

(AS AMENDED BY THE SENATE)

CONGRESS OF THE PHILIPPINES
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}

HOUSE OF REPRESENTATIVES

H. No. 6598

BY REPRESENTATIVES ERMITA-BUHAIN, VILLANUEVA (N.), ABU, BOLILIA, COLLANTES, CHUNGALAO, DALOG, CABOCHAN, RIVERA, ERICE, ELAGO, BARBA, GARCIA (J.E.), MATUGAS, SILVERIO, DY (F.), DATOL, RODRIGUEZ, REVILLA, YU AND PADUANO, PER COMMITTEE REPORT NO. 299

AN ACT
CONVERTING THE MUNICIPALITY OF CALACA IN THE PROVINCE OF BATANGAS INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CALACA

*Be it enacted by the Senate and House of Representatives
of the Philippines in Congress assembled:*

ARTICLE I

GENERAL PROVISIONS

1 **SECTION 1. Title** – This Act shall be known as the "Charter of the City of Calaca."

2 **SEC. 2. The City of Calaca** – The Municipality of Calaca shall be converted into a
3 component city to be known as the City of Calaca, hereinafter referred to as the City, which shall
4 comprise the present jurisdiction of the Municipality of Calaca, Province of Batangas.

5 The territorial jurisdiction of the City shall be within the present metes and bounds of the
6 Municipality of Calaca.

1 The foregoing provision shall be without prejudice to the resolution by the appropriate
2 agency or forum of existing boundary disputes or cases involving questions of territorial
3 jurisdiction between the City of Calaca and the adjoining local government units (LGUs):
4 *Provided*, that, the territorial jurisdiction of the disputed area or areas shall remain with the local
5 government unit, which has existing administrative supervision over said area or areas until the
6 final resolution of the case.

7 **SEC. 3. Corporate Powers of the City** – The City constitutes a political body corporate and
8 as such is endowed with the attributes of perpetual succession and possessed of the powers
9 which pertains to a municipal corporation to be exercised in conformity with the provision of this
10 Charter. The City shall have the following corporate powers:

- 11 (a) To have a continuous succession in its corporate name;
- 12 (b) To sue and be sued;
- 13 (c) To have and use a corporate seal;
- 14 (d) To acquire, hold and convey real or personal property;
- 15 (e) To enter into any contract and/or agreement; and
- 16 (f) To exercise such other powers, prerogatives or authority subject to the limitations
17 provided under Republic Act No. 7160, otherwise known as the Local Government
18 Code of 1991, as amended, this Act or laws.

19 **SEC. 4. General Powers** – The City shall have a common seal and may alter the same at
20 pleasure: *Provided*, That any change of corporate seal shall be registered with the Department
21 of the Interior and Local Government (DILG). It shall exercise the powers to levy taxes, fees and
22 charges; to close and open roads, streets, alleys, parks or squares; to take, purchase, receive,
23 hold, lease, convey and dispose of real and personal property for the general interests of the City;
24 to expropriate or condemn private property for public use; to contract and be contracted with,
25 to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the

1 City is involved or interested in; and to exercise all the powers as are granted to corporations or
2 as hereinafter granted.

3 **SEC. 5. *General Welfare Clause of the City*** – The City shall exercise the powers expressly
4 granted, those necessarily implied therefrom, as well as powers necessary, appropriate or
5 incidental for its efficient and effective governance, and those which are essential to the
6 promotion of the general welfare.

7 Within its territorial jurisdiction, the City shall ensure and support the preservation and
8 enrichment of its culture, promote health and safety, enhance the right of the people to a
9 balanced ecology, encourage and support the development of appropriate and self-reliant
10 scientific and technological capabilities, improve public morals, enhance economic prosperity
11 and social justice, promote full employment among their residents, maintain peace and order,
12 and preserve the comfort and convenience of their inhabitants.

13 **SEC. 6. *Liability for Damages*** – The City and its officials shall not be exempt from liability
14 for death or injury to persons or damage to property.

15 **SEC. 7. *Jurisdiction of the City*** – The jurisdiction of the City, for police purposes only, shall
16 be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the
17 purity of the water supply of the City, such police jurisdiction shall also extend over all the
18 territory within the drainage area of such water supply, or within one hundred meters (100 m.)
19 of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the city
20 water service.

21 The city court of the City of Calaca and the city or municipal courts of the adjoining cities
22 and municipalities shall have concurrent jurisdiction to try crimes and misdemeanors committed
23 within the said drainage area or areas within said spaces of one hundred meters (100 m.) of any

1 reservoir, conduit, canal, aqueduct or pumping station used in connection with the City water
2 service delivery.

3 The court first taking jurisdiction of such offense an offense shall have jurisdiction to try
4 cases to the exclusion of others. The police forces of the municipalities and cities concerned shall
5 have concurrent jurisdiction with the police forces of the City for the maintenance of good order
6 and the enforcement of ordinances throughout said zone, area or space. Any license that may
7 be issued within said zone, area or space shall be granted by the proper authorities of the city or
8 municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said
9 city or municipality concerned and not to the City.

10 **ARTICLE II**

11 **CITY OFFICIALS IN GENERAL**

12 **SEC. 8. *The Officials of the City of Calaca*** – (a) There shall be in the City of Calaca: a City
13 Mayor, a City Vice Mayor, *Sangguniang Panlungsod* members, a secretary to the *Sangguniang*
14 *Panlungsod*, a city treasurer and an assistant city treasurer, a city assessor and an assistant city
15 assessor, a city accountant, a city budget officer, a city planning and development officer, a city
16 engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city
17 social welfare and development officer, a city veterinarian and a city general services officer.

18 (b) In addition thereto, the City Mayor may appoint a city environment and natural
19 resources officer, city architect, a city information officer, a city cooperatives officer, a city
20 population officer and a city agriculturist;

21 (c) The *Sangguniang Panlungsod* may:

22 (1) Maintain existing offices not mentioned in subsections (a) and (b) hereof;

1 (2) Create such other offices as may be necessary to carry out the purposes of the
2 city government; or

3 (3) Consolidate the functions of any office with those of another in the interest of
4 efficiency and economy.

5 (e) Unless otherwise provided herein, heads of departments and offices shall be
6 appointed by the City Mayor with the concurrence of the majority of all the *Sangguniang*
7 *Panlungsod* members, subject to civil service law, rules and regulations. The *Sangguniang*
8 *Panlungsod* shall act on the appointment within fifteen (15) days from the day of its submission,
9 otherwise the same shall be deemed confirmed.

10 (f) Elective and appointive city officials shall receive compensation, allowances and other
11 emoluments as may be determined by law or ordinances, subject to the budgetary limitations on
12 personal services prescribed under Title Five, Book II of the Local Government Code of 1991, as
13 amended: *Provided*, That no increase in the compensation of the City Mayor, City Vice Mayor
14 and the *Sangguniang Panlungsod* member shall take effect until after the expiration of the full
15 term of the local officials approving the increase.

16 **ARTICLE III**

17 **THE CITY MAYOR AND CITY VICE MAYOR**

18 **SEC. 9. *The City Mayor*** – (a) The City Mayor shall be the chief executive of the City and
19 shall be elected at large by the qualified voters of the City.

20 The City Mayor shall, at the time of the election, be at least twenty-one (21) years of age,
21 a resident of the City for at least one (1) year immediately preceding the day of the election, a
22 qualified registered voter therein and is able to read and write Filipino or any local language or
23 dialect.

1 The City Mayor, who shall hold office for three (3) years, unless sooner removed, and shall
2 not serve for more than three (3) consecutive terms in the same position, shall receive a
3 minimum monthly compensation corresponding to Salary Grade thirty (30) as prescribed under
4 Republic Act No. 6758, as amended, otherwise known as the “*Compensation and Position*
5 *Classification Act of 1989*”, and the implementing guidelines issued pursuant thereto and such
6 other compensation, emoluments and allowances as may be determined by law.

7 (b) The City Mayor, as the Chief Executive of the City Government, shall exercise such
8 powers and perform such duties and functions as provided under the Local Government Code of
9 1991, as amended, this Act and other laws.

10 (c) For efficient, effective and economical governance the purpose of which is the general
11 welfare of the City and its inhabitants, the City Mayor shall:

12 (1) Exercise general supervision and control over all programs, projects, services,
13 and activities of the city government and, in this connection, shall:

- 14 (i) Determine the guidelines of city policies and be responsible to the
15 *Sangguniang Panlungsod* for the program of government;
16 (ii) Direct the formulation of the city development plan with the
17 assistance of the city development council and upon approval
18 thereof by the *Sangguniang Panlungsod*, implement the same;
19 (iii) Present the program of government and propose policies and
20 projects for the consideration of the *Sangguniang Panlungsod* at the
21 opening of the regular session of the *Sangguniang Panlungsod* every
22 calendar year and as often as may be deemed necessary as the
23 general welfare of the inhabitants and the needs of the city
24 government may require;

- 1 (iv) Initiate and propose legislative measures to the *Sangguniang*
2 *Panlungsod* and as often as may be deemed necessary, provide such
3 information and data needed or requested by said *Sanggunian* in the
4 performance of its legislative functions;
- 5 (v) Appoint all officials and employees whose salaries and wages are
6 wholly or mainly paid out of city funds and whose appointments are
7 not otherwise provided under the Local Government Code of 1991,
8 as amended, and this Act, and those whose appointment the City
9 Mayor may be authorized by law to appoint;
- 10 (vi) Represent the City in all its business transactions and sign in its behalf
11 all bonds, contracts, obligations, and such other documents upon the
12 authority of the *Sangguniang Panlungsod* or pursuant to law or
13 ordinance;
- 14 (vii) Carry out such emergency measures as may be necessary during and
15 in the aftermath of man-made and natural disasters and calamities;
- 16 (viii) Determine the time, manner and place of payment of salaries or
17 wages of the officials and employees of the City, in accordance with
18 law or ordinance;
- 19 (ix) Allocate and assign office space to the City and other officials and
20 employees who, by law or ordinance, are entitled to such space in
21 the city hall and other buildings owned or leased by the city
22 government;
- 23 (x) Ensure that all executive officials and employees of the City faithfully
24 discharge their duties and functions as provided for by law and the
25 Local Government Code of 1991, as amended, and cause to be
26 instituted administrative or judicial proceedings against any official
27 or employee of the City who may have committed an offense in the
28 performance of official duties;

- 1 (xi) Examine the books, records and other documents of all offices,
2 officials, agents or employees of the City and, in aid of the executive
3 powers and authority of the City Mayor, require all national officials
4 and employees stationed in or assigned to the City to make available
5 such books, records and other documents in their custody except
6 those classified by law as confidential;
- 7 (xii) Furnish copies of executive orders issued by the City Mayor to the
8 office of the provincial governor within seventy-two (72) hours after
9 their issuance;
- 10 (xiii) Visit component barangays of the City at least once every six (6)
11 months to deepen his understanding of problems and conditions,
12 listen and give appropriate counsel to local officials and inhabitants,
13 inform component barangay officials and inhabitants of general laws
14 and ordinances which especially concern them, and otherwise
15 conduct visits and inspections to ensure that the governance of the
16 City will improve the quality of life of the inhabitants;
- 17 (xiv) Act on leave applications of appointed officials and employees on the
18 commutation of the monetary value of their leave credits in
19 accordance with law;
- 20 (xv) Authorize official trips of city officials and employees outside of the
21 City for a period not exceeding thirty (30) days: *Provided*, that trips
22 abroad for a longer period may be authorized in accordance with the
23 Local Government Code of 1991, as amended;
- 24 (xvi) Call upon any national official or employee stationed in or assigned
25 to the City for advice on matters affecting the City and to make
26 recommendations thereon; coordinate with said officials and
27 employees in the formulation and the implementation of plans,
28 programs and projects; and when appropriate, initiate an
29 administrative or judicial action against a national government

1 official or employee who may have committed an offense in the
2 performance of the official duties while stationed in or assigned to
3 the City;

4 (xvii) Authorize payment for medical care, necessary transportation,
5 subsistence, hospital or medical fees of city officials and employees
6 who are injured while in the performance of their official duties and
7 functions, subject to availability of funds;

8 (xviii) Solemnize marriages, any provision of law to the contrary
9 notwithstanding;

10 (xix) Conduct an annual *palarong panlungsod* which shall feature
11 traditional sports and disciplines included in national and
12 international games, in coordination with the Department of
13 Education (DepEd); and

14 (xx) Submit to the provincial governor the following reports: an annual
15 report containing a summary of all matters pertinent to the
16 management, administration and development of the City and all
17 information and data relative to its political, social and economic
18 conditions; supplemental reports when unexpected events and
19 situations arise at any time during the year, particularly when man-
20 made or natural disasters or calamities affect the general welfare of
21 the City.

