWARAN  
City Councilor

HON. VICTORIO L. GUERRERO, JR.  
City Councilor

HON. ALEJANDRO F. GUTIERREZ  
City Councilor

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City Councilor

HON. REYNALDO D. PALABRICA  
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU  
City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE SARINO-EVARISTO  
City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA  
City Mayor

CITY ORDINANCE NO. CO 22-2019  
Series of 2019

**AN ORDINANCE AMENDING CITY ORDINANCE NO. CO 9-2017, SERIES OF 2017, OTHERWISE KNOWN AS "BACoor CITY OWNED BUILDING AND FACILITIES MANAGEMENT AND LEASE OUT ORDINANCE" TO INCLUDE IN ITS APPLICATION THE ECO-PARK IN BARANGAY MOLINO V, AND FOR OTHER PURPOSES.**

*Sponsored by: Hon. Roberto L. Advincula, Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Leandro A. De Leon, Hon. Marc Raven Espiritu, Hon. Adrielito G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Hernando C. Gutierrez, Hon. Alejandro F. Gutierrez, Hon. Roberto R. Javier, Hon. Alde Joselito Pagulayan, Hon. Reynaldo D. Palabrica and Hon. Michael E. Solis.*

**WHEREAS**, City Ordinance No. CO 9-2017, approved on 30 January 2017, prescribed the applicable fees, charges and bonds for city-owned buildings, facilities and other properties;

**WHEREAS**, the Bacoor Eco-Park (Molino V) owned and developed by the city government for public use and enjoyment, currently free of charge, except for rentals on business stalls, gazebo and use of basketball court during night time;

**WHEREAS**, the City Treasurer recommended to the City Mayor the possible inclusion of the Bacoor Eco-Park (Molino V) in the above City Ordinance, as well as other related matters pertaining thereto;

**WHEREAS**, the City Mayor after obtaining the existing rental fees and other charges for the use of facilities in the Bacoor Eco-Park's from its current administrator, Mr. Ernesto C. Lanuza, tasked the Office of the City Legal Service to prepare the draft ordinance, in accordance with Section 36(c)(4) of the Charter, which submitted the resulting draft hereunder;

**WHEREAS**, this amendment also adjusted some of the rental fees, included new fees for parking, penalties and subcharges, as well as the necessity to create a trust fund for case of releasing the bonds required by this Ordinance;

**NOW THEREFORE**, during regular session assembled, upon motion of Councilor Reynaldo D. Palabrica, duly seconded by Councilor Rowena Bautista-Mendiola in regular session duly



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Sangguniang Panlungsod Secretary

Certified by:

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City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA  
City Mayor

assembled, **BE IT ORDAINED, AS IT IS HEREBY ORDAINED** by the Sangguniang Panlungsod in its regular session assembled THAT:

**Section 1.** Section 3 of City Ordinance No. CO 9-2017 is hereby amended to read as follows:

**Section 3. Management and Maintenance of Buildings and Facilities.** The management of city government owned buildings and facilities within the purview of this Ordinance, inclusive of all other real properties, shall be lodged with the City Administrator's Office.

However, management and maintenance of the S.T.R.I.K.E. Gymnasium and Fitness Gym shall be under the **Office of the Mayor – Sports Unit.**

**Section 2.** Section 4 of City Ordinance No. CO 9-2017 is hereby amended to read as follows:

**Section 4. Schedule of Charges/Fees.** The following charges and fees shall be imposed upon the use of the building and facilities, inclusive of lighting, air conditioning and access to common areas and facilities such as comfort rooms, where applicable:

**(a) City Hall Building**

<b>Buildings/Facilities</b>	<b>Charges/Fees</b>
Villar Hall	PhP 1,000.00 per hour or every fraction thereof
Gawaran Hall	PhP 1,000.00 per hour or every fraction thereof
Revilla Hall	PhP 2,000.00 per hour or every fraction thereof
Booths	PhP 200/day for every square meter or fraction thereof
BGC Office Spaces (lower Ground)	PhP 500.00 per square meter per month minimum rental, exclusive of electricity and water bills (or more as stated in a separate contract of lease)

Preparations prior to, and cleaning up after, the event may be allowed up to an aggregate of 50% of the time paid



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considering strictly the starting time and ending time as scheduled. Any excess time shall be considered as additional time following the same rates above.

