

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



Senate
Office of the Secretary

20 SEP 14 P1 :40

SENATE
S. No. 1825

RECEIVED

Introduced by Senator Francis "Tol" N. Tolentino

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

EXPLANATORY NOTE

The conversion of a municipality into a city is not just a mere gesture nor an empty piece of legislation. Rather it is a symbol of a municipality's journey and triumph in their goal of development and prosperity. The conversion of a municipality into a city does not only provide the constituents of the local government unit a source of honor and pride, but it also affirms its local officials that they have been treading towards the right path and provides them with motivation to strive for even greater heights.

The Municipality of Calaca has met the requirements under the Local Government Code as amended to entitle it to cityhood. It had a locally generated average annual income of P106,089,000.00 in 2015 and 2016 which is more than the P100,000,000.00 required and it has a land area of 105.49sq. km. hectares which is also higher than the required 100 sq. km. The presence of these two requisites are enough to convert this bustling municipality into a city.

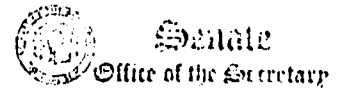
This bill, therefore, seeks to convert the municipality of Calaca in the province of Batangas into a component city to be known as the City of Calaca.

In view of the foregoing, the passage of this bill is earnestly sought.



FRANCIS "TOL" N. TOLENTINO

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



20 SEP 14 P1:40

SENATE
S. No. 1825

RECEIVED

Introduced by Senator Francis "Tol" N. Tolentino

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:

1
2
3
4
5
6
7
8
9
10
11
12
13
14

ARTICLE I
GENERAL PROVISIONS

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

SEC 2. The City of Calaca - The Municipality of Calaca shall be converted into a component city to be known as the City of Calaca, hereinafter referred to as the City, which shall comprise the present Jurisdiction of the Municipality of Calaca, Province of Batangas.

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

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of existing boundary disputes or cases involving questions of territorial jurisdiction between the City of Calaca and the adjoining local government units (LGUs):

1 Provided, that, the territorial Jurisdiction of the disputed area or areas shall
2 remain with the local government unit, which has existing administrative supervision
3 over said area or areas until the final resolution of the case.

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

9 (a) To have a continuous succession In Its corporate name;

10 (b) To sue and be sued;

11 (c) To have and use a corporate seal;

12 (d) To acquire, hold and convey real or personal property;

13 (e) To enter into any contract and/or agreement; and

14 (f) To exercise such other powers, prerogatives or authority subject to the
15 limitations provided under Republic Act No. 7160, otherwise known as the Local
16 Government Code of 1991, as amended, this Act or laws.

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

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

31 Within its territorial jurisdiction, the City shall ensure and support the
32 preservation and enrichment of Its culture, promote health and safety, enhance the

1 right of the people to a balanced ecology, encourage and support the development of
2 appropriate and self-reliant scientific and technological capabilities, improve public
3 morals, enhance economic prosperity and social justice, promote full employment
4 among their residents, maintain peace and order, and preserve the comfort and
5 convenience of their inhabitants.

6 SEC 6. Liability for Damages - The City and its officials shall not be exempt from
7 liability for death or Injury to persons or damage to property.

8 SEC. 7. Jurisdiction of the City- The jurisdiction of the City, for police purposes
9 only, shall be coextensive with Its territorial jurisdiction and for the purpose of
10 protecting and ensuring the purity of the water supply of the City, such police
11 jurisdiction shall also extend over all the territory within the drainage area of such
12 water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal,
13 aqueduct or pumping station used in connection with the city water service.

14 The city court of the City of Calaca and the city or municipal courts of the
15 adjoining cities and municipalities shall have concurrent jurisdiction to try crimes and
16 misdemeanors committed within the said drainage area or areas within said spaces of
17 one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping
18 station used in connection with the City water service delivery.

19 The court first taking Jurisdiction of such offense an offense shall have
20 jurisdiction to try cases to the exclusion of others. The police forces of the
21 municipalities and cities concerned shall have concurrent jurisdiction with the police
22 forces of the City for the maintenance of good order and the enforcement of
23 ordinances throughout said zone, area or space. Any license that may be issued within
24 said zone, area or space shall be granted by the proper authorities of the city or
25 municipality concerned, and the fees arising therefrom shall accrue to the treasury of
26 the said city or municipality concerned and not to the City.

27

28

ARTICLE II

29

CITY OFFICIALS IN GENERAL

30

SEC 8. The Officials of the City of Calaca - (a) There shall be In the City of Calaca:
31 a City Mayor, a City Vice Mayor, Sangguniang Panlungsod members, a secretary to
32 the Sangguniang Panlungsod, a city treasurer and an assistant city treasurer, a city

1 assessor and an assistant city assessor, a city accountant, a city budget officer, a city
2 planning and development officer, a city engineer, a city health officer, a city civil
3 registrar, a city administrator, a city legal officer, a city social welfare and development
4 officer, a city veterinarian and a city general services officer.

5 (b) In addition thereto, the City Mayor may appoint a city environment and
6 natural resources officer, city architect, a city Information officer, a city cooperatives
7 officer, a city population officer and a city agriculturist;

8 (c) The Sangguniang Panlungsod may:

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

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

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

15 (d) Unless otherwise provided herein, heads of departments and offices shall
16 be appointed by the City Mayor with the concurrence of the majority of all the
17 Sangguniang Panlungsod members, subject to civil service law, rules and regulations.
18 The Sangguniang Panlungsod shall act on the appointment within fifteen (15) days
19 from the day of Its submission, otherwise the same shall be deemed confirmed.

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

27
28 **ARTICLE III**

29 **THE CITY MAYOR AND CITY VICE MAYOR**

30 **SEC. 9.** The City Mayor-(a) The City Mayor shall be the chief executive of the City
31 and shall be elected at large by the qualified voters of the City.

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

5 The City Mayor who shall hold office for three (3) years, unless sooner removed/
6 and shall not serve for more than three (3) consecutive terms in the same position/
7 shall receive a minimum monthly compensation corresponding to Salary Grade thirty
8 (30) as prescribed under

9 Republic Act No. 6758, as amended/ otherwise known as the "Compensation and
10 Position Classification Act of 1989", and the implementing guidelines issued pursuant
11 thereto and such other compensation/ emoluments and allowances as may be
12 determined by law.

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

16 (c) For efficient/ effective and economical governance the purpose of which is
17 the general welfare of the City and Its Inhabitants/ the City Mayor shall:

18 (1) Exercise general supervision and control over all programs/ projects/
19 services/ and activities of the city government and/ in this connection/ shall:

20 (i) Determine the guidelines of city policies and be responsible to the
21 Sangguniang Panlungsod for the program of government;

22 (ii) Direct the formulation of the city development plan with the assistance
23 of the city development council and upon approval thereof by the
24 Sangguniang Panlungsod, Implement the same;

25 (iii) Present the program of government and propose policies and projects
26 for the consideration of the Sangguniang Panlungsod at the opening of the
27 regular session of the Sangguniang Panlungsod every calendar year and as
28 often as may be deemed necessary as the general welfare of the
29 inhabitants and the needs of the city government may require;

30 (iv) Initiate and propose legislative measures to the Sangguniang
31 Panlungsod and as often as may be deemed necessary, provide such

1 information and data needed or requested by said Sangguniang In the
2 performance of its legislative functions;

3 (v) Appoint all officials and employees whose salaries and wages are wholly
4 or mainly paid out of city funds and whose appointments are not otherwise
5 provided under the Local Government Code of 1991, as amended, and this
6 Act, and those whose appointment the City Mayor may be authorized by
7 law to appoint;

8 (vi) Represent the City in all its business transactions and sign in its behalf
9 all bonds, contracts, obligations, and such other documents upon the
10 authority of the Sangguniang Panlungsod or pursuant to law or ordinance;