22 (2) Enforce all laws and ordinances relative to the governance of the City and in
23 the exercise of its appropriate powers as well as implement all approved policies,
24 programs, projects, services and activities of the City and in addition to the foregoing,
25 shall:

- 1 (i) Ensure that the acts of the City's component barangays and of its
2 officials and employees are within the scope of their prescribed
3 powers, duties and functions;
- 4 (ii) Call conventions, conferences, seminars or meetings of elective or
5 appointive officials of the City, including provincial and national
6 officials and employees stationed in or assigned to the City, at such
7 time and place and on such subject one may deem important for the
8 promotion of the general welfare of the local government unit and its
9 inhabitants;
- 10 (iii) Issue such executive orders for the faithful and appropriate
11 enforcement and execution of laws and ordinances;
- 12 (iv) Be entitled to carry the necessary firearms within his or her territorial
13 jurisdiction;
- 14 (v) Act as the deputized representative of the National Police
15 Commission, formulate the peace and order plan of the City, upon its
16 approval, implement the same; and as such, exercise general and
17 operational control and supervision over the police forces in the City
18 in accordance with Republic Act No. 6975, otherwise known as the
19 *“Department of the Interior and Local Government Act of 1990”*; and,
- 20 (vi) Call upon the appropriate law enforcement agencies to suppress
21 disorder, riot, lawless violence, rebellion or sedition, or apprehend
22 violators of the law when public interest so requires and the city police
23 forces are inadequate to cope with the situation or the violators.

24 (3) Initiate and maximize the generation of resources and revenues and apply the
25 same to the implementation of development plans, program objectives and priorities,
26 particularly the resources and revenues programmed for agro-industrial development
27 and countryside growth and progress, and relative thereto, shall:

- 1 (i) Require each head of an office or department to prepare and submit
2 an estimate of appropriations for the ensuing calendar year, in
3 accordance with the budget preparation process enshrined under the
4 Local Government Code of 1991;
- 5 (ii) Prepare and submit to the *Sanggunian* for approval the executive and
6 supplemental budgets of the City for the ensuing calendar year in the
7 manner provided for under the Local Government Code of 1991, as
8 amended;
- 9 (iii) Ensure that all taxes and other revenues of the City are collected and
10 that city funds are applied to the payment of expenses and settlement
11 of obligations of the City, in accordance with law or ordinance;
- 12 (iv) Issue licenses and permits and suspend or revoke the same for any
13 violation of the conditions upon which said licenses or permits had
14 been issued pursuant to law or ordinance;
- 15 (v) Issue permits without need of approval therefor from any national
16 agency, for the holding of activities for any charitable or welfare
17 purpose, excluding prohibited games of chance or shows contrary to
18 law, public policy and public morals;
- 19 (vi) Require owners of illegally constructed houses, buildings or other
20 structures to obtain the necessary permits, subject to such fines and
21 penalties as may be imposed by law or ordinance, or to make
22 necessary changes in the construction of the same when said
23 construction violates any law or ordinance, or to order the demolition
24 or removal of said house, building or structure within the period
25 prescribed by law or ordinance;
- 26 (vii) Adopt adequate measures to safeguard and conserve land, mineral,
27 forest, marine and other resources of the City;

1 (viii) Provide efficient and effective property and supply management in
2 the city; and protect the funds, credits, rights and other properties of
3 the City; and

4 (ix) Institute or cause to be instituted administrative or judicial
5 proceedings for violation of ordinances in the collection of taxes, fees
6 or charges, and for the recovery of funds and property; and cause the
7 City to be defended against all suits to ensure that its interests,
8 resources and rights shall be adequately protected.

9 (4) Ensure the delivery of basic services and the provision of adequate facilities
10 and, in addition thereto, shall:

11 (i) Ensure that the construction and repair of roads and highways funded
12 by the national government shall be, as far as practicable, carried out
13 in a spatially contiguous manner and in coordination with the
14 construction and repair of the roads and bridges of the City and of the
15 province; and,

16 (ii) Coordinate the implementation of technical services, including public
17 works and infrastructure programs, rendered by national offices and
18 provincial office.

19 (5) Exercise such other powers and perform such other duties and functions as
20 provided under the Local Government Code of 1991, and those that are prescribed by law
21 or ordinance.

22 (d) The City Mayor shall hold office in the City Hall.

1 **SEC. 10. *The City Vice Mayor*** – (a) There shall be a City Vice Mayor who shall be elected
2 in the same manner as the City Mayor and shall at the time of the election possess the same
3 qualifications as the City Mayor. The City Vice Mayor shall hold office for three (3) years, unless
4 sooner removed, and shall receive a monthly compensation corresponding to salary grade
5 twenty-six (26) as prescribed under the “*Compensation and Position Classification Act of 1989*”,
6 and the implementing guidelines issued pursuant thereto, and such other compensation,
7 emoluments and allowances as may be determined by law.

8 (b) The City Vice Mayor shall exercise the following duties:

- 9 (1) Act as presiding officer of the *Sangguniang Panlungsod* and sign all warrants
10 drawn on the City Treasury for all expenditures appropriated for the
11 operation of the *Sangguniang Panlungsod*;
- 12 (2) Subject to civil service law, rules and regulations, appoint all officials and
13 employees including the secretary of the *Sangguniang Panlungsod*, except
14 those whose manner of appointment is specifically provided under the Local
15 Government Code of 1991, as amended;
- 16 (3) Assume the office of the City Mayor for the unexpired term of the latter in
17 the event of permanent vacancy as provided under the Local Government
18 Code of 1991, as amended;
- 19 (4) Exercise the powers and perform the duties and functions of the City Mayor
20 in cases of temporary vacancy as provided under the Local Government Code
21 of 1991, as amended; and
- 22 (5) Perform such other duties and functions, and exercise such other powers as
23 provided under the Local Government Code of 1991, as amended, and those
24 that are prescribed by law or ordinance.

1 **ARTICLE IV**

2 **THE SANGGUNIANG PANLUNGSOD**

3 **SEC. 11. Composition** – (a) The *Sangguniang Panlungsod*, the legislative body of the City,
4 shall be composed of the City Vice Mayor as the presiding officer, ten (10) regular *Sanggunian*
5 members, the President of the city chapter of the *Liga ng mga Barangay*, the President of the
6 *Panlungsod na Pederasyon ng mga Sangguniang Kabataan* and the three (3) sectoral
7 representatives from the following sectors, as members: one (1) from the women sector; and, as
8 shall be determined by the *Sangguniang Panlungsod* within ninety (90) days prior to the holding
9 of the local elections, one (1) from the agricultural or industrial workers sector; and one (1) from
10 the other sectors, including the urban poor, indigenous cultural communities, or persons with
11 disabilities (PWDs).

12 (b) The regular members of the *Sangguniang Panlungsod* and the sectoral
13 representatives shall be elected in the manner as may be provided for by law.

14 (c) The members of the *Sangguniang Panlungsod* shall receive a minimum monthly
15 compensation corresponding to Salary Grade Twenty Five (SG-25) as prescribed under
16 the “*Compensation and Position Classification Act of 1989*”, as amended, and the
17 implementing guidelines issued pursuant thereto.

18 **Sec. 12. Powers, Duties, Functions and Compensation** – (a) The *Sangguniang Panlungsod*,
19 as the legislative body of the City, shall enact ordinances, approve resolutions and appropriate
20 funds for the general welfare of the City and its inhabitants pursuant to Section 16 of the Local
21 Government Code of 1991, as amended, and in the proper exercise of the corporate powers of
22 the City as provided under Section 22 of the Local Government Code, as amended, and shall:

23 (1) Approve ordinances and pass resolutions necessary for an efficient and
24 effective city government and relative hereto shall:

- 1 i. Review all ordinances approved by the *Sangguniang Barangay* and
2 executive orders issued by the *Punong Barangay* to determine
3 whether these are within the scope of the prescribed powers of the
4 *Sangguniang Barangay* and of the *Punong Barangay*;
- 5 ii. Maintain peace and order by enacting measures to prevent and
6 suppress lawlessness, disorder, riot, violence, rebellion or sedition and
7 impose penalties for the violation of said ordinances;
- 8 iii. Approve ordinances imposing a fine not exceeding Five thousand pesos
9 (P5,000) or an imprisonment for a period not exceeding one (1) year,
10 or both at the discretion of the court, for violation of a city ordinance;
- 11 iv. Adopt measures to protect the inhabitants of the City from the harmful
12 effects of man-made or natural disasters and calamities, and to provide
13 relief services and assistance for victims during and in the aftermath of
14 said disasters or calamities and in their return to productive livelihood
15 following said events;
- 16 v. Enact ordinances intended to prevent, suppress and impose
17 appropriate penalties for habitual drunkenness in public places,
18 vagrancy, mendicancy, prostitution, establishment and maintenance
19 of houses of ill-repute, gambling and other prohibited games of
20 chance, fraudulent devices and ways to obtain money or property,
21 drug addiction, maintenance of drug dens, drug pushing, juvenile
22 delinquency, the printing, distribution or exhibition of obscene or
23 pornographic materials or publications, and such other activities
24 inimical to the welfare and morals of the inhabitants of the City;
- 25 vi. Protect the environment. To this end, it may set aside, at least, ten
26 percent (10%) of its development funds for the purpose of maintaining
27 and enhancing the ecological balance of the City. It may also impose
28 appropriate penalties for acts which endanger the environment, such
29 as dynamite fishing and other forms of destructive fishing, illegal

- 1 logging, smuggling of logs, smuggling of natural resources products and
2 of endangered species of flora and fauna, slash-and-burn farming and
3 such other activities which result in pollution, acceleration of siltation
4 of rivers and lakes or of ecological imbalance;
- 5 vii. Subject to the provisions of the Local Government Code of 1991 and
6 the pertinent laws, determine the powers and duties of officials and
7 employees of the City;
- 8 viii. Consistent with the Salary Standardization Law, determine the
9 positions and the salaries, wages, allowances and other emoluments
10 and benefits of officials and employees paid wholly or mainly from city
11 funds and provide for expenditures necessary for the proper conduct
12 of programs, projects, services and activities of the city government;
- 13 ix. Authorize the payment of compensation to a qualified person not in
14 the government service who fills up a temporary vacancy or grant
15 *honorarium* to any qualified official or employee designated to fill a
16 temporary vacancy in a concurrent capacity at the rate authorized by
17 law;
- 18 x. Provide a mechanism and the appropriate funds therefor, to ensure
19 the safety and protection of all city government property, public
20 documents, or records such as those relating to property inventory,
21 land ownership, record of births, marriages, deaths, assessments,
22 taxation, accounts, business permits and such other records and
23 documents of public interest in the offices and departments of the city
24 government;
- 25 xi. When the finances of the city government allow, provide for additional
26 allowances and other benefits to judges, prosecutors, public
27 elementary and high school teachers, and other national government
28 officials stationed in or assigned to the City;

- 1 xii. Provide legal assistance to barangay officials who, in the performance
2 of their official duties or on the occasion thereof, have to initiate
3 judicial proceedings or defend themselves against legal actions; and
4 xiii. Provide for group insurance or additional insurance coverage for all
5 barangay officials, including members of *barangay tanod* brigades and
6 other service units, with public or private insurance companies, when
7 the finances of the city government allows said coverage.