**(b) S.T.R.I.K.E. Gymnasium and Fitness Gym**

Buildings/Facilities	Charges/Fees	
	Using ACU	Not using ACU
<b>S.T.R.I.K.E. GYMNASIUM</b> <ul style="list-style-type: none"> <li>Basketball/sports activities</li> </ul>	Php 10,000.00 for the first (4) four hours Php 3,000.00/hour thereafter or fraction thereof.	Php 5,000.00 for the first (4) four hours Php 1,500.00/hour thereafter or fraction thereof.
	<ul style="list-style-type: none"> <li>Concerts and other events</li> </ul>	Php 16,000.00 for the first (4) four hours Php 5,000.00/hour thereafter or fraction thereof.
Fitness Gym	PhP 50/day/per person. Provided that all city government employees and SBR cardholders are EXEMPTED from paying the said fees.	

Except in the use of Fitness Gym, preparations prior to, and cleaning up after the event may be allowed up to an aggregate of 50% of the time paid considering strictly the starting time and ending time as scheduled. Any excess time shall be considered as additional time and following the same rates above.



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**(c) Adjacent Buildings, Spaces and Areas within the Bacoor Government Center Compound, including Bacoor Coliseum**

<b>Buildings/Facilities</b>	<b>Charges/Fees</b>
Building/Office space (enclosed minimum of 6 square meters)	Php 2,000.00/month <u>for every 6 (six) square meters</u> or fraction thereof  Php 150.00/day for every square meter or fraction thereof
Booths along common areas, (i.e. lobby, hallway, etc.) inside buildings other than City Hall Building	Php 50,000.00/month for the first 20 square meters; additional Php2,000.00/month for every square meter or fraction thereof.
Communication Towers, long term lease (i.e. term of more than 3 years but not longer than 10 years at any given contract; maximum occupied area of 50 square meters)	Php 100.00/day <u>for every six (6) square meters</u> or fraction thereof.
<b>Open areas within BGC compound, short term lease</b>	

**d) Bacoor Coliseum in Molino III**

<b>Buildings /Facilities</b>	<b>Charges/Fees</b>	
	<b>Using ACU</b>	<b>Not Using ACU</b>
<ul style="list-style-type: none"> <li>Basketball/sports activities</li> </ul>	Php 6,000.00 for the first (4) four hours  Php1,800.00/hour thereafter or fraction thereof.	Php 3,000.00 for the first (4) four hours  Php900.00/hour thereafter or fraction thereof.



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<ul style="list-style-type: none"> <li>• Concerts and other events</li> </ul>	Php 10,000.00 for the first (4) four hours  Php3,000.00/hour thereafter or fraction thereof.	Php 5,000.00 for the first (4) four hours  Php1,500.00/hour thereafter or fraction thereof.
	<b>Charges/Fees</b>	
<b>Other Areas</b>	With Electricity	Without Electricity
Business Stall/Booth (operating hours may be limited in the Contract)	Php100/day for every six (6) square meters or fraction thereof, if lease is for less than 30 days; or Php2,000/month for every six (60) square meters or fraction thereof	Php60/day for every six (6) square meters or fraction thereof, if lease is for less than 30 days; or Php1,500/month for every six (60) square meters or fraction thereof
Car Parking	Lessees –FREE Others: FREE for the first 2 hours Php50 for every 6 hours in excess of the first 2 hours; <b>unless attending a scheduled event, then FREE of charge subject to validation</b>	

**Section 3.** Section 4 (d) of City Ordinance No. CO 9-2017 is hereby moved and inserted as the new Section 5 hereof.

**Section 4.** Section 4(e) of City Ordinance No. CO 9-2017 is hereby amended, moved, and inserted as the new Section 6 to read as follows:

**Section 6. Maintenance Fee and Bond.** There is hereby imposed a one time maintenance fee applicable to the maintenance of cleanliness and sanitation in the leased premises **each time a contract is entered into or renewed, where applicable.** A cash



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bond shall also be required to be paid to authorized cashiers and officers defined under **Section 11** hereof, and shall only be released upon end of the term of lease and upon the issuance of a certification by the officer-in-charge of the building/premises that there are no violations of the terms and conditions of lease and no part thereof, including its equipment, is left damaged, unrepaired or destroyed. The maintenance fee and bond shall be as follows.