11 (vii) Carry out such emergency measures as may be necessary during and
12 in the aftermath of man-made and natural disasters and calamities;

13 (viii) Determine the time, manner and place of payment of salaries or wages
14 of the officials and employees of the City, in accordance with law or
15 ordinance;

16 (ix) Allocate and assign office space to the City and other officials and
17 employees who, by law or ordinance, are entitled to such space in the city
18 hall and other buildings owned or leased by the city government;

19 (x) Ensure that all executive officials and employees of the City faithfully
20 discharge their duties and functions as provided for by law and the
21 Local Government Code of 1991, as amended, and cause to be instituted
22 administrative or Judicial proceedings against any official or employee of
23 the City who may have committed an offense in the performance of official
24 duties;

25 (xi) Examine the books, records and other documents of all offices, officials,
26 agents or employees of the City and. In aid of the executive powers and
27 authority of the City Mayor, require all national officials and employees
28 stationed In or assigned to the City to make available such books, records
29 and other documents in their custody except those classified by law as
30 confidential;

- 1 (xii) Furnish copies of executive orders Issued by the City Mayor to the
2 office of the provincial governor within seventy-two (72) hours after their
3 issuance;
- 4 (xiii) Visit component barangays of the City at least once every six (6)
5 months to deepen his understanding of problems and conditions, listen and
6 give appropriate counsel to local officials and inhabitants, inform
7 component barangay officials and inhabitants of general laws and
8 ordinances which especially concern them, and otherwise conduct visits and
9 inspections to ensure that the governance of the city will Improve the
10 quality of life of the Inhabitants;
- 11 (xiv) Act on leave applications of appointed officials and employees on the
12 commutation of the monetary value of their leave credits in accordance
13 with law;
- 14 (xv) Authorize official trips of city officials and employees outside of the
15 City for a period not exceeding thirty (30) days: Provided, that trips abroad
16 for a longer period may be authorized in accordance with the
17 Local Government Code of 1991, as amended;
- 18 (xvi) Call upon any national official or employee stationed in or assigned to
19 the City for advice on matters affecting the City and to make
20 recommendations thereon; coordinate with said officials and employees in
21 the formulation and the implementation of plans, programs and projects;
22 and when appropriate, initiate an administrative or judicial action against a
23 national government official or employee who may have committed an
24 offense in the performance of the official duties while stationed In or
25 assigned to the City;
- 26 (xvii) Authorize payment for medical care, necessary transportation,
27 subsistence, hospital or medical fees of city officials and employees who
28 are injured while In the performance of their official duties and functions,
29 subject to availability of funds;
- 30 (xviii) Solemnize marriages, any provision of law to the contrary
31 notwithstanding;

1 (xix) Conduct an annual palarong panlungsod which shall feature traditional
2 sports and disciplines included in national and international games, in-
3 coordination with the Department of Education (DepEd); and

4 (xx) Submit to the provincial governor the following reports: an annual
5 report containing a summary of all matters pertinent to the management,
6 administration and development of the City and all information and data
7 relative to its political, social and economic conditions; supplemental
8 reports when unexpected events and situations arise at any time during the
9 year, particularly when man-made or natural disasters or calamities affect
10 the general welfare of the City.

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

15 (i) Ensure that the acts of the City's component barangays and of Its
16 officials and employees are within the scope of their prescribed powers,
17 duties and functions;

18 (ii) Call conventions, conferences, seminars or meetings of elective or
19 appointive officials of the City, including provincial and national officials and
20 employees stationed in or assigned to the City, at such time and place and
21 on such subject one may deem important for the promotion of the general
22 welfare of the local government unit and its inhabitants;

23 (iii) Issue such executive orders for the faithful and appropriate
24 enforcement and execution of laws and ordinances;

25 (iv) Be entitled to carry the necessary firearms within his or her territorial
26 jurisdiction;

27 (v) Act as the deputized representative of the National Police Commission,
28 formulate the peace and order plan of the City, upon its approval,
29 implement the same; and as such, exercise general and operational control
30 and supervision over the police forces in the City in accordance with
31 Republic Act No. 6975, otherwise known as the "Department of the interior
32 and Local Government Act of 1990"; and,

1 (vi) Call upon the appropriate law enforcement agencies to suppress
2 disorder, riot, lawless violence, rebellion or sedition, or apprehend violators
3 of the law when public interest so requires and the city police forces are
4 inadequate to cope with the situation or the violators.

5 (3) Initiate and maximize the generation of resources and revenues and apply
6 the same to the Implementation of development plans, program objectives and
7 priorities, particularly the resources and revenues programmed for agro-industrial
8 development and countryside growth and progress, and relative thereto, shall:

9 (i) Require each head of an office or department to prepare and submit
10 an estimate of appropriations for the ensuing calendar year, in
11 accordance with the budget preparation process enshrined under the
12 Local Government Code of 1991;

13 (ii) Prepare and submit to the Sanggunian for approval the executive and
14 supplemental budgets of the City for the ensuing calendar year in the
15 manner provided for under the Local Government Code of 1991, as
16 amended;

17 (iii) Ensure that all taxes and other revenues of the City are collected and
18 that city funds are applied to the payment of expenses and settlement
19 of obligations of the City, in accordance with law or ordinance;

20 (iv) Issue licenses and permits and suspend or revoke the same for any
21 violation of the conditions upon which said licenses or permits had
22 been issued pursuant to law or ordinance;

23 (v) Issue permits without need of approval therefor from any national
24 agency, for the holding of activities for any charitable or welfare
25 purpose, excluding prohibited games of chance or shows contrary to
26 law, public policy and public morals;

27 (vi) Require owners of illegally constructed houses, buildings or other
28 structures to obtain the necessary permits, subject to such fines and
29 penalties as may be imposed by law or ordinance, or to make
30 necessary changes in the construction of the same when said
31 construction violates any law or ordinance, or to order the demolition
32 or removal of said house, building or structure within the period

1 prescribed by law or ordinance;
2 (vii) Adopt adequate measures to safeguard and conserve land, mineral,
3 forest, marine and other resources of the City;
4 (viii) Provide efficient and effective property and supply management in
5 the city; and protect the funds/ credits, rights and other properties of
6 the City; and
7 (ix) Institute or cause to be instituted administrative or judicial
8 proceedings for violation of ordinances in the collection of taxes, fees
9 or charges, and for the recovery of funds and property; and cause the
10 City to be defended against all suits to ensure that Its interests,
11 resources and rights shall be adequately protected.

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

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

19 (ii) Coordinate the implementation of technical services, including public,
20 works and infrastructure programs, rendered by national offices and
21 provincial office.

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

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

26 SEC 10. The City Vice Mayor - (a) There shall be a City Vice Mayor who shall be
27 elected in the same manner as the City Mayor and shall at the time of the election
28 possess the same qualifications as the City Mayor. The City Vice Mayor shall hold office
29 for three (3) years, unless sooner removed, and shall receive a monthly compensation
30 corresponding to salary grade twenty-six (26) as prescribed under the "Compensation
31 and Position Classification Act of 1989", and the implementing guidelines issued

1 pursuant thereto, and such other compensation, emoluments and allowances as may
2 be determined by law.