8 (2) Generate and maximize the use of resources and revenues for the
9 development plans, program objectives and priorities of the City, as provided under the
10 Local Government Code of 1991, as amended, with particular attention to agro-industrial
11 development and city-wide growth and progress, and relative thereto, shall:

- 12 i. Approve the annual and supplemental budgets of the city government
13 and appropriate funds for specific programs, projects, services and
14 activities of the City, or for other purposes not contrary to law in order
15 to promote the general welfare of the City and its inhabitants;
16 ii. Subject to the provisions of Book II of the Local Government Code of
17 1991, as amended, and applicable laws and upon the majority vote of
18 all the members of the *Sangguniang Panlungsod*, enact ordinance
19 levying taxes, fees and charges, prescribing the rates thereof for
20 general and specific purposes and granting tax exemptions, incentives
21 or reliefs;
22 iii. Subject to the provisions of Book II of the Local Government Code of
23 1991, as amended, and upon the majority vote of all the members of
24 the *Sangguniang Panlungsod*, authorize the City Mayor to negotiate
25 and contract loans and other forms of indebtedness;

- 1 iv. Subject to the provisions of Book II of the Local Government Code of
2 1991, as amended, and applicable laws and upon the majority vote of
3 all the members of the *Sangguniang Panlungsod*, enact ordinances
4 authorizing the floating of bonds or other instruments of indebtedness,
5 for the purpose of raising funds to finance development projects;
- 6 v. Appropriate funds for the construction and maintenance or the rental
7 of buildings for the use of the City; and, upon the majority vote of all
8 the members of the *Sangguniang Panlungsod*, authorize the City
9 Mayor to lease to private parties such public buildings held in a
10 proprietary capacity, subject to existing laws, rules and regulations;
- 11 vi. Prescribe reasonable limits and restraints on the use of property within
12 the jurisdiction of the City;
- 13 vii. Adopt a comprehensive land use plan for the City: *Provided*, That the
14 formulation, adoption or modification of said plan shall be in
15 coordination within the approved provincial comprehensive land use
16 plan;
- 17 viii. Reclassify lands within the jurisdiction of the City subject to the
18 pertinent provisions of the Local Government Code of 1991, as
19 amended;
- 20 ix. Enact integrated zoning ordinance in consonance with the approved
21 comprehensive land use plan, subject to existing laws, rules and
22 regulations; establish fire limits or zones, particularly in populous
23 centers, and regulate the construction, repair or modification of
24 buildings within said fire limits or zones in accordance with the
25 provisions of the Fire Code of the Philippines;
- 26 x. Subject to national law, process and approve subdivision plans for
27 residential, commercial or industrial purposes and other development
28 purposes, and to collect processing fees and other charges, the
29 proceeds of which shall accrue entirely to the City: *Provided, however*,

1 that where approval of a national agency or office is required, said
2 approval shall not be withheld for more than thirty (30) days from
3 receipt of the application. Failure to act on the application within the
4 period stated above shall be deemed as approval thereof;

5 xi. Subject to the provisions of Book II of the Local Government Code of
6 1991, as amended, grant the exclusive privilege of constructing fish
7 corrals or fish pens, or the taking or catching of bangus fry, prawn fry
8 or kawag-kawag, or fry of any species of fish within the city waters;

9 xii. With the concurrence of at least two-thirds (2/3) of all the members of
10 the *Sangguniang Panlungsod*, grant tax exemptions, incentives or
11 reliefs to entities engaged in community growth-inducing industries,
12 subject to the provisions of the Local Government Code of 1991, as
13 amended;

14 xiii. Grant loans or provides grants to other local government units or to
15 national, provincial and city charitable, benevolent or educational
16 institutions: *Provided*, that said institutions are operated and
17 maintained within the City;

18 xiv. Regulate the numbering of residential, commercial and other
19 buildings; and

20 xv. Regulate the inspection, weighing and measuring of articles of
21 commerce.

22 (3) Subject to the provisions of the Local Government Code of 1991, as amended,
23 enact ordinances granting franchises and authorizing the issuance of permits or licenses,
24 upon such conditions and for such purposes intended to promote the general welfare of
25 the inhabitants of the City and pursuant to this legislative authority, shall:

26 i. Fix and impose reasonable fees and charges for all services rendered
27 by the city government to private persons or entities;

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- ii. Regulate or fix license fees for any business or practice of profession within the City and the conditions under which the license for said business or practice of profession may be revoked and enact ordinances levying taxes thereon;
- iii. Provide for and set the terms and conditions under which public utilities owned by the City shall be operated by the city government, and prescribe the conditions under which the same may be leased to private persons or entities, preferably cooperatives;
- iv. Regulate the display of and fix the license fees for signs, signboards or billboards at the place or places where the profession or business advertised thereby is, in whole or in part, conducted;
- v. Any law to the contrary notwithstanding, authorize and license the establishment, operation and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks. *Provided, That* existing rights should not be prejudiced;
- vi. Subject to the guidelines prescribed by the Department of Transportation (DOTr), regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the City; and
- vii. Upon approval by a majority vote of all the members of the *Sangguniang Panlungsod*, grant a franchise to any person, partnership, corporation or cooperative to do business within the City; establish, construct, operate and maintain ferries, wharves, markets or slaughterhouses; or undertake such other activities within the City as may be allowed by existing laws. *Provided, That* cooperatives shall be given preference in the grant of such a franchise.

1 (4) Regulate activities relative to the use of land, buildings and structures within
2 the City in order to promote the general welfare and for said purpose, shall:

- 3 i. Declare, prevent or abate any nuisance;
- 4 ii. With the concurrence of the majority of the members of the
5 *Sangguniang Panlungsod*, a quorum being present, deny the entry of
6 legalized gambling by ordinance into any part of the City or regulate its
7 location in the City;
- 8 iii. Require that buildings and the premises thereof and any land within
9 the City be kept and maintained in a sanitary condition; impose
10 penalties for any violation thereof; or upon failure to comply with said
11 requirement, have the work done at the expense of the owner,
12 administrator or tenant concerned require the filling up of any land or
13 premises to a grade necessary for proper sanitation;
- 14 iv. Regulate the disposal of clinical and other wastes from hospitals, clinics
15 and other similar establishments;
- 16 v. Regulate the establishment, operation and maintenance of cafes,
17 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging
18 houses and other similar establishments, including tourist guides and
19 transports;
- 20 vi. Regulate the sale, giving away or dispensing of any intoxicating malt,
21 *vino*, mixed or fermented liquors at any retail outlets;
- 22 vii. Regulate the establishment and provide for the inspection of steam
23 boilers or any heating device in buildings and the storage of
24 inflammable and highly combustible materials within the City;
- 25 viii. Regulate the establishment, operation and maintenance of any
26 entertainment or amusement facilities, including the theatrical
27 performances, circuses, billiard halls, public dancing schools, public
28 dance halls, sauna baths, massage parlors and other places for

1 entertainment or amusement; regulate such other events or activities
2 for amusement or entertainment, particularly those which tend to
3 disturb the community or annoy the inhabitants, or require the
4 suspension or suppression of the same; or prohibit certain forms of
5 amusement or entertainment in order to protect the social and moral
6 welfare of the community;

7 ix. Regulate the establishment, operation and maintenance of funeral
8 parlors and the burial or cremation of the dead, subject to existing
9 laws, rules and regulations; and

10 x. Provide for the impounding of stray animals; regulate the keeping of
11 animals in homes or as part of a business, and the slaughter, sale or
12 disposition of the same; and adopt measures to prevent and penalize
13 cruelty to animals.

14 (5) Approve ordinances which shall ensure the efficient and effective delivery of
15 the basic services and facilities as provided for under the Local Government Code of 1991,
16 as amended, and in addition to said services and facilities, shall:

17 i. Provide for the establishment, maintenance, protection and
18 conservation of communal forest and watersheds, tree parks,
19 greenbelts, mangroves and other similar forest development projects;

20 ii. Establish markets, slaughterhouses or animal corrals and authorize the
21 operation thereof by the city government; and regulate the
22 construction and operation of private markets, talipapas or other
23 similar buildings and structures;

24 iii. Authorize the establishment, maintenance and operation by the city
25 government of ferries, wharves, and other structures intended to
26 accelerate productivity related to marine and seashore or offshore
27 activities in the preservation thereof;

- 1 iv. Regulate the preparation and sale of meat, poultry, fish, vegetables,
2 fruits, fresh dairy products, and other foodstuffs for public
3 consumption;
- 4 v. Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks
5 and other public places and approve the construction, improvement,
6 repair and maintenance of the same; establish bus and vehicle stops
7 and terminals or regulate the use of the same by privately-owned
8 vehicles which serve the public; regulate garages and operation of
9 conveyances for hire; designate stands to be occupied by public
10 vehicles when not in use; regulate the putting up of signs, signposts,
11 awnings and awning posts on the streets; and provide for the lighting,
12 cleaning and sprinkling of streets and public places;
- 13 vi. Regulate traffic on all streets and bridges; prohibit encroachments or
14 obstacles thereon and, when necessary in the interest of public
15 welfare, authorize the removal of encroachments and illegal
16 constructions in public places;
- 17 vii. Subject to existing laws, establish and provide for the maintenance,
18 repair and operation of an efficient waterworks system to supply water
19 for the City's inhabitants and to purify the source of the water supply;
20 regulate the construction, maintenance, repair and use of hydrants,
21 pumps, cisterns and reservoirs; protect the purity and quantity of the
22 water supply of the City and, for this purpose, extend the coverage of
23 appropriate ordinances over all territories within the drainage area of
24 said water supply and within one hundred meters (100 m.) of the
25 reservoir, canal, conduit, aqueduct, pumping station or watershed
26 used in connection with the water service; and regulate the
27 consumption, use or wastage of water and fix and collect charges
28 therefore;

- 1 viii. Regulate the drilling and excavation of the ground for the laying of
2 water, gas, sewer, and other pipes and the construction, repair and
3 maintenance of public drains, sewers, cesspools, tunnels and similar
4 structures; regulate the placing of poles and the use of crosswalks,
5 curbs and gutters; adopt measures to ensure public safety against open
6 canals, manholes, live wires and other similar hazards to life and
7 property; and regulate the construction and use of private water
8 closets, privies and other similar structures in buildings and homes;
- 9 ix. Regulate the placing, stringing, attaching, installing, repair and
10 construction of all gas mains, electric telegraph and telephone wires,
11 conduits, meters and other apparatus; and provide for the correction,
12 condemnation or removal of the same when found to be dangerous to
13 the welfare of the inhabitants;
- 14 x. Subject to the availability of funds and the existing laws, rules and
15 regulations, establish and provide for the operation of vocational and
16 technical schools and similar post-secondary institutions and, with the
17 Technical Education and Skills Development Authority (TESDA), as the
18 case may be, and subject to existing laws on tuition fees, fix and collect
19 reasonable tuition fees and other school charges in educational
20 institutions supported by the city government;
- 21 xi. Establish a scholarship fund for poor but deserving students in schools
22 located within its jurisdiction or for students residing within the City;
- 23 xii. Approve measures and adopt quarantine regulations to prevent the
24 introduction and spread of diseases;
- 25 xiii. Provide for an efficient and effective system of solid waste and garbage
26 collection and disposal; prohibit littering and the placing or throwing
27 of garbage, refuse and other filth and wastes;

- 1 xiv. Provide for the care of persons with disabilities (PWDs), paupers, the
2 elderly, the sick, persons of unsound mind, abandoned minors, juvenile
3 delinquents, drug dependents, abused children and the youth below
4 eighteen (18) years of age; and subject to availability of funds, establish
5 and provide for the operation of centers and facilities for the said
6 needy and disadvantaged persons;
- 7 xv. Establish and provide for the maintenance and improvement of jails
8 and detention centers, institute a sound jail management program,
9 and appropriate funds for the subsistence of detainees and convicted
10 prisoners in the City;
- 11 xvi. Establish a city council whose purpose is the promotion of culture and
12 the arts, coordinate with government agencies and non-governmental
13 organizations and, subject to the availability of funds, appropriate
14 funds for the support and development of the same; and
- 15 xvii. Establish a city council for the elderly and senior citizens which shall
16 formulate policies and adopt measures mutually beneficial to the
17 elderly and to the community; provide incentives for nongovernmental
18 agencies and entities and, subject to the availability of funds,
19 appropriate funds to support programs and projects for the benefit of
20 the elderly.

21 (6) Perform such other duties and functions, and exercise such other powers as
22 provided under the Local Government Code of 1991, as amended, and those that are
23 prescribed by law or ordinance.

1 **ARTICLE V**

2 **PROCESS OF LEGISLATION**

3 **SEC. 13. Internal Rules of Procedure** – (a) On the first regular session following the
4 election of its members and within ninety (90) days thereafter, the *Sangguniang Panlungsod* shall
5 adopt or update its existing rules of procedure.

6 (b) The rules of procedure shall provide for the following:

7 (1) The organization of the *Sanggunian* and the election of its officers as well as
8 the creation of standing committees which shall include the committees on
9 Appropriations, Revenues, Engineering and Public Works, Education and
10 Health, Women and Family, Human Rights, Youth and Sports Development,
11 Environmental Protection, Peace and Order and Traffic, and Cooperatives;
12 the general jurisdiction of each committee; and the election of the chairman
13 and members of each committee;

14 (2) The order and calendar of business for each session;

15 (3) The legislative process;

16 (4) The parliamentary procedures which include the conduct of members during
17 sessions;

18 (5) The discipline of members for disorderly behavior and absences without
19 justifiable cause for four (4) consecutive sessions for which they may be
20 censured, reprimanded or excluded from the session, suspended for not
21 more than sixty (60) days or expelled: *Provided*, That the penalty of
22 suspension or expulsion shall require the concurrence of at least two-thirds
23 (2/3) vote of all the *Sanggunian* members: *Provided, further*, That a member
24 convicted by final judgment to imprisonment of at least one (1) year for any
25 crime involving moral turpitude shall be automatically expelled from the
26 *Sanggunian*; and

1 (6) Such other rules as the *Sanggunian* may adopt.