<b>Building Facilities</b>	<b>Maintenance Fee</b>	<b>Bond</b>
City Hall Building <ul style="list-style-type: none"> <li>Enclosed/Office spaces</li> <li>Booths</li> </ul>	N/A Php 300.00	Php 5,000.00 Php 3,000.00
S.T.R.I.K.E. Gymnasium	Php 1,000.00	100% of the applicable rate of the first four (4) hours
Fitness Gym	N/A	N/A
Adjacent Buildings, Spaces and Areas within the Bacoor Government Center Compound	Php 300.00	Php 3,000.00
Areas leased as communication towers	N/A	Php 100,000.00
Bacoor Coliseum	PhP 500.00	100% of applicable rate for the first 4 hours
<ul style="list-style-type: none"> <li><b>Business Stall/Booth</b></li> </ul>	<b>Php200</b>	<b>PhP2,000</b>
<b>Bacoor Eco Park</b> <ul style="list-style-type: none"> <li><b>Basketball court</b></li> <li><b>Gazebo</b></li> </ul>	N/A PhP200	N/A 100% of applicable rate for the first 4 hours
<ul style="list-style-type: none"> <li><b>Business Stall/Booth</b></li> </ul>	<b>PhP100</b>	<b>PhP2,000</b>



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Approved by:

HON. LANI MERCADO - REVILLA  
City Mayor

**Section 5.** Section 4(f) of City Ordinance No. CO 9-2017 is hereby moved, and inserted as the new Section 7 hereof.

**Section 6.** A new Section 8 of City Ordinance No. CO 9-2017 is hereby inserted to read as follows:

**Section 8. Penalties and Surcharges.** Unless otherwise stipulated in the contract, the following penalties and surcharges are applicable in case of breach of contract or default by the lessee; Provided, that if the aggregate amount of penalty and surcharge stipulated in the contract is lesser than that provided in this Ordinance, the latter shall prevail.

Term of Lease	Penalty	Surcharge
Less than one month	<ul style="list-style-type: none"> <li>• Php150 for every day of contracted lease</li> <li>• Forfeiture of bond, if any</li> </ul>	<ul style="list-style-type: none"> <li>• Additional 100% of remaining balance, if any</li> </ul>
At least one month but not more than three (3) years	<ul style="list-style-type: none"> <li>• Php3,000</li> <li>• Forfeiture of bond, if any</li> </ul>	<ul style="list-style-type: none"> <li>• Additional 100% of remaining balance; plus</li> </ul>
More than three (3) years	<ul style="list-style-type: none"> <li>• Php5,000</li> <li>• Forfeiture of bond, if any</li> <li>• Blacklisting of the person or identity</li> </ul>	<ul style="list-style-type: none"> <li>• Liquidated damages in the amount of 0.1% of the remaining balance for every day of delay</li> </ul>

**The application of penalty and/or surcharge shall be conditioned on the failure of the City Government to collect from the lessee the amount due after two (2) notices: the first being the Demand Notice stating therein the total amount to be paid and the deadline to pay the same; and the second, being the Final Demand indicating the updated amounts to be paid within fifteen days from receipt of such notice. This shall be without prejudice to the filing of appropriate remedy in courts.**



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City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA  
City Mayor

**Section 7.** A new Section 9 of City Ordinance No. CO 9-2017 is hereby inserted to read as follows:

**Section 9. Contracts, Agreements and Other Instruments.** The Office of the City Legal Service shall prepare the contracts, agreements and other instruments which are necessary in the effective implementation of this Ordinance. No contract of lease within the purview of this Ordinance shall be entered for a period of more than one (1) year, except for communication towers mentioned in Section 4(c) hereof.

**Section 8.** A new Section 10 of City Ordinance No. CO 9-2017 is hereby inserted to read as follows:

**Section 10. Creation of a Trust Fund.** A trust fund is hereby created for the purpose of receiving rentals and other fees within the purview of this Ordinance. No disbursement shall be made out of this trust fund except for the purpose of releasing the bond as herein provided. All collections shall automatically be remitted to the General Fund, subject to prevailing accounting and auditing rules and regulations.

**Section 9.** The original provisions of City Ordinance No. CO 9-2017, particularly **Section 5** on "**Payment to and Collection by Authorized Officers**", **Section 6** "**Non-Impairment Clause**", **Section 7**, on "**Reportorial Requirements**", and **Section 8** on "**Mandatory Review of the Charges and Fees**" are hereby retained but renumbered as Sections 11, 12, 13 and 14 respectively.

**Section 10. Separability Clause.** Any provision of this Ordinance found void, invalid or unconstitutional by a court of competent jurisdiction shall not affect the rest of the provisions not affected by the said judicial finding of nullity, invalidity or unconstitutionality.

**Section 11. Effectivity.** This Ordinance shall take effect fifteen days after complete publication in a newspaper of general circulation and after the same is posted in at least (3) conspicuous places within the City of Bacoor, Province of Cavite.

**ORDAINED** by the Sangguniang Panlungsod of Bacoor, Cavite this 14<sup>th</sup> day of August 2019.

*I hereby certify to the truth and correctness of the above-quoted Ordinance.*





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City Vice Mayor

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