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

4 (1) Act as presiding officer of the Sangguniang Panlungsod and sign all warrants
5 drawn on the City Treasury for all expenditures appropriated for the
6 operation of the Sangguniang Panlungsod;

7 (2) Subject to civil service law, rules and regulations, appoint all officials and
8 employees including the secretary of the Sangguniang Panlungsod, except
9 those whose manner of appointment is specifically provided under the Local
10 Government Code of 1991, as amended;

11 (3) Assume the office of the City Mayor for the unexpired term of the latter in
12 the event of permanent vacancy as provided under the Local Government
13 Code of 1991, as amended;

14 (4) Exercise the powers and perform the duties and functions of the City Mayor
15 in cases of temporary vacancy as provided under the Local Government Code
16 of 1991, as amended; and

17 (5) 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 21 ARTICLE IV

22 THE SANGGUNIANG PANLUNGSOD

23 SEC.11. Composition - (a) The Sangguniang Panlungsod, the legislative body of
24 the City, shall be composed of the City Vice Mayor as the presiding officer, ten (10)
25 regular Sanggunian members, the President of the city chapter of the Liga ng mga
26 Barangay, the President of the Panlungsod na Pederasyon ng mga Sangguniang
27 Kabataan and the three (3) sectoral representatives from the following sectors, as
28 members: one (1) from the women sector; and, as shall be determined by the
29 Sangguniang Panlungsod within ninety (90) days prior to the holding of the local
30 elections, one (1) from the agricultural or Industrial workers sector; and one (1) from
31 the other sectors. Including the urban poor. Indigenous cultural communities, or
32 persons with disabilities (PWDs).

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

3 (c) The members of the Sangguniang Panlungsod shall receive a minimum
4 monthly compensation corresponding to Salary Grade Twenty Five (SG-25) as
5 prescribed under the "Compensation and Position Classification Act of 1989" as
6 amended, and the implementing guidelines issued pursuant thereto.

7 Sec. 12. Powers, Duties, Functions and Compensation—(a) The Sangguniang
8 Panlungsod, as the legislative body of the Qty, shall enact ordinances, approve
9 resolutions and appropriate funds for the general welfare of the Qty and its inhabitants
10 pursuant to Section 16 of the Local Government Code of 1991, as amended, and in
11 the proper exercise of the corporate powers of the City as provided under Section 22
12 of the Local Government Code, as amended, and shall:

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

15 i. Review all ordinances approved by the Sangguniang Barangay and
16 executive orders issued by the Punong Barangay to determine
17 whether these are within the scope of the prescribed powers of the
18 Sangguniang Barangay and of the Punong Barangay;

19 ii. Maintain peace and order by enacting measures to prevent and
20 suppress lawlessness, disorder, riot, violence, rebellion or sedition and
21 impose penalties for the violation of said ordinances;

22 iii. Approve ordinances Imposing a fine not exceeding Five thousand pesos
23 {P5,000} or an imprisonment for a period not exceeding one (1) year, or
24 both at the discretion of the court, for violation of a city ordinance;

25 iv. Adopt measures to protect the inhabitants of the City from the harmful
26 effects of man-made or natural disasters and calamities, and to provide
27 relief services and assistance for victims during and in the aftermath of
28 said disasters or calamities and in their return to productive livelihood
29 following said events;

30 v. Enact ordinances intended to prevent, suppress and impose
31 appropriate penalties for habitual drunkenness in public places,
32 vagrancy, mendicancy, prostitution, establishment and maintenance

1 of houses of ill-repute, gambling and other prohibited games of
2 chance, fraudulent devices and ways to obtain money or property,
3 drug addiction, maintenance of drug dens, drug pushing, Juvenile
4 delinquency, the printing, distribution or exhibition of obscene or
5 pornographic materials or publications, and such other activities
6 inimical to the welfare and morals of the inhabitants of the City;
7 vi. Protect the environment. To this end, it may set aside, at least, ten
8 percent (10%) of its development funds for the purpose of maintaining
9 and enhancing the ecological balance of the City. It may also impose
10 appropriate penalties for acts which endanger the environment, such
11 as dynamite fishing and other forms of destructive fishing, illegal
12 logging, smuggling of logs, smuggling of natural resources products and
13 of endangered species of flora and fauna, slash-and-burn farming and
14 such other activities which result in pollution, acceleration of siltation
15 of rivers and lakes or of ecological imbalance;
16 vii. Subject to the provisions of the Local Government. Code of 1991 and
17 the pertinent laws, determine the powers and duties of officials and
18 employees of the City;
19 viii. Consistent with the Salary Standardization Law, determine the
20 positions and the salaries, wages, allowances and other emoluments
21 and benefits of officials and employees paid wholly or mainly from city
22 funds and provide for expenditure necessary for the proper conduct
23 of programs, projects, services and activities of the city government;
24 ix. Authorize the payment of compensation to a qualified person not in
25 the government service who fills up a temporary vacancy or grant
26 honorarium to any qualified official or employee designated to fill a
27 temporary vacancy in a concurrent capacity at the rate authorized by
28 law;
29 x. Provide a mechanism and the appropriate funds therefor, to ensure
30 the safety and protection of ail city government property, public
31 documents, or records such as those relating to property inventory,
32 land ownership, record of births, marriages, deaths, assessments,

1 taxation, accounts, business permits and such other records and
2 documents of public interest in the offices and departments of the city
3 government;

4 xi. When the finances of the city government allow, provide for additional
5 allowances and other benefits to Judges, prosecutors, public
6 elementary and high school teachers, and other national government
7 officials stationed in or assigned to the City;

8 xii. Provide legal assistance to barangay officials who, in the performance
9 of their official duties or on the occasion thereof, have to initiate

10 judicial proceedings or defend themselves against legal actions; and

11 xiii. Provide for group insurance or additional insurance coverage for all
12 barangay officials, including members of barangay tanod brigades and
13 other service units, with public or private insurance companies, when
14 the finances of the city government allows said coverage.

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

20 i. Approve the annual and supplemental budgets of the city government
21 and appropriate funds for specific programs, projects, services and
22 activities of the City, or for other purposes not contrary to law in order
23 to promote the general welfare of the City and its inhabitants;

24 ii. Subject to the provisions of Book II of the Local Government Code of
25 1991, as amended, and applicable laws and upon the majority vote of
26 all the members of the Sangguniang Panlungsod, enact ordinance
27 levying taxes, fees and charges, prescribing the rates thereof for
28 general and specific purposes and granting tax exemptions, incentives
29 or reliefs;

30 iii. Subject to the provisions of Book II of the Local Government Code of
31 1991, as amended, and upon the majority vote of all the members of
32 the Sangguniang Panlungsod, authorize the City Mayor to negotiate

1 and contract loans and other forms of indebtedness;

2 iv. Subject to the provisions of Book II of the Local Government Code of
3 1991, as amended, and applicable laws and upon the majority vote of
4 all the members of the Sangguniang Panlungsod, enact ordinances
5 authorizing the floating of bonds or other instruments of indebtedness,
6 for the purpose of raising funds to finance development projects;

7 v. Appropriate funds for the construction and maintenance or the rental
8 of buildings for the use of the City; and, upon the majority vote of all
9 the members of the Sangguniang Panlungsod, authorize the City
10 Mayor to lease to private parties such public buildings held in a
11 proprietary capacity, subject to existing laws, rules and regulations;

12 vi. Prescribe reasonable limits and restraints on the use of property within
13 the jurisdiction of the City;

14 vii. Adopt a comprehensive land use plan for the City; Provided, That, the
15 formulation, adoption or modification of said plan shall be in
16 coordination within the approved provincial comprehensive land use
17 plan;

18 viii. Reclassify lands within the Jurisdiction of the City subject to the
19 pertinent provisions of the Local Government Code of 1991, as
20 amended;

21 ix. Enact integrated zoning ordinance in consonance with the approved
22 comprehensive land use plan, subject to existing laws, rules and
23 regulations; establish fire limits or zones, particularly in populous
24 centers, and regulate the construction, repair or modification of
25 buildings within said fire limits or zones in accordance with the
26 provisions of the Fire Code of the Philippines;

27 x. Subject to national law, process and approve subdivision plans for
28 residential, commercial or industrial purposes and other development
29 purposes, and to collect processing fees and other charges, the
30 proceeds of which shall accrue entirely to the City: Provided, however,
31 that where approval of a national agency or office is required, said
32 approval shall not be withheld for more than thirty (30) days from

1 receipt of the application. Failure to act on the application within the
2 period stated above shall be deemed as approval thereof;

3 xi. Subject to the provisions of Book II of the Local Government Code of
4 1991; as amended; grant the exclusive privilege of constructing fish
5 corrals or fish pens; or the taking or catching of bangus fry, prawn fry
6 or kawag-kawag, or fry of any species of fish within the city waters;

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

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

16 xiv. Regulate the numbering of residential, commercial and other
17 buildings; and

18 xv. Regulate the inspection, weighing and measuring of articles of
19 commerce.