2 **SEC. 14. Full Disclosure of Financial and Business Interests of Sangguniang Panlungsod**

3 **Members** – (a) Every *Sangguniang Panlungsod* member shall, upon assumption to office, make
4 a full disclosure of their business and financial interests. Such disclosure shall also include a
5 professional relationship or any relation by affinity or consanguinity within the fourth civil
6 degree, which a sanggunian member may have with any person, firm or entity affected by any
7 ordinance or resolution under consideration by the *Sanggunian* and which relationship may
8 result in conflict of interests. Such relationship shall include:

9 (1) Ownership of stock or capital, or investment in the entity or firm to which the
10 ordinance or resolution may apply; and

11 (2) Contracts or agreements with any person or entity which the ordinance or
12 resolution under consideration may affect.

13 In the absence of a specific constitutional or statutory provision applicable to the
14 situation, "conflict of interest" refers to a situation where it may be reasonably deduced that a
15 member of the *Sanggunian* may not act in the public interest due to some private, pecuniary or
16 other personal considerations that may tend to affect the exercise of judgment to the prejudice
17 of the service or the public.

18 (b) The disclosure required under this Act shall be made in writing and submitted to the
19 secretary of the *Sanggunian* or the secretary of the concerned committee. The disclosure shall,
20 in all cases, form part of the record of the proceedings and shall be made in the following manner:

21 (1) Disclosure shall be made before the member participates in the deliberations
22 on the ordinance or resolution under consideration: *Provided*, That if the
23 member did not participate during the deliberations, the disclosure shall be

1 made before voting on the ordinance or resolution on second and third
2 readings; and

3 (2) Disclosure shall be made when a member takes a position or makes a
4 privilege speech on a matter that may affect the business interest, financial
5 connection or professional relationship described herein.

6 **SEC. 15. Sessions** – (a) On the first day of the session immediately following the election
7 of its members, the *Sangguniang Panlungsod* shall, by resolution, fix the day, time and place of
8 its sessions. The minimum number of regular sessions shall be once a week for the *Sangguniang*
9 *Panlungsod* and twice a month for the *Sangguniang Barangay*.

10 (b) When the public interest so demands, special sessions may be called by the City
11 Mayor or by a majority of the members of the *Sanggunian*.

12 (c) All *Sanggunian* sessions shall be open to the public unless a closed-door session is
13 ordered by an affirmative vote of a majority of the members present, there being a quorum, in
14 the public interest or for reasons of security, decency or morality. No two (2) sessions, regular
15 or special, may be held in a single day.

16 (d) In the case of special sessions of the *Sanggunian*, a written notice to the members
17 shall be served personally at the members' usual place of residence at least twenty-four (24)
18 hours before the special session is held.

19 Unless otherwise concurred in by two-thirds (2/3) vote of the *Sanggunian* members
20 present, there being a quorum, no other matters may be considered at a special session except
21 those stated in the notice.

22 (e) The *Sanggunian Panlungsod* shall keep a journal and record of its proceedings which
23 may be published upon resolution of the majority of its members.

24 **SEC. 16. Quorum** – (a) A majority of all the members of the *Sanggunian* who have been
25 elected and qualified shall constitute a quorum to transact official business. Should a question
26 of quorum be raised during a session, the presiding officer shall immediately proceed to call the
27 roll of the members and thereafter announce the results.

1 (b) Where there is no quorum, the presiding officer may declare a recess until such time
2 as a quorum is constituted, or a majority of the members present may adjourn from day to day
3 and may compel the immediate attendance of any member absent without justifiable cause by
4 designating a member of the *Sanggunian*, to be assisted by a member or members of the police
5 force assigned in the territorial jurisdiction of the City of Calaca, to arrest the absent member and
6 present him at the session.

7 (c) If there is still no quorum despite the enforcement of the immediately preceding
8 subsection, no business shall be transacted. The presiding officer, upon proper motion duly
9 approved by the members present, shall then declare the session adjourned for lack of quorum.

10 **SEC. 17. Approval of Ordinances** – (a) Every ordinance enacted by the *Sangguniang*
11 *Panlungsod* shall be presented to the City Mayor. If the City Mayor approves the same, the
12 signature shall be affixed on each and every page thereof; otherwise, the ordinance shall be
13 vetoed and returned the same with statements on the objections to the *Sanggunian*, which may
14 proceed to reconsider the same. The *Sanggunian* may override the veto of the City Mayor by
15 two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective for
16 all legal intents and purposes.

17 (b) The veto shall be communicated by the City Mayor to the *Sanggunian* within ten (10)
18 days; otherwise, the ordinance shall be deemed approved as if it had been signed.

19 **SEC. 18. Veto Power of the City Mayor** – (a) the City Mayor may veto any ordinance of
20 the *Sangguniang Panlungsod* on the ground that it is *ultra vires* or prejudicial to the public
21 welfare, stating the reasons for the veto in writing.

22 (b) The City Mayor shall have the power to veto any particular item or items of an
23 appropriations ordinance, an ordinance or resolution adopting a local development plan and
24 public investment program or an ordinance directing the payment of money or creating liability.
25 In such case, the veto shall not affect the item or items which are not objected to. The vetoed
26 item or items shall not take effect unless the *Sangguniang Panlungsod* overrides the veto in the

1 manner herein provided; otherwise, the item or items in the appropriations ordinance of the
2 previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

3 (c) The City Mayor may veto an ordinance or resolution only once. The *Sanggunian* may
4 override the veto of the City Mayor by two-thirds (2/3) vote of all its members, thereby making
5 the ordinance effective even without the approval of the City Mayor.

6 **SEC. 19. Review of City Ordinances by the Sangguniang Panlalawigan** – (a) Within three
7 (3) days after approval, the Secretary to the *Sangguniang Panlungsod* shall forward to the
8 *Sangguniang Panlalawigan* for review, copies of approved ordinances and the resolutions
9 approving the local development plans and public investment programs formulated by the local
10 development councils.

11 (b) Within thirty (30) days after receipt of copies of such ordinances and resolutions, the
12 *Sangguniang Panlalawigan* shall examine the documents or transmit them to the provincial
13 attorney or the provincial prosecutor for prompt examination. The provincial attorney or the
14 provincial prosecutor shall, within a period of ten (10) days from receipt of the documents, inform
15 the *Sangguniang Panlalawigan* in writing of the comments or recommendations, which may be
16 considered by the *Sangguniang Panlalawigan* in making its decision.

17 (c) If the *Sangguniang Panlalawigan* finds that such an ordinance or resolution is beyond
18 the power conferred upon the *Sangguniang Panlungsod* concerned, it shall declare such
19 ordinance or resolution invalid in whole or in part. The *Sangguniang Panlalawigan* shall enter its
20 action in the minutes and shall advise the corresponding city authorities of the action it has taken.

21 (d) If no action has been taken by the *Sangguniang Panlalawigan* within thirty (30) days
22 after submission of such an ordinance or resolution, the same shall be presumed consistent with
23 law and therefore valid.

24 **SEC. 20. Review of Barangay Ordinances by the Sangguniang Panlungsod** – (a) Within
25 ten (10) days after their enactment, the *Sangguniang Barangay* shall furnish copies of all
26 barangay ordinances to the *Sangguniang Panlungsod* for review as to whether the ordinance is
27 consistent with law or city ordinances.

1 (b) If the *Sangguniang Panlungsod* fails to take action on barangay ordinances within
2 thirty (30) days from receipt thereof, the same shall be deemed approved.

3 (c) If the *Sangguniang Panlungsod* finds the barangay ordinances inconsistent with law or
4 city ordinances, the *Sangguniang Panlungsod* shall, within thirty (30) days from receipt thereof,
5 return the same with its comments and recommendations to the *Sangguniang Barangay*
6 concerned for adjustment, amendment or modification; in which case, the effectivity of the
7 barangay ordinance is suspended until such time as the revision called for is effected.

8 **SEC. 21. *Enforcement of Disapproved Ordinances or Resolutions*** – Any attempt to
9 enforce any ordinance or any resolution approving the local development plan and public
10 investment program, after the disapproval thereof, shall be sufficient ground for the suspension
11 or dismissal of the official or employee concerned.

12 **SEC. 22. *Effectivity of Ordinances or Resolutions*** – (a) Unless otherwise stated in the
13 ordinance or the resolution approving the local development plan and public investment
14 program, the same shall take effect after ten (10) days from the date a copy thereof is posted in
15 a bulletin board at the entrance of the City Hall of Calaca, and in at least two (2) other conspicuous
16 places in the City of Calaca not later than five (5) days after approval thereof.

17 (b) The secretary of the *Sangguniang Panlungsod* shall cause the posting of an ordinance
18 or resolution in the bulletin board at the entrance of the City Hall, and in at least two (2)
19 conspicuous places in the City not later than five (5) days after approval thereof.

20 The text of the ordinance or resolution shall be disseminated and posted in Filipino or
21 English and in the language or dialect understood by the majority of the people in the City and
22 the secretary of the *Sangguniang Panlungsod* shall record such fact in a book kept for the
23 purpose, stating the dates of approval and posting.

1 (c) Ordinances with penal sanctions shall be posted at prominent places in City Hall, for a
2 minimum period of three (3) consecutive weeks. Such ordinances shall also be published in a
3 newspaper of general circulation within the City.

4 **ARTICLE VI**

5 **DISQUALIFICATIONS AND SUCCESSION FOR ELECTIVE CITY OFFICIALS**

6 **SEC. 23. *Disqualifications for Elective City Officials*** – The following persons are
7 disqualified from running for any elective position in the City:

- 8 (a) Those sentenced by final judgment for an offense involving moral turpitude or an
9 offense punishable by one (1) year or more of imprisonment within two (2) years
10 after serving sentence;
- 11 (b) Those removed from office as a result of an administrative case;
- 12 (c) Those convicted by final judgment for violating the oath of allegiance to the Republic
13 of the Philippines;
- 14 (d) Those with dual citizenship;
- 15 (e) Fugitives from justice in criminal or nonpolitical cases here and abroad;
- 16 (f) Permanent residents in a foreign country or those who have acquired the right to
17 reside abroad and continue to avail of the same right after the effectivity of the Local
18 Government Code of 1991, as amended; and
- 19 (g) The insane or feeble-minded.

20 **SEC. 24. *Permanent Vacancy in the Offices of the City Mayor and City Vice Mayor*** – (a)
21 If a permanent vacancy occurs in the office of the City Mayor, the City Vice Mayor shall become
22 the City Mayor. If a permanent vacancy occurs in the office of the City Vice Mayor, the highest
23 ranking *Sangguniang Panlungsod* member or, in case of the latter’s permanent incapacity, the
24 second highest ranking *Sangguniang Panlungsod* member shall become the City Mayor or City
25 Vice Mayor, as the case may be. Subsequent vacancies in the said offices shall be filled

1 automatically by the other *Sanggunian* members according to their ranking as defined under the
2 Local Government Code of 1991, as amended.

3 (b) If a permanent vacancy occurs in the office of the *Punong Barangay*, the highest
4 ranking *Sangguniang Barangay* member or, in case of the latter's incapacity, the
5 second highest *Sanggunian* member shall become the *Punong Barangay*.

6 (c) A tie between or among the highest ranking sangguniang panlungsod members shall
7 be resolved by drawing of lots.

8 (d) The successors, as defined herein, shall serve only the unexpired terms of their
9 predecessors.

10 (e) For purposes of this Act, a permanent vacancy arises when an elective local official
11 fills in a higher vacant office, refuses to assume office, fails to qualify, dies, is removed
12 from office, voluntarily resigns or is otherwise permanently incapacitated to
13 discharge the functions of the office.

14 (f) For purposes of succession as provided in this Act, ranking in the *Sanggunian* shall be
15 determined on the basis of the proportion of votes obtained by each winning
16 candidate to the total number of registered voters in the City in the immediately
17 preceding local election.

18 **SEC. 25. *Permanent Vacancies in the Sangguniang Panlungsod*** – Permanent vacancies
19 in the *Sangguniang Panlungsod* where automatic succession as provided above does not apply
20 shall be filled by appointments in the following manner:

21 (1) The provincial governor shall make the aforesaid appointments;

22 (2) Only the nominee of the political party under which the *Sanggunian* member
23 concerned had been elected and whose elevation to the position next higher
24 in rank created the last vacancy in the *Sanggunian* shall be appointed in the
25 manner provided herein. The appointee shall come from the political party as
26 that of the *Sanggunian* member who caused the vacancy and shall serve the
27 unexpired term of the vacant office.

1 In the appointment herein mentioned, a nomination and a certificate of
2 membership of the appointee from the highest official of the political party
3 concerned are conditions *sine qua non*, and any appointment without such
4 nomination and certification shall be null and void *ab initio* and shall be a
5 ground for administrative action against the official responsible therefore;

6 (3) In case the permanent vacancy is caused by a *Sanggunian* member who does
7 not belong to any political party, the City Mayor shall, upon recommendation
8 of the *Sangguniang Panlungsod*, appoint a qualified person to fill the vacancy;
9 and

10 (4) In case of vacancy in the representation of the youth and the barangay in the
11 *Sangguniang Panlungsod*, said vacancy shall be filled automatically by the
12 official next in rank of the organization concerned.

13 **SEC. 26. Temporary Vacancy in the Office of the City Mayor** – (a) When the City Mayor
14 is temporarily incapacitated to perform the duties for physical or legal reasons such as leave of
15 absence, travel abroad and suspension from office, the City Vice Mayor or the highest ranking
16 *Sangguniang Panlungsod* member, shall automatically exercise the powers and perform the
17 duties and functions of the City Mayor, except the power to appoint, suspend or dismiss
18 employees which can only be exercised if the period of temporary incapacity exceeds thirty (30)
19 working days.

20 (b) Said temporary incapacity shall terminate upon submission to the *Sangguniang*
21 *Panlungsod* of a written declaration by the City Mayor of having reported back to office. In case
22 where the temporary incapacity is due to legal cause, the City Mayor shall also submit the
23 necessary documents showing that said legal cause no longer exists.

24 (c) When traveling within the country but outside the territorial jurisdiction of the City
25 for a period not exceeding three (3) consecutive days, the City Mayor may designate in writing
26 the officer-in-charge of the office. Such authorization shall specify the powers and functions that
27 the local official concerned shall exercise in the absence of the City Mayor except the power to
28 appoint, suspend or dismiss employees.

1 (d) If the City Mayor fails or refuses to issue such authorization, the City Vice Mayor or
2 the highest ranking *Sangguniang Panlungsod* member, as the case maybe, shall have the right to
3 assume the powers, duties and functions of the said office on the fourth (4th) day of absence of
4 the City Mayor, subject to the limitations provided in subsection (c) hereof.

5 (e) Except as provided above, the City Mayor shall, in no case, authorize any local official
6 to assume the powers, duties and functions of the office, other than the City Vice Mayor or the
7 highest ranking *Sangguniang Panlungsod* member, as the case may be.

8 **ARTICLE VII**

9 **THE APPOINTIVE OFFICIALS OF THE CITY:**
10 **THEIR QUALIFICATIONS, POWERS AND DUTIES**

11 **SEC. 27. *The Secretary to the Sangguniang Panlungsod*** – (a) There shall be a secretary
12 of the *Sangguniang Panlungsod* who shall be a career official with the rank and salary equal to a
13 head of a department or office.

14 (b) The Secretary to the *Sangguniang Panlungsod* must be a citizen of the Philippines, a
15 resident of the City of Calaca, of good moral character, a holder of a college degree preferably in
16 law, commerce, or public administration from a recognized college or university, and a first grade
17 civil service eligible or its equivalent.

18 (c) The secretary to the *Sangguniang Panlungsod* shall take charge of the office of the
19 *Sangguniang Panlungsod*, and shall:

20 (1) Attend meetings of the *Sangguniang Panlungsod* and keep a journal of its
21 proceedings;

22 (2) Keep the seal of the City and affix it with signature to all ordinances,
23 resolutions, and other official acts of the *Sangguniang Panlungsod* and present
24 the same for the signature of the presiding officer;

- 1 (3) Forward to the City Mayor, for approval, copies of ordinances enacted by the
2 *Sangguniang Panlungsod* duly certified by the presiding officer, in the manner
3 provided in Section 54 of the Local Government Code of 1991, as amended;
- 4 (4) Forward to the Sangguniang Panlalawigan copies of duly approved ordinances
5 in the manner provided in Sections 56 and 57 of the Local Government Code
6 of 1991, as amended;
- 7 (5) Furnish, upon the request of any interested party, certified copies of records
8 of public character in custody, upon payment to the City Treasurer of such fees
9 as may be prescribed by ordinance;
- 10 (6) Record in a book kept for the purpose, all ordinances and resolutions enacted
11 or adopted by the *Sangguniang Panlungsod*, with the dates of passage and
12 publication thereof;
- 13 (7) Keep the office and all non-confidential records therein open to the public
14 during usual business hours;
- 15 (8) Translate into the dialect used by the majority of the inhabitants all ordinances
16 and resolutions immediately after their approval and cause the publication of
17 the same together with the original version in the manner provided under the
18 Local Government Code of 1991, as amended;
- 19 (9) Take custody of the local archives and where applicable, the local library, and
20 annually account for the same; and
- 21 (10) Perform other duties and functions and exercise such other powers as
22 provided under the Local Government Code of 1991, as amended, and those
23 that are prescribed by law or ordinance.

24 SEC. 28. **The City Treasurer** – (a) The City Treasurer shall be appointed by the Secretary
25 of the Department of Finance (DOF) from a list of at least three (3) ranking eligible recommendees
26 of the City Mayor, subject to the civil service law, rules and regulations.
27

1 (b) The city treasurer shall be under the administrative supervision of the City Mayor, to
2 whom he shall report regularly on the tax collection efforts of the City.

3 (c) The City Treasurer must be a citizen of the Philippines, a resident of the City of Calaca,
4 of good moral character, a holder of a college degree in commerce, public administration or law
5 from a recognized college or university, a first grade civil service eligible or its equivalent and
6 must have acquired for at least five (5) years experience in treasury or accounting service.

7 (d) The city treasurer shall receive such compensation, emoluments and allowances as
8 may be determined by law.

9 (e) The city treasurer shall take charge of the City Finance Department, and shall:

10 (1) Advise the City Mayor, the *Sangguniang Panlungsod* and other local
11 government and national officials concerned regarding the disposition of
12 local government funds and on such other matters relative to public finance;

13 (2) Take custody and exercise proper management of the funds of the City;

14 (3) Take charge of the disbursement of all funds of the City and such other funds
15 the custody of which may be entrusted to the City Treasurer by law or other
16 competent authority;

17 (4) Inspect private commercial and industrial establishments within the
18 jurisdiction of the City in relation to the implementation of tax ordinances
19 pursuant to the provisions of the Local Government Code of 1991, as
20 amended;

21 (5) Maintain and update the tax information system of the City; and

22 (6) Perform other duties and functions, and exercise such other powers as
23 provided under the Local Government Code of 1991, as amended, and those
24 that are prescribed by law or ordinance.

25 **SEC. 29. The City Assessor** – (a) The city assessor must be a citizen of the Philippines, a
26 resident of the City of Calaca, of good moral character, a holder of a college degree preferably in
27 civil or mechanical engineering, commerce, or any other related course from a recognized college

1 or university, a first grade civil service eligible or its equivalent and must have acquired at least
2 five (5) years experience in real property assessment work or in any related field immediately
3 preceding the date of the appointment.

4 (b) The city assessor shall receive such compensation, emoluments and allowances as
5 may be determined by law.

6 (c) The city assessor shall take charge of the City Assessor's Department, and shall:

7 (1) Ensure that all laws and policies governing the appraisal and assessment of
8 real properties for taxation purposes are properly executed;

9 (2) Initiate, review and recommend changes in policies and objectives, plans and
10 programs, techniques, procedures and practices in the evaluation and
11 assessment of real properties for taxation purposes;

12 (3) Establish a systematic method of real property assessment;

13 (4) Install and maintain real property identification and accounting systems;

14 (5) Prepare, install and maintain a system of tax mapping, showing graphically
15 all properties subject to assessment and gather all data concerning the
16 same;

17 (6) Conduct frequent physical surveys to verify and determine whether all real
18 properties within the City are properly listed in the assessment rolls;

19 (7) Exercise the functions of appraisal and assessment primarily for taxation
20 purposes of all real properties in the City;

21 (8) Prepare a schedule of the fair market value of the different classes of real
22 properties in accordance with the provisions of the Local Government Code
23 of 1991, as amended;

24 (9) Issue, upon request of any interested party, certified copies of assessment
25 records of real properties and all other records relative to its assessment,
26 upon payment of a service charge or fee to the City Treasurer;

27

1 (10) Submit every semester a report of all assessments, as well as cancellations
2 and modifications of assessments to the City Mayor and the *Sangguniang*
3 *Panlungsod*;

4 (11) Attend personally or through an authorized representative all sessions of the
5 Local Board of Assessment Appeals whenever the assessment is subject of
6 the appeal, and present or submit any information or record in the
7 possession as may be required by the Board; and

8 (12) Perform such other duties and functions, and exercise such other powers as
9 provided under the Local Government Code of 1991, as amended, and those
10 that are prescribed by law or ordinance.

11 **SEC. 30. The City Accountant** – (a) The city accountant must be a citizen of the Philippines,
12 a resident of the City of Calaca, of good moral character, a certified public accountant and must
13 have acquired at least five (5) years experience in the treasury or accounting service immediately
14 preceding the date of the appointment.

15 (b) The city accountant shall receive such compensation, emoluments and allowances as
16 may be determined by law.

17 (c) The city accountant shall take charge of both the office of the accounting and internal
18 audit services of the City, and shall:

19 (1) Install and maintain an internal audit system in the City;

20 (2) Prepare and submit financial statements to the city mayor and to the
21 *Sangguniang Panlungsod*;

22 (3) Appraise the *Sangguniang Panlungsod* and other officials on the financial
23 condition and operations of the City;

24 (4) Certify the availability of budgetary allotment to which expenditures and
25 obligations may be properly charged;

- 1 (5) Review supporting documents before the preparation of vouchers to
2 determine the completeness of requirements;
- 3 (6) Prepare statements of cash advances, liquidations, salaries, allowances,
4 reimbursements and remittances pertaining to the City;
- 5 (7) Prepare statements of journal vouchers and liquidation of the same and other
6 adjustments related thereto;
- 7 (8) Post individual disbursements to the subsidiary ledger and index cards;
- 8 (9) Maintain individual ledgers for officials and employees of the City pertaining
9 to payrolls and deductions;
- 10 (10) Record and post in index cards details of purchased furniture, fixtures and
11 equipment, including disposal thereof, if any;
- 12 (11) Account for all issued requests for obligations and maintain and keep all
13 records and reports related thereto;
- 14 (12) Prepare journals and the analysis of obligations and maintain and keep all
15 records and reports related thereto; and
- 16 (13) Perform such other duties and functions, and exercise such other powers as
17 provided under the Local Government Code of 1991, as amended, and those
18 that are prescribed by law or ordinance.

19 **SEC. 31. *The City Budget Officer*** – (a) The city budget officer must be a citizen of the
20 Philippines, a resident of the City of Calaca, of good moral character, a holder of a college degree
21 preferably in accounting, economics, public administration, or any related course from a
22 recognized college or university, a first grade civil service eligible or its equivalent, and must have
23 acquired at least five (5) years experience in government budgeting or in any related field
24 immediately preceding the date of appointment.

25 (b) The City Budget Officer shall receive such compensation, emoluments and allowances
26 as may be determined by law.

27 (c) The City Budget Officer shall take charge of the City Budget Department, and shall:

- 1 (1) Prepare forms, orders and circulars embodying instructions on budgetary and
2 appropriation matters for the signature of the City Mayor;
- 3 (2) Review and consolidate the budget proposals of the different departments
4 and offices of the City;
- 5 (3) Assist the City Mayor in the preparation of the annual budget and during and
6 after budget hearings;
- 7 (4) Study and evaluate budgetary implications of proposed legislation and submit
8 comments and recommendations thereon;
- 9 (5) Submit periodic budgetary reports to the Department of Budget and
10 Management (DBM);
- 11 (6) Coordinate with the City Treasurer, the City Accountant and the City Planning
12 and Development Officer for the purpose of budgeting;
- 13 (7) Assist the *Sangguniang Panlungsod* in reviewing the approved budgets of
14 component barangays;
- 15 (8) Coordinate with the City Planning and Development Officer in the formulation
16 of the development plan of the City; and
- 17 (9) Perform such other duties and functions, and exercise such other powers as
18 provided under the Local Government Code of 1991, as amended, and those
19 that are prescribed by law or ordinance.

20 **SEC. 32. *The City Planning and Development Officer*** – (a) The city planning and
21 development officer must be a citizen of the Philippines, a resident of the City of Calaca, of good
22 moral character, a holder of a college degree preferably in urban planning, development studies,
23 economics, public administration, or in any related course from a recognized college or
24 university, a first grade civil service eligible or its equivalent, and must have acquired at least five
25 (5) years experience in development planning or in any related field immediately preceding the
26 date of the appointment.

1 (b) The City Planning and Development Officer shall receive such compensation,
2 emoluments and allowances as may be determined by law.