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

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

26 ii. Regulate or fix license fees for any business or practice of profession
27 within the City and the conditions under which the license for said
28 business or practice of profession may be revoked and enact
29 ordinances levying taxes thereon;

30 iii. Provide for and set the terms and conditions under which public
31 utilities owned by the City shall be operated by the city government,
32 and prescribe the conditions under which the same may be leased to

- 1 private persons or entities, preferably cooperatives;
- 2 iv. Regulate the display of and fix the license fees for signs, signboards or
- 3 billboards at the place or places where the profession or business
- 4 advertised thereby is, in whole or in part, conducted;
- 5 v. Any law to the contrary notwithstanding, authorize and license the
- 6 establishment, operation and maintenance of cockpits, and regulate
- 7 cockfighting and commercial breeding of gamecocks. Provided, That
- 8 existing rights should not be prejudiced;
- 9 vi. Subject to the guidelines prescribed by the Department of
- 10 Transportation (DOTr), regulate the operation of tricycles and grant
- 11 franchises for the operation thereof within the territorial jurisdiction
- 12 of the City; and
- 13 vii. Upon approval by a majority vote of all the members of the
- 14 Sangguniang Panlungsod, grant a franchise to any person, partnership,
- 15 corporation or cooperative to do business within the City; establish,
- 16 construct, operate and maintain ferries, wharves, markets or
- 17 slaughterhouses; or undertake such other activities within the City as
- 18 may be allowed by existing laws. Provided, That cooperatives shall be
- 19 given preference in the grant of such a franchise.

20 (4) Regulate activities relative to the use of land, buildings and structures within

21 the City in order to promote the general welfare and for said purpose, shall:

- 22 i. Declare, prevent or abate any nuisance;
- 23 ii. With the concurrence of the majority of the members of the
- 24 Sangguniang Panlungsod, a quorum being present, deny the entry of
- 25 legalized gambling by ordinance into any part of the City or regulate its
- 26 location in the City;
- 27 iii. Require that buildings and the premises thereof and any land within
- 28 the City be kept and maintained in a sanitary condition; impose
- 29 penalties for any violation thereof; or upon failure to comply with said
- 30 requirement, have the work done at the expense of the owner,
- 31 administrator or tenant concerned require the filling up of any land or
- 32 premises to a grade necessary for proper sanitation;

- 1 iv. Regulate the disposal of clinical and other wastes from hospitals, clinics
2 and other similar establishments;
- 3 vi. Regulate the establishment, operation and maintenance of cafes,
4 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging
5 houses and other similar establishments, including tourist guides and
6 transports;
- 7 vi. Regulate the sale, giving away or dispensing of any intoxicating malt,
8 vino, mixed or fermented liquors at any retail outlets;
- 9 vii. Regulate the establishment and provide for the inspection of steam
10 boilers or any heating device in buildings and the storage of
11 inflammable and highly combustible materials within the City;
- 12 viii. Regulate the establishment, operation and maintenance of any
13 entertainment or amusement facilities, including the theatrical
14 performances, circuses, billiard halls, public dancing schools, public
15 dance halls, sauna baths, massage parlors and other places for
16 entertainment or amusement; regulate such other events or activities
17 for amusement or entertainment, particularly those which tend to
18 disturb the community or annoy the inhabitants, or require the
19 suspension or suppression of the same; or prohibit certain forms of
20 amusement or entertainment in order to protect the social and moral
21 welfare of the community;
- 22 ix. Regulate the establishment, operation and maintenance of funeral
23 parlors and the burial or cremation of the dead, subject to existing
24 laws, rules and regulations; and
- 25 x. Provide for the Impounding of stray animals; regulate the keeping of
26 animals in homes or as part of a business, and the slaughter, sale or
27 disposition of the same; and adopt measures to prevent and penalize
28 cruelty to animals.

29 (5) Approve ordinances which shall ensure the efficient and effective delivery of
30 the basic services and facilities as provided for under the Local Government Code of
31 1991, as amended, and in addition to said services and facilities, shall:

- 32 i. Provide for the establishment, maintenance, protection and

1 conservation of communal forest and watersheds, tree parks,
2 greenbelts, mangroves and other similar forest development projects;
3 ii. Establish markets, slaughterhouses or animal corrals and authorize the
4 operation thereof by the city government; and regulate the
5 construction and operation of private markets, talipapas or other
6 similar buildings and structures;
7 iii. Authorize the establishment, maintenance and operation by the city
8 government of ferries, wharves, and other structures intended to
9 accelerate productivity related to marine and seashore or offshore
10 activities in the preservation thereof;
11 iv. Regulate the preparation and sale of meat, poultry, fish, vegetables,
12 fruits, fresh dairy products, and other foodstuffs for public
13 consumption;
14 v. Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks,
15 and other public places and approve the construction, improvement,
16 repair and maintenance of the same; establish bus and vehicle stops
17 and terminals or regulate the use of the same by privately-owned
18 vehicles which serve the public; regulate garages and operation of
19 conveyances for hire; designate stands to be occupied by public
20 vehicles when not in use; regulate the putting up of signs, signposts,
21 awnings and awning posts on the streets; and provide for the lighting,
22 cleaning and sprinkling of streets and public places;
23 vi. Regulate traffic on all streets and bridges; prohibit encroachments or
24 obstacles thereon and, when necessary in the interest of public
25 welfare, authorize the removal of encroachments and illegal
26 constructions in public places;
27 vii. Subject to existing laws, establish and provide for the maintenance,
28 repair and operation of an efficient waterworks system to supply water
29 for the City's inhabitants and to purify the source of the water supply;
30 regulate the construction, maintenance, repair and use of hydrants,
31 pumps, cisterns and reservoirs; protect the purity and quantity of the
32 water supply of the City and, for this purpose, extend the coverage of

1 appropriate ordinances over all territories within the drainage area of
2 said water supply and within one hundred meters (100 m.) of the
3 reservoir, canal, conduit, aqueduct, pumping station or watershed
4 used in connection with the water service; and regulate the
5 consumption, use or wastage of water and fix and collect charges
6 therefore;

7 viii. Regulate the drilling and excavation of the ground for the laying of
8 water, gas, sewer, and other pipes and the construction, repair and
9 maintenance of public drains, sewers, cesspools, tunnels and similar
10 structures; regulate the placing of poles and the use of crosswalks,
11 curbs and gutters; adopt measures to ensure public safety against open
12 canals, manholes, live wires and other similar hazards to life and
13 property; and regulate the construction and use of private water
14 closets, privies and other similar structures in buildings and homes;

15 ix. Regulate the placing, stringing, attaching, installing, repair and
16 construction of all gas mains, electric telegraph and telephone wires,
17 conduits, meters and other apparatus; and provide for the correction,
18 condemnation or removal of the same when found to be dangerous to
19 the welfare of the inhabitants;

20 x. Subject to the availability of funds and the existing laws, rules and
21 regulations, establish and provide for the operation of vocational and
22 technical schools and similar post-secondary institutions and, with the
23 Technical Education and Skills Development Authority (TESDA), as the
24 case may be, and subject to existing laws on tuition fees, fix and collect
25 reasonable tuition fees and other school charges in educational
26 Institutions supported by the city government;

27 xi. Establish a scholarship fund for poor but deserving students in schools
28 located within its jurisdiction or for students residing within the City;

29 xii. Approve measures and adopt quarantine regulations to prevent the
30 introduction and spread of diseases;

31 xiii. Provide for an efficient and effective system of solid waste and garbage
32 collection and disposal; prohibit littering and the placing or throwing

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

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

25
26 ARTICLE V

27 PROCESS OF LEGISLATION

28 SEC. 13. Internal Rules of Procedure - (a) On the first regular session following
29 the election of its members and within ninety (90) days thereafter, the Sangguniang
30 Panlungsod shall adopt or update Its existing rules of procedure.