3 (c) The City Planning and Development Officer shall take charge of the City Planning and
4 Development Coordinating Office, and shall:

- 5 (1) Formulate integrated economic, social, physical and other development plans
6 and policies for consideration of the City;
- 7 (2) Conduct continuing studies, researches and training programs necessary to
8 evolve plans and programs for implementation;
- 9 (3) Integrate and coordinate all sectoral plans and studies undertaken by the
10 different functional groups or agencies;
- 11 (4) Monitor and evaluate the implementation of the different development
12 programs, projects and activities in the City in accordance with the approved
13 development plan;
- 14 (5) Prepare comprehensive plans and other development planning documents
15 for the consideration of the local development council;
- 16 (6) Analyze the income and expenditure patterns, and formulate and
17 recommend fiscal plans and policies for consideration of the finance
18 committee of the City as provided under the Local Government Code of 1991;
- 19 (7) Promote people's participation in development planning within the City;
- 20 (8) Exercise supervision and control over the secretariat of the Local
21 Development Council; and
- 22 (9) Perform such other functions and duties and exercise such other powers as
23 provided under the Local Government Code of 1991, as amended, and those
24 that are prescribed by law or ordinance.

25 **SEC. 33. *The City Engineer*** – (a) The city engineer must be a citizen of the Philippines, a
26 resident of the City of Calaca, of good moral character, a licensed civil engineer and must have
27 acquired at least five (5) years experience in the practice of profession.

1 (b) The city engineer shall receive such compensation, emoluments and allowances as
2 may be determined by law.

3 (c) The city engineer shall take charge of the City Engineering Office, and shall:

4 (1) Initiate, review and recommend changes in policies and objectives, plans and
5 programs, techniques, procedures and practices in infrastructure
6 development and public works in general of the City;

7 (2) Advise the city mayor on infrastructure, public works and other engineering
8 matters;

9 (3) Administer, coordinate, supervise and control the construction, maintenance,
10 improvement and repair of roads, bridges, other engineering and public works
11 projects of the City;

12 (4) Provide engineering services to the City, including investigation and survey,
13 engineering designs, feasibility studies and project management; and

14 (5) Perform such other duties and functions, and exercise such other powers as
15 provided for under the Local Government Code of 1991, as amended, and
16 those that are prescribed by law or ordinance.

17 **SEC. ~~36~~34. *The City Health Officer*** – (a) The City Health Officer must be a citizen of the
18 Philippines, a resident of the City of Calaca, of good moral character, a licensed medical
19 practitioner, and must have acquired at least five (5) years experience in the practice of
20 profession.

21 (b) The City Health Officer shall receive such compensation, emoluments and allowances
22 as may be determined by law.

23 (c) The city health officer shall take charge of the Office of the City Health Services, and
24 shall:

25 (1) Supervise the personnel and staff of the said office, formulate program
26 implementation guidelines and rules and regulations for the operation of the

1 said office for the approval of the city mayor in order to assist him in the
2 efficient, effective and economical implementation of health service program
3 geared to implement health-related projects and activities;

4 (2) Formulate measures for the consideration of the *Sangguniang Panlungsod*
5 and provide technical assistance and support to the city mayor in carrying out
6 activities to ensure the delivery of basic services and provision of adequate
7 facilities relative to health services provided under Section 17 of the Local
8 Government Code of 1991, as amended;

9 (3) Develop plans and strategies, and upon approval thereof by the City Mayor,
10 implement these with the health programs and projects which the City Mayor
11 is empowered to implement and which the *Sangguniang Panlungsod* is
12 empowered to provide under the Local Government Code of 1991, as
13 amended;

14 (4) In addition to the foregoing duties and functions, the city health officer shall:

15 (i) Formulate and implement policies, plans and projects to promote the
16 health of the people in the City;

17 (ii) Advise the City Mayor and the *Sangguniang Panlungsod* on matters
18 pertaining to health;

19 (iii) Execute and enforce all laws, ordinances and regulations relating to
20 public health;

21 (iv) Recommend to the *Sangguniang Panlungsod* through the Local
22 Health Board the passage of such ordinances necessary for the
23 preservation of public health;

24 (v) Recommend the prosecution of any violation of sanitary laws,
25 ordinances or regulations;

26 (vi) Direct the sanitary inspection of all business establishments selling
27 food items or providing accommodation such as hotels, motels,

- 1 lodging houses, and pension houses, in accordance with the
2 Sanitation Code;
- 3 (vii) Conduct health information campaigns and render health
4 intelligence services;
- 5 (viii) Coordinate with other government agencies and nongovernmental
6 organizations involved in the promotion and delivery of health
7 services;
- 8 (ix) Be in the frontline of the delivery of health services, particularly
9 during and in the aftermath of man-made and natural disasters and
10 calamities; and

11 (5) Perform such other duties and functions, and exercise such other powers as
12 provided under the Local Government Code of 1991, and those that are
13 prescribed by law or ordinance.

14 SEC. 35. ***The City Civil Registrar*** – (a) The city civil registrar must be a citizen of the
15 Philippines, a resident of the City of Calaca, of good moral character, a holder of a college degree
16 from a recognized college or university, a first grade civil service eligible or its equivalent and
17 must have acquired at least five (5) years experience in civil registry work.

18 (b) The city civil registrar shall receive such compensation, emoluments and allowances
19 as may be determined by law.

20 (c) The city civil registrar shall be responsible for the civil registration program in the City
21 of Calaca, pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws, rules and
22 regulations issued to implement them.

23 (d) The city civil registrar shall take charge of the office of the city civil registry, and shall:

24 (1) Develop plans and strategies, and upon approval thereof by the city mayor,
25 implement the same, particularly those which have to do with the
26 management and administration-related programs and projects which the

1 City Mayor is empowered to implement and which the *Sangguniang*
2 *Panlungsod* is empowered to provide under the Local Government Code of
3 1991, as amended;

4 (2) In addition to the foregoing duties and functions, the City Civil Registrar shall:

5 (i) Accept all registrable documents and judicial decrees affecting the civil
6 status of persons;

7 (ii) File, keep and preserve in a secure place the books required by law;

8 (iii) Transcribe and enter immediately upon receipt all registrable
9 documents and judicial decrees affecting the civil status of persons in
10 the appropriate civil registry books;

11 (iv) Transmit to the Office of the Civil Registrar-General, within the
12 prescribed period, duplicate copies of registered documents required
13 by law;

14 (v) Issue certified transcripts or copies of any certificate or registered
15 documents upon payment of the required fees to the city treasurer;

16 (vi) Receive applications for the issuance of a marriage license and, after
17 determining that the requirements and supporting certificates and
18 publication thereof for the prescribed period have been complied
19 with, issue the license upon payment of the authorized fee to the City
20 Treasurer; and

21 (vii) Coordinate with the Philippine Statistics Authority (PSA) in conducting
22 educational campaigns for vital registration and assist in the
23 preparation of demographic and other statistics for the City of Calaca.

24 (3) Perform such other duties and functions, and exercise such other powers as
25 provided under the Local Government Code of 1991, as amended, and those
26 that are prescribed by law or ordinance.

1 **SEC. [38]36. The City Administrator** – (a) The city administrator must be a citizen of the
2 Philippines, a resident of the City of Calaca, of good moral character, a holder of a college degree
3 preferably in public administration, law, or any other related course from a recognized college or
4 university, a first grade civil service eligible or its equivalent, and must have acquired at least five
5 (5) years experience in management and administrative work.

6 (b) The term of the city administrator is coterminous with that of the appointing authority.

7 (c) The City Administrator shall receive such compensations, emoluments and allowances
8 as may be determined by law.

9 (d) The city administrator shall take charge of the City Administrator's Office, and shall:

10 (1) Develop plans and strategies and upon approval thereof by the City Mayor,
11 implement the same, particularly those which have to do with the
12 management and administration-related programs and projects which the
13 City Mayor is empowered to implement and which the *Sangguniang*
14 *Panlungsod* is empowered to provide under the Local Government Code of
15 1991, as amended;

16 (2) Assist in the coordination of the work of all the officials of the City under the
17 supervision, direction and control of the City Mayor, and for this purpose, may
18 convene the chiefs of offices and other officials of the local government unit;

19 (3) Establish and maintain a sound personnel program for the LGU designed to
20 promote career development and uphold the merit principle in the local
21 government service;

22 (4) Conduct a continuing organizational development of the City with the end in
23 view of instituting effective administrative reforms.

24 (5) Be in the frontline of the delivery of administrative support services,
25 particularly those related to situations during and in the aftermath of man-
26 made and natural disasters or calamities;

- 1 (6) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all
2 matters relative to the management and administration of the City; and
3 (7) Perform such other duties and functions, and exercise such other powers as
4 provided under the Local Government Code of 1991, as amended, and those
5 that are prescribed by law or ordinance.

6 **SEC. [39]37. *The City Legal Officer*** – (a) The city legal officer must be a citizen of the
7 Philippines, a resident of the City of Calaca, of good moral character, a member of the Philippine
8 Bar, and must have practiced the profession for at least five (5) years.

9 (b) The term of the city legal officer shall be coterminous with that of the appointing
10 authority.

11 (c) The city legal officer shall receive such compensation, emoluments and allowances as
12 may be determined by law.

13 (d) The city legal officer, the chief legal counsel of the City, shall take charge of the Office
14 of the City Legal Service, and shall:

- 15 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod* and
16 provide legal assistance and support to the City Mayor in carrying out the
17 delivery of basic services and provisions of adequate facilities;
18 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
19 implement the same, particularly those which have to do with programs and
20 projects related to legal services which the City Mayor is empowered to
21 implement and which the *Sangguniang Panlungsod* is empowered to provide;
22 (3) Represent the City in all civil actions and special proceedings wherein the local
23 government unit or any official thereof, in official capacity, is a party: *Provided,*
24 That, in actions or proceedings where the City of Calaca is a party adverse to
25 the provincial government or to another component city or municipality, a
26 special legal officer may be employed to represent the adverse party;

- 1 (4) When required by the City Mayor or *Sanggunian*, draft ordinances, contracts,
2 bonds, leases and other instruments involving any interest of the City and
3 provide comments and recommendations on any instruments already drawn;
4 (5) Render an opinion in writing on any question of law when requested to do so
5 by the City Mayor or *Sanggunian*;
6 (6) Investigate or cause to be investigated any local official or employee for
7 administrative neglect or misconduct in office and recommend the
8 appropriate action to the City Mayor or *Sanggunian*, as the case may be;
9 (7) Investigate or cause to be investigated any person, firm or corporation holding
10 any franchise of exercising any public privilege for failure to comply with any
11 term or condition in the grant of such franchise or privilege, and
12 recommending appropriate action to the City Mayor or *Sanggunian*, as the
13 case may be;
14 (8) When directed by the City Mayor or *Sanggunian*, initiate and prosecute, in the
15 interest of the City, any civil action on any bond, lease or other contract upon
16 any breach or violation thereof;
17 (9) Review and submit recommendations on ordinances approved and executive
18 orders issued by component units;
19 (10) Recommend measures to the *Sangguniang Panlungsod* and advise the City
20 Mayor on all matters related to upholding the rule of law;
21 (11) Be in the frontline of protecting human rights and prosecuting any violations
22 thereof, particularly those which occur during and in the aftermath of man-
23 made and natural disasters or calamities; and
24 (12) Perform such other duties and functions, and exercise such other powers as
25 provided under the Local Government Code of 1991, as amended, and those
26 that are prescribed by law or ordinance.

27 **SEC. 38. *The City Social Welfare and Development Officer*** – (a) The city social welfare
28 and development officer must be a citizen of the Philippines, a resident of the City of Calaca, of

1 good moral character, a duly licensed social worker or a holder of a college degree preferably in
2 social work, sociology, or any other related course from a recognized college or university, a first
3 grade civil service eligible or its equivalent, and must have acquired at least five (5) years
4 experience in the practice of social work immediately preceding the date of appointment.

5 (b) The city social welfare and development officer shall receive such compensation,
6 emoluments and allowances as may be determined by law.

7 (c) The City Social Welfare and Development Officer shall take charge of the Office of
8 Social Welfare and Development, and shall:

- 9 (1) Formulate measures for the approval of the *Sangguniang Panlungsod* and
10 provide technical assistance and support to the City Mayor in carrying out
11 measures to ensure delivery of basic services and provision of adequate
12 facilities relative to social welfare and development services;
- 13 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
14 implement the same, particularly those which have to do with social welfare
15 programs and projects which the City Mayor is empowered to implement and
16 which the *Sangguniang Panlungsod* is empowered to provide;
- 17 (3) Identify the basic needs of the needy, the disadvantaged and impoverished
18 and develop and implement appropriate measures to alleviate their problems
19 and improve their living conditions;
- 20 (4) Provide relief and appropriate crisis intervention for victims of abuse and
21 exploitation and recommend appropriate measures to deter further abuse
22 and exploitations;
- 23 (5) Assist the City Mayor in implementing the barangay level program for the
24 total development and protection of children up to six (6) years of age;
- 25 (6) Facilitate the implementation of welfare programs for the disabled, elderly
26 and victims of drug addiction, the rehabilitation of prisoners and parolees,
27 the prevention of juvenile delinquency and such other activities which would
28 eliminate and minimize the ill-effects of poverty;

- 1 (7) Initiate and support youth welfare program that will enhance the role of
2 youth in nation-building;
- 3 (8) Coordinate with government agencies and non-governmental organizations
4 whose purpose is the promotion and the protection of all the needy,
5 disadvantaged, underprivileged or impoverished groups or individuals,
6 particularly those identified to be vulnerable and high risk to exploitation,
7 abuse and neglect;
- 8 (9) Be in the frontline of the delivery of services particularly those concerned
9 with immediate relief and assistance during and in the aftermath of man-
10 made and natural disasters and calamities;
- 11 (10) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on
12 all other matters related to social welfare and development services that will
13 improve the livelihood and living conditions of the City's inhabitants; and
- 14 (11) Perform such other duties and functions, and exercise such other powers as
15 provided under the Local Government Code of 1991, as amended, and those
16 that are prescribed by law or ordinance.