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

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

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

9 (3) The legislative process;

10 (4) The parliamentary procedures which include the conduct of members during
11 sessions;

12 (5) The discipline of members for disorderly behavior and absences without
13 justifiable cause for four (4) consecutive sessions for which they may be
14 censured, reprimanded or excluded from the session, suspended for not
15 more than sixty (60) days or expelled: Provided, That the penalty of
16 suspension or expulsion shall require the concurrence of at least two-thirds
17 (2/3) vote of all the Sanggunian members: Provided, further, That a member
18 convicted by final judgment to imprisonment of at least one (1) year for any
19 crime involving moral turpitude shall be automatically expelled from the
20 Sanggunian; and

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

22 SEC. 14. Full Disclosure of Financial and Business Interests of Sangguniang
23 Panlungsod Members - (a) Every Sangguniang Panlungsod member shall, upon
24 assumption to office, make a full disclosure of their business and financial interests.
25 Such disclosure shall also include a professional relationship or any relation by affinity
26 or consanguinity within the fourth civil degree, which a sanggunian member may have
27 with any person, firm or entity affected by any ordinance or resolution under
28 consideration by the Sanggunian and which relationship may result in conflict of
29 interests. Such relationship shall include:

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

32 (2) Contracts or agreements with any person or entity which the ordinance or

1 resolution under consideration may affect.

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

7 (b) The disclosure required under this Act shall be made in writing and submitted
8 to the secretary of the Sanggunian or the secretary of the concerned committee.
9 The disclosure shall, in all cases, form part of the record of the proceedings and
10 shall be made in the following manner

11 (1) Disclosure shall be made before the member participates in the
12 deliberations on the ordinance or resolution under consideration: Provided,
13 That if the member did not participate during the deliberations, the
14 disclosure shall be made before voting on the ordinance or resolution on
15 second and third readings; and

16 (2) Disclosure shall be made when a member takes a position or makes a
17 privilege speech on a matter that may affect the business interest financial
18 connection or professional relationship described herein

19 SEC 15. Sessions - (a) On the first day of the session immediately following the
20 election of its members, the Sangguniang Panlungsod shall, by resolution, fix the day,
21 time and place of its sessions. The minimum number of regular sessions shall be once
22 a week for the Sangguniang Panlungsod and twice a month for the Sangguniang
23 Barangay.

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

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

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

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

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

6 SEC 16. Quorum - (a) A majority of all the members of the Sanggunian who have
7 been elected and qualified shall constitute a quorum to transact official business.
8 Should a question of quorum be raised during a session, the presiding officer shall
9 immediately proceed to call the roll of the members and thereafter announce the
10 results.

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

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

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

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

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

4 (b) The City Mayor shall have the power to veto any particular item or items of
5 an appropriations ordinance, an ordinance or resolution adopting a local development
6 plan and public investment program or an ordinance directing the payment of money
7 or creating liability.

8 In such case, the veto shall not affect the item or items which are not objected
9 to. The vetoed item or items shall not take effect unless the Sangguniang Panlungsod
10 overrides the veto in the manner herein provided; otherwise, the item or items in the
11 appropriations ordinance of the previous year corresponding to those vetoed, if any,
12 shall be deemed re-enacted.

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

17 SEC 19. Review of City Ordinances by the Sangguniang Panlalawigan - (a) Within
18 three (3) days after approval, the Secretary to the Sangguniang Panlungsod shall
19 forward to the Sangguniang Panlalawigan for review, copies of approved ordinances
20 and the resolutions approving the local development plans and public Investment
21 programs formulated by the local development councils.

22 (b) Within thirty (30) days after receipt of copies of such ordinances and
23 resolutions, the Sangguniang Panlalawigan shall examine the documents or transmit
24 them to the provincial attorney or the provincial prosecutor for prompt examination,
25 the provincial attorney or the provincial prosecutor shall, within a period often (10)
26 days from receipt of the documents, inform the Sangguniang Panlalawigan in writing
27 of the comments or recommendations, which may be considered by the Sangguniang
28 Panlalawigan in making its decision.

29 (c) If the Sangguniang Panlalawigan finds that such an ordinance or resolution
30 is beyond the power conferred upon the Sangguniang Panlungsod concerned, it shall
31 declare such ordinance or resolution invalid in whole or in part. The Sangguniang

1 Panlalawigan shall enter its action in the minutes and shall advise the corresponding
2 city authorities of the action it has taken.

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

6 SEC 20. Review of Barangay Ordinances by the Sangguniang Panlungsod - (a)
7 Within ten (10) days after their enactment, the Sangguniang Barangay shall furnish
8 copies of all barangay ordinances to the Sangguniang Panlungsod for review as to
9 whether the ordinance is consistent with law or city ordinances.

10 (b) If the Sangguniang Panlungsod fails to take action on barangay ordinances
11 within Thirty (30) days from receipt thereof, the same shall be deemed approved.

12 (c) If the Sangguniang Panlungsod finds the barangay ordinances inconsistent
13 with law or City ordinances, the Sangguniang Panlungsod shall, within (30) days from
14 receipt thereof, Return the same with its comments and recommendations to the
15 Sangguniang Barangay concerned for adjustment, amendment or modification; In
16 which case, the effectivity of the barangay ordinance is suspended until such time as
17 the revision called for is effected.

18 SEC 21. Enforcement of Disapproved Ordinances or Resolutions - Any attempt to
19 Enforce any ordinance or any resolution approving the local development plan
20 and public investment program, after the disapproval thereof, shall be sufficient
21 ground for the suspension or dismissal of the official or employee concerned.

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

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

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

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

8

9

ARTICLE VI

10

DISQUALIFICATIONS AND SUCCESSION FOR ELECTIVE CITY OFFICIALS

11

SEC 23. Disqualifications for Elective City Officials - The following persons are
12 disqualified from running for any elective position in the City:

13

(a) Those sentenced by final judgment for an offense involving moral turpitude
14 or an offense punishable by one (1) year or more of imprisonment within two (2) years
15 after serving sentence;

16

(b) Those removed from office as a result of an administrative case;

17

(c) Those convicted by final judgment for violating the oath of allegiance to the
18 Republic of the Philippines;

19

(d) Those with dual citizenship;

20

(e) Fugitives from justice in criminal or nonpolitical cases here and abroad;(f)
21 Permanent residents in a foreign country or those who have acquired the right to
22 reside abroad and continue to avail of the same right after the effectivity of the Local
23 Government Code of 1991, as amended; and

24

(g) The insane or feeble-minded.

25

SEC 24. Permanent Vacancy in the Offices of the City Mayor and City Vice Mayor

26

- (a) If a permanent vacancy occurs in the office of the City Mayor, the City Vice Mayor
27 shall become the City Mayor. If a permanent vacancy occurs in the office of the City
28 Vice Mayor, the highest ranking Sangguniang Panlungsod member or, in case of the
29 latter's permanent incapacity, the second highest ranking Sangguniang Panlungsod
30 member shall become the City Mayor or City Vice Mayor, as the case may be.
31 Subsequent vacancies in the said offices shall be filled automatically by the other

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

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

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

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

10 (e) For purposes of this Act, a permanent vacancy arises when an elective local
11 official fills in a higher vacant office, refuses to assume office, falls to qualify, dies, is
12 removed 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
15 shall be 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
19 vacancies in the Sangguniang Panlungsod where automatic succession as provided
20 above does not apply 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 in
24 rank created the last vacancy in the Sanggunian shall be appointed in the manner
25 provided herein. The appointee shall come from the political party as that of the
26 Sanggunian member who caused the vacancy and shall serve the
27 unexpired term of the vacant office.