17 SEC. 39. **The City Veterinarian** – (a) The city veterinarian must be a citizen of the
18 Philippines, a resident of the City of Calaca, of good moral character, a licensed doctor of
19 veterinary medicine and must have practiced the profession for at least three (3) years.

20 (b) The city veterinarian shall receive such compensation, emoluments and allowances as
21 may be determined by law.

22 (c) The city veterinarian shall take charge of the Office of the Veterinary Services, and
23 shall:

- 24 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
25 and provide technical assistance and support to the City Mayor in carrying out
26 measures to ensure the delivery of basic services and provision of adequate
27 facilities;

- 1 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
2 implement the same, particularly those which have to do with veterinary-
3 related activities which the City Mayor is empowered to implement and which
4 the *Sangguniang Panlungsod* is empowered to provide;
- 5 (3) Advise the City Mayor on all matters pertaining to the slaughter of animals for
6 human consumption and the regulation of slaughterhouses;
- 7 (4) Regulate the keeping of domestic animals;
- 8 (5) Regulate and inspect poultry, milk and dairy products for public consumption;
- 9 (6) Enforce all laws and regulations for the prevention of cruelty to animals;
- 10 (7) Take the necessary measures to eradicate, prevent or cure all forms of animal
11 diseases;
- 12 (8) Be in the frontline of veterinary-related activities, such as the outbreak of
13 highly contagious and deadly diseases and in situations resulting in the
14 depletion of animals for work and for human consumption, particularly those
15 arising from and in the aftermath of man-made and natural disasters or
16 calamities;
- 17 (9) Recommend to the *Sangguniang Panlungsod* and advise the city mayor on all
18 matters relative to veterinary services which will increase the number and
19 improve the quality of livestock, poultry and other domestic animals used for
20 work or human consumption; and
- 21 (10) Perform such other duties and functions, and exercise such other powers as
22 provided under the Local Government Code of 1991, as amended, and those
23 that are prescribed by law or ordinance.

24 **SEC. 40. The City General Services Officer** – (a) The city general services officer must be
25 a citizen of the Philippines, a resident of the City of Calaca, of good moral character, a holder of
26 a college degree in public administration, business administration or management from a
27 recognized college or university, a first grade civil service eligible or its equivalent and must have

1 acquired at least five (5) years experience in general services, including management of supply,
2 including the management of supply, property, solid waste disposal and general sanitation.

3 (b) The city general services officer shall receive such compensation, emoluments and
4 allowances as may be determined by law.

5 (c) The city general services officer shall take charge of the Office of the General Services,
6 and shall:

- 7 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
8 and provide technical assistance and support to the City Mayor in carrying out
9 measures to ensure the delivery of basic services and provision of adequate
10 facilities that require general services expertise in technical support services;
- 11 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
12 implement the same, particularly those which have to do with the general
13 services that are supportive of the welfare of the inhabitants of the City which
14 the City Mayor is empowered to implement and which the *Sangguniang*
15 *Panlungsod* is empowered to provide;
- 16 (3) Take custody of and be accountable for all properties, real or personal, owned
17 by the City, and those granted to it in the form of donation, reparation,
18 assistance and counterpart of joint projects;
- 19 (4) With the approval of the City Mayor, assign building or land space to local
20 officials or other public officials, who by law, are entitled to the space;
- 21 (5) Recommend to the City Mayor the reasonable rental rates for local
22 government properties, whether real or personal, which will be leased to
23 public or private entities by the local government;
- 24 (6) Recommend to the City Mayor reasonable rental rates of private properties
25 which may be leased for the official use of the City;

- 1 (7) Maintain and supervise janitorial, security, landscaping and other related
2 services in all local government public buildings and other real property,
3 whether owned or leased by the local government unit;
- 4 (8) Collate and disseminate information regarding prices, shipping and other
5 costs of supplies and other items commonly used by the local government
6 unit;
- 7 (9) Perform archival and record management with respect to records of offices
8 and departments of the local government unit;
- 9 (10) Perform all other functions pertaining to supply and property management
10 heretofore performed by the local government treasurer and enforce policies
11 on records creation, maintenance and disposal;
- 12 (11) Be in the frontline of general services-related activities, such as the possible
13 and imminent destruction or damage to records, supplies, properties, and
14 structure materials or debris, particularly during and in the aftermath of man-
15 made and natural disasters and calamities;
- 16 (12) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all
17 matters relative to general services; and
- 18 (13) Perform such other duties and functions, and exercise such other powers as
19 provided under the Local Government Code of 1991, as amended, and those
20 that are prescribed by law or ordinance.

21 **SEC. 41. *The City Environment and Natural Resources Officer*** – (a) The city environment
22 and natural resources officer must be a citizen of the Philippines, a resident of the City of Calaca,
23 of good moral character, a holder of a college degree preferably in environment, forestry,
24 agriculture or any other related course from a recognized college or university, a first grade civil
25 service eligible or its equivalent and must have acquired at least five (5) years experience in the
26 environment and natural resources management, conservation and utilization work.

27 (b) The city environment and natural resources officer shall receive such compensation,
28 emoluments and allowances as may be determined by law.

1 (c) The city environment and natural resources officer shall take charge of the Office of
2 the Environment Service Department, and shall:

- 3 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
4 and provide assistance and support to the City Mayor in carrying out
5 measures to ensure the delivery of basic services and provision of adequate
6 facilities relative to environment and natural resources services as provided
7 under Section 17 of the Local Government Code of 1991, as amended;
- 8 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
9 implement the same, particularly those which have to do with environment
10 and natural resources programs and projects which the City Mayor is
11 empowered to implement and which the *Sangguniang Panlungsod* is
12 empowered to provide;
- 13 (3) Establish, maintain, protect and preserve communal forests, watersheds, tree
14 parks, mangroves, greenbelts, commercial forests and similar forest projects
15 like industrial tree farms and agro-forestry projects;
- 16 (4) Provide extension services to beneficiaries of forest development projects
17 and technical, financial and infrastructure assistance;
- 18 (5) Manage and maintain seed banks and produce seedlings for forest and tree
19 parks;
- 20 (6) Provide extension services to beneficiaries of forest development projects
21 and render assistance for natural resources-related conservation and
22 utilization activities consistent with ecological balance;
- 23 (7) Coordinate with government agencies and nongovernmental organizations in
24 the implementation of measures to prevent and control land, air and water
25 pollution with the assistance of the Department of Environment and Natural
26 Resources (DENR);

- 1 (8) Be in the frontline of the delivery of services concerning the environment and
2 natural resources, particularly in the renewal and rehabilitation of the
3 environment during and in the aftermath of man-made and natural disasters
4 and calamities;
- 5 (9) Recommend measures to the *Sangguniang Panlungsod* and advise the City
6 Mayor on all matters relative to the protection, conservation, maximum
7 utilization, application of appropriate technology and other matters related
8 to the environment and natural resources; and
- 9 (10) Perform such other duties and functions, and exercise such other powers as
10 provided under the Local Government Code of 1991, as amended, and those
11 that are prescribed by law or ordinance.

12 **SEC. 42. The City Architect** – (a) The city architect must be a citizen of the Philippines, a
13 resident of the City of Calaca, of good moral character, a duly licensed architect and must have
14 practiced the profession for at least five (5) years.

15 (b) The city architect shall receive such compensation, emoluments and allowances as
16 may be determined by law.

17 (c) The city architect shall take charge of the Office of the Architectural Planning and
18 Design, and shall:

- 19 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
20 and provide technical assistance and support to the City Mayor in carrying out
21 measures to ensure the delivery of basic services and provision of adequate
22 facilities relative to architectural planning and design;
- 23 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
24 implement the same, particularly those which have to do with architectural
25 planning and design programs and projects which the City Mayor is

- 1 empowered to implement and which the *Sangguniang Panlungsod* is
2 empowered to provide;
- 3 (3) Prepare and recommend for consideration of the *Sangguniang Panlungsod*
4 the architectural plan and design for the local government unit or a part
5 thereof, including the renewal of slums and blighted areas, land reclamation
6 activities, the greening of land, and appropriate planning of marine and
7 foreshore areas;
- 8 (4) Review and recommend for appropriate action of the *Sanggunian Panlungsod*
9 or City Mayor, as the case maybe, the architectural plans and design
10 submitted by governmental and nongovernmental entities or individuals,
11 particularly those for undeveloped, underdeveloped and poorly designed
12 areas;
- 13 (5) Coordinate with government and non-government entities and individuals
14 involved in the aesthetics and the maximum utilization of the land and water
15 within the jurisdiction of the local government unit, to implement plans and
16 programs that shall preserve environmental integrity and ecological balance.
- 17 (6) Be in the frontline of the delivery of services involving architectural planning
18 and design, particularly those related to the redesigning of spatial distribution
19 of basic facilities and physical structures during and in the aftermath of man-
20 made and natural disasters or calamities;
- 21 (7) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all
22 matters relative to architectural planning and design as it relates to the total
23 socio-economic development of the City;
- 24 (8) Perform such other duties and functions, and exercise such other powers as
25 provided under the Local Government Code of 1991, as amended, and those
26 that are prescribed by law or ordinance.

1 SEC. 43. ***The City Information Officer*** – (a) The city information officer must be a citizen
2 of the Philippines, a resident of the City of Calaca, of good moral character, a holder of a college
3 degree preferably in journalism, mass communications, or any related course from a recognized
4 college or university, a first grade civil service eligible or its equivalent and must have at least
5 three (3) years experience in writing articles and research papers, or writing for print, television
6 or broadcast media.

7 (b) The city information officer shall receive such compensation, emoluments and
8 allowances as may be determined by law.

9 (c) The term of the city information officer shall be coterminous with that of the
10 appointing authority;

11 (d) The city information officer shall take charge of the Office of the City Information and
12 Community Relations Department, and shall:

13 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
14 and provide technical assistance and support to the City Mayor in providing
15 the information and research data required for the delivery of basic services
16 and provision of adequate facilities so that the public becomes aware of said
17 services and may fully avail of the same;

18 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
19 implement the same, particularly those which have to do with public
20 information and research data to support programs and projects which the
21 City Mayor is empowered to implement and which the *Sangguniang*
22 *Panlungsod* is empowered to provide;

23 (3) Provide relevant, adequate and timely information to the local government
24 unit and its residents;

25 (4) Furnish information and data on the local government agencies or offices as
26 may be required by law or ordinance; and non-governmental organizations to
27 be furnished to said agencies and organizations;

- 1 (5) Maintain effective liaison with the various sectors of the community on
2 matters and issues that affect the livelihood and the quality of life of the City's
3 inhabitants and encourage support for programs of the local and national
4 government.
- 5 (6) Be in the frontline in providing information during and in the aftermath of
6 man-made and natural calamities and disasters or calamities, with special
7 attention to the victims thereof, to help minimize injuries and casualties
8 during and after the emergency, and to accelerate relief and rehabilitation;
- 9 (7) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all
10 matters relative to public information and research data as it relates to the
11 total socioeconomic development of the City; and
- 12 (8) Perform such other duties and functions, and exercise such other powers as
13 provided under the Local Government Code of 1991, as amended, and those
14 that are prescribed by law or ordinance.

15 **SEC. 44. The City Cooperatives Officer** – (a) The city cooperatives officer must be a citizen
16 of the Philippines, a resident of the City of Calaca, of good moral character, a holder of a college
17 degree preferably in business administration with special training on cooperatives or any related
18 course from a recognized college or university, a first grade civil service eligible or its equivalent
19 and must have at least five (5) years experience on cooperatives development, organization and
20 management.

21 (b) The city cooperatives officer shall receive such compensation, emoluments and
22 allowances as may be determined by law.