28 In the appointment herein mentioned, a nomination and a certificate of
29 membership of the appointee from the highest official of the political party
30 concerned are conditions sine qua non, and any appointment without such
31 nomination and certification shall be null and void ab initio and shall be a
32 ground for administrative action against the official responsible therefore;

1 (3) In case the permanent vacancy is caused by a Sanggunian member who does
2 not belong to any political party, the City Mayor shall, upon recommendation of
3 the Sangguniang Panlungsod, appoint a qualified person to fill the vacancy; and
4 (4) In case of vacancy in the representation of the youth and the barangay in
5 the Sangguniang Panlungsod, said vacancy shall be filled automatically by the
6 official next in rank of the organization concerned.

7 SEC .26. Temporary Vacancy In the Office of the City Mayor - (a) When the City
8 Mayor is temporarily incapacitated to perform the duties for physical or legal reasons
9 such as leave of absence, travel abroad and suspension from office, the City Vice
10 Mayor or the highest ranking

11 Sangguniang Panlungsod member, shall automatically exercise the powers and
12 perform the duties and functions of the City Mayor, except the power to appoint,
13 suspend or dismiss employees which can only be exercised if the period of temporary
14 incapacity exceeds thirty (30) working days.

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

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

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

30 (e) Except as provided above, the City Mayor shall, in no case, authorize any
31 local official to assume the powers, duties and functions of the office, other than the

1 City Vice Mayor or the highest ranking Sangguniang Panlungsod member, as the case
2 may be.

3 ARTICLE VII

4 THE APPOINTIVE OFFICIALS OF THE CITY:
5 THEIR QUALIFICATIONS, POWERS AND DUTIES

6 SEC. 27. The Secretary to the Sangguniang Panlungsod - (a) There shall be a
7 secretary of the Sangguniang Panlungsod who shall be a career official with the rank
8 and salary equal to a head of a department or office.

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

13 (c) The secretary to the Sangguniang Panlungsod shall take charge of the office
14 of the Sangguniang Panlungsod and shall:

15 (1) Attend meetings of the Sangguniang Panlungsod and keep a journal of its
16 proceedings;

17 (2) Keep the seal of the City and affix It with signature to all ordinances,
18 resolutions, and other official acts of the Sangguniang Panlungsod and present
19 the same for the signature of the presiding officer;

20 (3) Forward to the City Mayor, for approval, copies of ordinances enacted by the
21 Sangguniang Panlungsod duly certified by the presiding officer, in the manner
22 provided in Section 54 of the local Government Code of 1991, as amended;

23 (4) Forward to the Sangguniang Panlalawigan copies of duly approved
24 ordinances in the manner provided in Sections 56 and S7 of the local Government
25 Code of 1991, as amended;

26 (5) Furnish, upon the request of any interested party, certified copies of records
27 of public character in custody, upon payment to the City Treasurer of such fees
28 as may be prescribed by ordinance;

29 (6) Record In a book kept for the purpose, all ordinances and resolutions enacted
30 or adopted by the Sangguniang Panlungsod, with the dates of passage and
31 publication thereof;

32 (7) Keep the office and all non-confidential records therein open to the public

1 during usual business hours;

2 (8) Translate into the dialect used by the majority of the inhabitants all
3 ordinances and resolutions immediately after their approval and cause the
4 publication of the same together with the original version in the manner provided
5 under the Local Government Code of 1991, as amended;

6 (9) Take custody of the local archives and where applicable, the local library, and
7 annually account for the same; and

8 (10) Perform 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 28. The City Treasurer – (a) The City Treasurer shall be appointed by the
12 Secretary of the Department of Finance (DOF) from a list of at least three (3) ranking
13 eligible recommendees of the City Mayor, subject to the civil service law, rules and
14 regulations.

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

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

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

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

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

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

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

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

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

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

9 SEC 29. The City Assessor - (a) The city assessor must be a citizen of the
10 Philippines, a resident of the City of Calaca, of good moral character, a holder of a
11 college degree preferably in civil or mechanical engineering, commerce, or any other
12 related course from a recognized college or university, a first grade civil service eligible
13 or its equivalent and must have acquired at least five (5) years' experience in real
14 property assessment work or in any related field immediately preceding the date of
15 the appointment.

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

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

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

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

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

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

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

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

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

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

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

7 (10) Submit every semester a report of all assessments, as well as cancellations
8 and modifications of assessments to the City Mayor and the Sangguniang
9 Panlungsod;

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

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

17 SEC 30. The City Accountant - (a) The city accountant must be a citizen of the
18 Philippines, a resident of the City of Calaca, of good moral character, a certified public
19 accountant and must have acquired at least five (5) years' experience in the treasury
20 of accounting service immediately preceding the date of the appointment.

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

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

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

26 (2) Prepare and submit financial statements to the city mayor and to the
27 Sangguniang Panlungsod;

28 (3) Appraise the Sangguniang Panlungsod and other officials on the financial
29 condition and operations of the City;

30 (4) Certify the availability of budgetary allotment to which, expenditures and
31 obligations may be properly charged;

32 (5) Review supporting documents before the preparation of vouchers to

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

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

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

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

- 29 (1) Prepare forms, orders and circulars embodying instructions on budgetary and
30 appropriation matters for the signature of the City Mayor;
- 31 (2) Review and consolidate the budget proposals of the different departments
32 and offices of the City;

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

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

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

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

28 (1) Formulate integrated economic, social, physical and other development
29 plans and policies for consideration of the City;

30 (2) Conduct continuing studies, researches and training programs necessary to
31 evolve plans and programs for implementation;

32 (3) Integrate and coordinate all sectoral plans and studies undertaken by the

- 1 different functional groups or agencies;
- 2 (4) Monitor and evaluate the implementation of the different development
- 3 programs, projects and activities In the City in accordance with the approved
- 4 development plan;
- 5 (5) Prepare comprehensive plans and other development planning documents
- 6 for the consideration of the local development council;
- 7 (6) Analyze the income and expenditure patterns, and formulate and
- 8 recommend fiscal plans and policies for consideration of the finance
- 9 committee of the City as provided under the Local Government Code of 1991;
- 10 (7) Promote people's participation in development planning within the City;
- 11 (8) Exercise supervision and control over the secretariat of the Local
- 12 Development Council; and
- 13 (9) Perform such other functions and duties and exercise such other powers as
- 14 provided under the Local Government Code of 1991, as amended, and those
- 15 that are prescribed by law or ordinance.

16 SEC. 33. The City Engineer - (a) The city engineer must be a citizen of the
17 Philippines, a resident of the City of Calaca, of good moral character, a licensed civil
18 engineer and must have acquired at least five (5) years' experience in the practice of
19 profession.

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

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

- 23 (1) Initiate, review and recommend changes in policies and objectives, plans
- 24 and programs, techniques, procedures and practices in infrastructure
- 25 development and public works in general of the City;
- 26 (2) Advise the city mayor on infrastructure, public works and other engineering
- 27 matters;
- 28 (3) Administer, coordinate, supervise and control the construction,
- 29 maintenance, improvement and repair of roads, bridges, other engineering and
- 30 public works projects of the City;
- 31 (4) Provide engineering services to the City, including investigation and survey,
- 32 engineering designs, feasibility studies and project management; and

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

4 SEC. 34. The City Health Officer – (a) The City Health Officer must be a citizen
5 of the Philippines, a resident of the City of Calaca, of good moral character, a licensed
6 medical practitioner, and must have acquired at least five (5) years' experience in the
7 practice of profession.

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

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

12 (1) Supervise the personnel and staff of the said office, formulate program
13 implementation guidelines and rules and regulations for the operation of the
14 said office for the approval of the city mayor in order to assist him in the
15 efficient, effective and economical implementation of health service program
16 geared to Implement health-related projects and activities;

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

22 (3) Develop plans and strategies, and upon approval thereof by the City Mayor,
23 implement these with the health programs and projects which the City Mayor
24 is empowered to implement and which the Sangguniang Panlungsod is
25 empowered to provide under the Local Government Code 1991, as
26 amended;

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

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

30 (ii) Advise the City Mayor and the Sangguniang Panlungsod on matters
31 pertaining to health;

32 (iii) Execute and enforce all laws, ordinances and regulations relating to

- 1 public health;
- 2 (iv). Recommend to the Sangguniang Panlungsod through the Local
3 Health Board the passage of such ordinances necessary for the
4 preservation of public health;
- 5 (v) Recommend the prosecution of any violation of sanitary laws,
6 ordinances or regulations;
- 7 (vi) Direct the sanitary inspection of all business establishments selling
8 food items or providing accommodation such as hotels, motels,
9 lodging houses, and pension houses, in accordance with the
10 Sanitation Code;
- 11 (vii) Conduct health information campaigns and render health
12 intelligence services;
- 13 (viii) Coordinate with other government agencies and nongovernmental
14 organizations involved in the promotion and delivery of health
15 services;
- 16 (ix) Be in the frontline of the delivery of health services, particularly
17 during and in the aftermath of man-made and natural disasters and
18 calamities; and
- 19 (5) Perform such other duties and functions, and exercise such other
20 powers as provided under the Local Government Code of 1991, and those
21 that are prescribed by law or ordinance.

22 SEC. 35. The City Civil Registrar - (a) The city civil registrar must be a citizen of
23 the Philippines, a resident of the City of Calaca, of good moral character, a holder of
24 a college degree from a recognized college or university, a first grade civil service
25 eligible or its equivalent and must have acquired at least five (5) years' experience in
26 civil registry work.

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

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

1 (d) The city civil registrar shall take charge of the office of the city civil registry,
2 and shall;

3 (1) Develop plans and strategies, and upon approval thereof by the city mayor,
4 implement the same, particularly those which have to do with the
5 management and administration-related programs wd projects which the
6 City Mayor is empowered to implement and which the Sangguniang
7 Panlungsod is empowered to provide under the Local Government Code of
8 1991, as amended;

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

10 (i) Accept all registrable documents and Judicial decrees affecting the civil
11 status of persons;

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

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

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

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

21 (vi) Receive applications for the issuance of a marriage license and, after
22 determining that the requirements and supporting certificates and
23 publication thereof for the prescribed period have been complied
24 with, issue the license upon payment of the authorized fee to the City
25 Treasurer; and

26 (vii) Coordinate with the Philippine Statistics Authority (PSA) in conducting
27 educational campaigns for vital registration and assist in the
28 preparation of demographic arid other statistics for the City of Calaca.

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

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

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

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

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

13 (1) Develop plans and strategies and upon approval thereof by the City Mayor,
14 implement the same, particularly those which have to do with the
15 management and administration-related programs and projects which the
16 City Mayor is empowered to implement and which the Sangguniang
17 Panlungsod is empowered to provide under the Local Government Code of
18 1991, as amended;

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

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

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

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

30 (6) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
31 all matters relative to the management and administration of the City; and

32 (7) Perform such other duties and functions, and exercise such other powers as

1 provided under the Local Government Code of 1991, as amended, and those
2 that are prescribed by law or ordinance.

3 SEC. 39. The City Legal Officer - (a) The city legal officer must be a citizen of the
4 Philippines, a resident of the City of Calaca, of good moral character, a member of the
5 Philippine Bar, and must have practiced the profession for at least five (5) years.

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

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

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

12 (1) Formulate measures for the consideration of the Sangguniang
13 Panlungsod and provide legal assistance and support to the City Mayor in
14 carrying out the delivery of basic services and provisions of adequate
15 facilities;

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

21 (3) Represent the City in all civil actions and special proceedings wherein
22 the local government unit or any official thereof, in official capacity, is a
23 party: Provided, That, in actions or proceedings where the City of Calaca is
24 a party adverse to the provincial government or to another component city
25 or municipality, a special legal officer may be employed to represent the
26 adverse party;

27 (4) When required by the City Mayor or Sanggunian, draft ordinances
28 contracts, bonds, leases and other instruments involving any interest of the
29 City and provide comments and recommendations on any instruments
30 already drawn;

31 (5) Render an opinion in writing on any question of law when requested to
32 do so by the City Mayor or Sanggunian.

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

22 SEC. 38. The City Social Welfare and Development Officer - (a) The city social
23 welfare and development officer must be a citizen of the Philippines, a resident of the
24 Qty of Calaca, of good moral character, a duly licensed social worker or a holder of a
25 college degree preferably in social work, sociology, or any other related course from
26 a recognized college or university, a first grade civil service eligible or its equivalent,
27 and must have acquired at least five (5) years' experience in the practice of social
28 work immediately preceding the date of appointment.

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

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

- 1 (1) Formulate measures for the approval of the Sangguniang Panlungsod and
2 provide technical assistance and support to the City Mayor in carrying out
3 measures to ensure delivery of basic services and provision of adequate
4 facilities relative to social welfare and development services;
- 5 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
6 implement the same, particularly those which have to do with social welfare
7 programs and projects which the City Mayor is empowered to implement and
8 which the Sangguniang Panlungsod is empowered to provide;
- 9 (3) Identify the basic needs of the needy, the disadvantaged and impoverished
10 and develop and implement appropriate measures to alleviate their problems
11 and improve their living conditions;
- 12 (4) Provide relief and appropriate crisis intervention for victims of abuse and
13 exploitation and recommend appropriate measures to deter further abuse
14 and exploitations;
- 15 (5) Assist the City Mayor in implementing the barangay level program for the
16 total development and protection of children up to six (6) years of age;
- 17 (6) Facilitate the implementation of welfare programs for the disabled, elderly
18 and victims of drug addiction, the rehabilitation of prisoners and parolees,
19 the prevention of juvenile delinquency and such other activities which would
20 eliminate and minimize the ill-effects of poverty;
- 21 (7) Initiate and support youth welfare program that will enhance the role of
22 youth in nation-building;
- 23 (8) Coordinate with government agencies and non-governmental organizations
24 whose purpose is the promotion and the protection of all the needy,
25 disadvantaged, underprivileged or impoverished groups or individuals,
26 particularly those identified to be vulnerable and high risk to exploitation,
27 abuse and neglect;
- 28 (9) Be in the frontline of the delivery of services particularly those concerned
29 with immediate relief and assistance during and in the aftermath of man-
30 made and natural disasters and calamities;
- 31 (10) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
32 all other matters related to social welfare and development services that will

1 improve the livelihood and living conditions of the City's inhabitants; and
2 (11) Perform such other duties and functions, and. exercise such other powers
3 as provided under the Local Government Code of 1991, as amended, and those
4 that are prescribed by law or ordinance.

5 SEC. 39. The City Veterinarian - (a) The city veterinarian must be a citizen of the
6 Philippines, a resident of the City of Calaca, of good moral character, a licensed doctor
7 of veterinary medicine and must have practiced the profession for at least three (3)
8 years.