23 (c) The city cooperatives officer shall take charge of the Office for the Development of
24 Cooperatives, and shall:

- 25 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
26 and provide technical assistance and support to the City Mayor in carrying out

- 1 measures to ensure the delivery of basic services and the provision of facilities
2 through the development of cooperatives, and in providing access to such
3 services and facilities;
- 4 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
5 implement the same, particularly those which have to do with the integration
6 of cooperatives principles and methods in programs which the City Mayor is
7 empowered to implement and which the *Sangguniang Panlungsod* is
8 empowered to provide;
- 9 (3) Assist in the organization of cooperatives;
- 10 (4) Provide technical and other forms of assistance to existing cooperatives to
11 enhance their viability as an economic enterprise and social organization;
- 12 (5) Assist cooperatives in establishing linkages with government agencies and
13 nongovernment organizations involved in the promotion and integration of
14 the concept of cooperatives in the livelihood of the people and other
15 community activities.
- 16 (6) Be in the frontline of cooperative organization, rehabilitation or viability-
17 enhancement, particularly during and in the aftermath of man-made and
18 natural calamities or disasters, to aid in their survival and, if necessary,
19 subsequent rehabilitation;
- 20 (7) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all
21 other matters relative to cooperatives development and viability
22 enhancement which will improve the livelihood and quality of life of the
23 inhabitants; and
- 24 (8) Perform such other duties and functions, and exercise such other powers as
25 provided under the Local Government Code of 1991, as amended, and those
26 that are prescribed by law or ordinance.

1 **SEC. [47]45. The City Population Officer** – (a) The city population officer must be a citizen
2 of the Philippines, a resident of the City of Calaca, of good moral character, a holder of a college
3 degree preferably with specialized training in population development from a recognized college
4 or university, a first grade civil service eligible or its equivalent and must have at least five (5)
5 years experience in the implementation of programs on population development or responsible
6 parenthood.

7 (b) The city population officer shall receive such compensation, emoluments and
8 allowances as may be determined by law.

9 (c) The city population officer shall take charge of the office on population development,
10 and shall:

11 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod*
12 and provide technical assistance and support to the City Mayor in carrying out
13 measures to ensure the delivery of basic services and provision of adequate
14 facilities relative to the integration of the population development principles
15 and in providing access to said services and facilities;

16 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
17 implement the same, particularly those which have to do with the integration
18 of population development principles and methods in program and projects
19 which the City Mayor is empowered to implement and which the
20 *Sangguniang Panlungsod* is empowered to provide; and

21 (3) Assist the City Mayor in the implementation of the constitutional provisions
22 relative to population development and the promotion of responsible
23 parenthood;

24 (4) Establish and maintain an updated data bank for program operations,
25 development planning and an educational program to ensure the people's
26 participation in and understanding of population development;

27 (5) Implement appropriate training programs responsive to the cultural heritage
28 of the inhabitants; and

1 (6) Perform such other duties and functions, and exercise such other powers as
2 provided under the Local Government Code of 1991, as amended, and those
3 that are prescribed by law or ordinance.

4 **SEC. 46. The City Agriculturist** – (a) The city agriculturist must be a citizen of the
5 Philippines, a resident of the City of Calaca, of good moral character, a holder of a college degree
6 in agriculture or any other related course from a recognized college or university, a first grade
7 civil service eligible or its equivalent, and must have practiced the profession in agriculture or
8 acquired at least five (5) years experience in a related field.

9 (b) The city agriculturist shall receive such compensation, emoluments and allowances as
10 may be determined by law.

11 (c) The city agriculturist shall take charge of the Office for Agricultural Services, and shall:

12 (1) Formulate measures for the approval of the *Sangguniang Panlungsod* and
13 provide technical assistance and support to the City Mayor in carrying out
14 said measures to ensure the delivery of basic services and provision of
15 adequate facilities relative to agricultural services;

16 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
17 implement the same, particularly those which have to do with agricultural
18 programs and projects which the City Mayor is empowered to implement and
19 which the *Sangguniang Panlungsod* is empowered to provide;

20 (3) In addition to the foregoing duties and functions, the city agriculturist shall:

21 (i) Ensure that maximum assistance and access to resources in the
22 production, processing and marketing of agricultural and aquacultural
23 and marine products are extended to farmers, fishermen and local
24 entrepreneurs;

25 (ii) Conduct or cause to be conducted location-specific agricultural
26 researches and assist in making available the appropriate technology

- 1 arising out of and disseminating information on basic research on
2 crops, prevention and control of plant diseases and pests, and other
3 agricultural matters which will maximize productivity;
- 4 (iii) Assist the City Mayor in the establishment and extension services of
5 demonstration farms on aquaculture and marine products;
- 6 (iv) Enforce rules and regulations relating to agriculture and aquaculture;
7 and
- 8 (v) Coordinate with government agencies and non-governmental
9 organizations which promote agricultural productivity through
10 applied technology compatible with environmental integrity.
- 11 (4) Be in the frontline of the delivery of basic agricultural services, particularly
12 those needed for the survival of the City's inhabitants during and in the
13 aftermath of man-made and natural disasters and calamities;
- 14 (5) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on
15 all other matters related to agriculture and aquaculture which will improve
16 the livelihood and living conditions of the inhabitants; and
- 17 (6) Perform such other duties and functions, and exercise such other powers as
18 provided under the Local Government Code of 1991, as amended, and those
19 that are prescribed by law or ordinance.

20 **SEC. 47. The City Business Permits and Licensing Officer** – (a) The city business permits
21 and licensing officer must be a citizen of the Philippines, a resident of the City of Calaca, of good
22 moral character, a holder of a college degree preferably in business administration or in any
23 related course from a recognized college or university, a first grade civil service eligible or its
24 equivalent and must have at least five (5) years experience in management.

25 (b) The city business permits and licensing officer shall receive such compensation,
26 emoluments and allowances as may be determined by law;

1 (c) The city business permits and licensing officer shall take charge of the for the
2 Business Permits and Licensing Office, and shall:

3 (1) Supervise the conduct of spot/post inspection of all business establishments,
4 gaming and other entities requiring permits and licenses for compliance with
5 existing laws and ordinances;

6 (2) Review the application for permits and licenses and recommend its
7 approval/disapproval to the City Mayor or his authorized representatives; and

8 (3) Exercise over-all supervision in the City Business Permits and Licensing Office.

9 **ARTICLE VIII**

10 **THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE, THE CITY SCHOOLS DIVISION AND**
11 **THE CITY PROSECUTION SERVICE**

12 **SEC. 48. *The City Fire Station Service*** – (a) There shall be established in the City at least
13 one (1) fire station with adequate personnel, firefighting facilities and equipment, subject to the
14 standards, rules and regulations that may be promulgated by the Department of the Interior and
15 Local Government (DILG). The City shall provide the necessary site of the station.

16 (b) The City Fire Station Service shall be headed by a city fire marshal whose qualifications
17 shall be as those provided under Republic Act No. 9263, as amended, otherwise known as the
18 *“Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act*
19 *of 2004”*.

20 (c) The City Fire Station shall be responsible for the provision of various emergency
21 services such as rescue and evacuation of injured people related to fire incidents and, in general,
22 fire prevention and suppression measures to secure the safety of life and property of the
23 citizenry.

24 **SEC. 49. *The City Jail Service*** – (a) The DILG shall, at least five (5) months from the
25 commencement of the corporate existence of the city, establish and maintain a secured, clean,
26 adequately equipped and sanitary jail facility for the custody and safekeeping of prisoners, any

1 fugitive from justice, or person detained awaiting investigation or trial and/or transfer to the
2 national penitentiary, or a violent mentally ill person who may endanger oneself or the safety of
3 others, as duly certified by the proper medical health officer, prior to the transfer of such person to
4 a mental institution.

5 (b) The City Jail Service shall be headed by a city jail warden whose qualifications shall
6 be as those provided for under Republic Act No. 9263, as amended, otherwise known as the
7 "*Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act*
8 *of 2004*". The provincial jail warden shall assist in the immediate rehabilitation of individuals or
9 detention of prisoners. Great care must be exercised so that human rights of these prisoners are
10 respected and protected, and their spiritual and physical well-being are properly and promptly
11 attended to.

12 **SEC. 50. *The City Schools Division*** – (a) The Department of Education (DepEd) shall
13 establish and maintain a city schools division of the City of Calaca whose area of jurisdiction will
14 cover all the school districts within the City; and

15 (b) The city school division shall be headed by a City Schools Division Superintendent who
16 must possess the necessary qualifications required by the DepEd.

17 **SEC. 51. *The City Prosecution Service*** – (a) The Department of Justice (DOJ) shall, within
18 two (2) months from the commencement of the corporate existence of the city, establish and
19 maintain a prosecution service. It shall be headed by a city prosecutor, who shall be assisted by
20 such number of assistant prosecutors as may be necessary, and whose qualifications, manner of
21 appointment, rank, salary and benefits shall be governed by existing laws covering prosecutors in
22 the DOJ. The City Prosecution Service shall be organizationally part of the DOJ, and under the
23 supervision and control of the Secretary of the DOJ.

24 (b) The City Prosecutor shall handle the criminal prosecution in the municipal trial courts
25 in the City as well as in the regional trial courts for criminal cases originating in the territory of
26 the City, and shall render to or for the City such services as are required by law, ordinance or
27 regulation of the DOJ.

1 **SEC. 52. MUNICIPAL ORDINANCES EXISTING AT THE TIME OF THE APPROVAL OF THIS**
2 **ACT.** – ALL MUNICIPAL ORDINANCES OF THE MUNICIPALITY OF CALACA, EXISTING AT THE TIME
3 OF THE APPROVAL OF THIS ACT, SHALL CONTINUE TO BE IN FORCE WITHIN THE CITY OF CALACA
4 UNTIL THE *SANGGUNIANG PANLUNGSOD* SHALL PROVIDE OTHERWISE.

5 **SEC. 53. PLEBISCITE.** – THE CITY OF CALACA SHALL ACQUIRE CORPORATE EXISTENCE
6 UPON RATIFICATION OF ITS CREATION BY A MAJORITY OF THE VOTES CAST BY QUALIFIED VOTERS
7 IN A PLEBISCITE TO BE CONDUCTED IN THE PRESENT MUNICIPALITY OF CALACA WITHIN NINETY
8 (90) DAYS FROM THE APPROVAL OF THIS ACT, AND THE COMMISSION ON ELECTIONS SHALL
9 CONDUCT AND SUPERVISE SUCH PLEBISCITE AND THE EXPENSES FOR SUCH PLEBISCITE SHALL BE
10 BORNE BY THE MUNICIPALITY OF CALACA.

11 **SEC. 54.** THE PRESENT ELECTIVE OFFICIALS OF THE MUNICIPALITY OF CALACA SHALL
12 CONTINUE TO EXERCISE THEIR POWERS AND FUNCTIONS UNTIL SUCH TIME THAT A NEW
13 ELECTION IS HELD AND THAT THE DULY-ELECTED OFFICIALS SHALL HAVE QUALIFIED AND
14 ASSUMED THEIR OFFICES, AND THE OFFICIALS AND EMPLOYEES OF THE MUNICIPALITY SHALL
15 LIKEWISE CONTINUE EXERCISING THEIR FUNCTIONS AND DUTIES AND THEY SHALL
16 AUTOMATICALLY BE ABSORBED BY THE CITY GOVERNMENT OF THE CITY OF CALACA.

17 **SEC. 55. Succession Clause** – The City of Calaca shall succeed to all the assets, properties,
18 liabilities and obligations of the Municipality of Calaca.

19 **SEC. 56. Election of Provincial Governor and Sangguniang Panlalawigan Members of**
20 **the Province of Batangas** – The qualified voters of the City of Calaca shall be qualified to vote
21 and run for any elective position in the elections for provincial governor, provincial vice governor,
22 *Sangguniang Panlalawigan* members and other elective offices for the Province of Batangas.

23 **SEC. 57. Jurisdiction of the Province of Batangas** – The City of Calaca shall, unless
24 otherwise provided by law, continue to be under the jurisdiction of the Province of Batangas.

1 **SEC. 58. *Suspension of Increase in Rates of Local Taxes*** – No increase in the rates of local
2 taxes shall be imposed by the City within the period of five (5) years from its acquisition of
3 corporate existence.

4 **SEC. 59. *Legislative District*** – Until otherwise provided by law, the City of Calaca shall
5 continue to be a part of the First Legislative District of the Province of Batangas.

6 **SEC. 60. *Applicability of Laws*** – The provisions of the Local Government Code of 1991,
7 as amended, and such other laws as are applicable to component cities shall govern the City of
8 Calaca insofar as they are not inconsistent with the provisions of this Act.

9 **SEC. 61. *Separability Clause*** – If, for any reason or reasons, any part or provision of this
10 charter shall be held unconstitutional, invalid or inconsistent with the Local Government Code of
11 1991, as amended, the other parts or provisions hereof which are not affected shall continue to
12 be in full force and effect.

13 **SEC. 62. *Effectivity*** – This Act shall take effect fifteen (15) days after its publication in the
14 *Official Gazette* or in a newspaper of general circulation.

15 *Approved,*