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

11 (c) The city veterinarian shall take charge of the Office of the Veterinary Services,
12 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 carrying out
15 measures to ensure the delivery of basic services and provision of adequate
16 facilities;

17 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
18 implement the same, particularly those which have to do with veterinary-
19 related activities which the City Mayor is empowered to implement and which
20 the Sangguniang Panlungsod is empowered to provide;

21 (3) Advise the City Mayor on all matters pertaining to the slaughter of animals
22 for human consumption and the regulation of slaughterhouses;

23 (4) Regulate the keeping of domestic animals;

24 (5) Regulate and inspect poultry, milk and dairy products for public consumption;

25 (6) Enforce all laws and regulations for the prevention of cruelty to animals;

26 (7) Take the necessary measures to eradicate, prevent or cure all forms of animal
27 diseases;

28 (8) Be in the frontline of veterinary-related, activities, such as the outbreak of
29 highly contagious and deadly diseases and in situations resulting in the
30 depletion of animals for work and for human consumption, particularly those
31 arising from and in the aftermath of man-made and natural disasters or
32 calamities;

1 (9) Recommend to the Sangguniang Panlungsod and advise the city mayor on
2 all matters relative to veterinary services which will increase the number and
3 improve the quality of livestock, poultry and other domestic animals used for
4 work or human consumption; and

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

8 SEC. 40. The City General Services Officer - (a) The city general services officer
9 must be a citizen of the Philippines, a resident of the City of Calaca, of good moral
10 character, a holder of a college degree in public administration, business
11 administration or management from a recognized college or university, a first grade
12 civil service eligible or Its equivalent and must have acquired at least five (5) years'
13 experience in general services, including management of supply, including the
14 management of supply, property, solid waste disposal and general sanitation.

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

17 (c) the city general services officer shall take charge of the Office of the General
18 Services, 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 that require general services expertise in technical support services;

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 the general
25 services that are supportive of the welfare of the inhabitants of the City which
26 the City Mayor is empowered to implement and which the Sangguniang
27 Panlungsod is empowered to provide;

28 (3) Take custody of and be accountable for all properties, real or personal, owned
29 by the City, and those granted to it in the form of donation, reparation,
30 assistance and counterpart of joint projects;

31 (4) With the approval of the City Mayor, assign building or land space to local
32 officials or other public officials, who by law, are entitled to the space;

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

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

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

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

5 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
6 and provide assistance and support to the City Mayor in carrying out
7 measures to ensure the delivery of basic services and provision of adequate
8 facilities relative to environment and natural resources services as provided
9 under Section 17 of the Local Government Code of 1991, as amended;

10 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
11 implement the same, particularly those which have to do with environment
12 and natural resources programs and projects which the City Mayor is
13 empowered to implement and which the Sangguniang Panlungsod is
14 empowered to provide;

15 (3) Establish, maintain, protect and preserve communal forests, watersheds, tree
16 parks, mangroves, greenbelts, commercial forests and similar forest projects like
17 industrial tree farms and agro-forestry projects;

18 (4) Provide extension services to beneficiaries of forest development projects
19 and technical, financial and infrastructure assistance;

20 (5) Manage and maintain seed banks and produce seedlings for forest and tree
21 parks;

22 (6) Provide extension services to beneficiaries of forest development projects
23 and render assistance for natural resources-related conservation and
24 utilization activities consistent with ecological balance;

25 (7) Coordinate with government agencies and nongovernmental organizations in
26 the implementation of measures to prevent and control land, air and water
27 pollution with the assistance of the Department of Environment and Natural
28 Resources (DENR);

29 (8) Be in the frontline of the delivery of services concerning the environment and
30 natural resources, particularly in the renewal and rehabilitation of the
31 environment during and in the aftermath of man-made and natural disasters
32 and calamities;

1 (9) Recommend measures to the Sangguniang Panlungsod and advise the City
2 Mayor on all matters relative to the protection, conservation, maximum
3 utilization, application of appropriate technology and other matters related
4 to the environment and natural resources; and

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

8 SEC. 42. The City Architect - (a) The city architect must be a citizen of the
9 Philippines, a resident of the City of Calaca, of good moral character, a duly licensed
10 architect and must have practiced the profession for at least five (5) years.

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

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

15 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
16 and provide technical assistance and support to the City Mayor in carrying out
17 measures to ensure the delivery of basic services and provision of adequate
18 facilities relative to architectural planning and design;

19 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
20 implement the same, particularly those which have to do with architectural
21 planning and design programs and projects which the City Mayor is
22 empowered to implement and which the Sangguniang Panlungsod is
23 empowered to provide;

24 (3) Prepare and recommend for consideration of the Sangguniang Panlungsod
25 the architectural plan and design for the local government unit or a part
26 thereof, including the renewal of slums and blighted areas, land reclamation
27 activities, the greening of land and appropriate planning of marine and
28 foreshore areas;

29 (4) Review and recommend for appropriate action of the Sanggunian Panlungsod
30 or City Mayor, as the case maybe, the architectural plans and design submitted
31 by governmental and nongovernmental entities or individuals,
32 particularly those for undeveloped, underdeveloped and poorly designed

1 areas;

2 (5) Coordinate with government and non-government entities and individuals
3 involved in the aesthetics and the maximum utilization of the land and water
4 within the jurisdiction of the local government unit, to implement plans and
5 programs that shall preserve environmental integrity and ecological balance.

6 (6) Be in the frontline of the delivery of services involving architectural planning
7 and design, particularly those related to the redesigning of spatial distribution
8 of basic facilities and physical structures during and in the aftermath of man-
9 made and natural disasters or calamities;

10 (7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
11 all matters relative to architectural planning and design as it relates to the total
12 socio-economic development of the City;

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

16 SEC. 43. The City Information Officer - (a) The city information officer must be
17 a citizen of the Philippines, a resident of the City of Calaca, of good moral character,
18 holder of a college degree preferably in journalism, mass communications, or any
19 related course from a recognized college or university, a first grade civil service eligible
20 or equivalent and must have at least three (3) years' experience in writing articles and
21 research papers or writing for print, television or broadcast media.

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

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

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

28 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
29 and provide technical assistance and support to the City Mayor in providing
30 the information and research data required for the delivery of basic services
31 and provision of adequate facilities so that the public becomes aware of said
32 service and may fully avail of the same;

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 public
3 information and research data to support programs and projects which the
4 City Mayor is empowered to implement and which the Sangguniang
5 Panlungsod is empowered to provide;

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

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

11 (5) Maintain effective liaison with the various sectors of the community on
12 matters and issues that affect the livelihood and the quality of life of the City's
13 inhabitants and encourage support for programs of the local and national
14 government.

15 (6) Be in the frontline in providing information during and in the aftermath of
16 man-made and natural calamities and disasters or calamities, with special
17 attention to the victims thereof, to help minimize injuries and casualties
18 during and after the emergency, and to accelerate relief and rehabilitation;

19 (7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
20 all matters relative to public information and research data as it relates to the
21 total socioeconomic development of the City; and

22 (8) 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.

25 SEC 44. The City Cooperatives Officer - (a) The city cooperatives officer must be
26 a citizen of the Philippines, a resident of the City of Calaca, of good moral character,
27 a holder of a college degree preferably in business administration with special training
28 on cooperatives or any related course from a recognized college or university, a first
29 grade civil service eligible or its equivalent and must have at least five (5) years'
30 experience on cooperatives development, organization and management.

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

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

3 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
4 and provide technical assistance and support to the City Mayor in carrying out
5 measures to ensure the delivery of basic services and the provision of facilities
6 through the development of cooperatives, and in providing access to such
7 services and facilities;

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 the integration
10 of cooperatives principles and methods in programs which the City Mayor is
11 empowered to implement and which the Sangguniang Panlungsod is
12 empowered to provide;

13 (3) Assist in the organization of cooperatives;

14 (4) Provide technical and other forms of assistance to existing cooperatives to
15 enhance their viability as an economic enterprise and social organization;

16 (5) Assist cooperatives in establishing linkages with government agencies and
17 nongovernment organizations involved in the promotion and integration of
18 the concept of cooperatives in the livelihood of the people and other
19 community activities.

20 (6) Be in the frontline of cooperative organization, rehabilitation or viability-
21 enhancement, particularly during and in the aftermath of man-made and
22 natural calamities or disasters, to aid in their survival and if necessary,
23 subsequent rehabilitation;

24 (7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
25 all other matters relative to cooperatives development and viability
26 enhancement which will improve the livelihood and quality of life of the
27 inhabitants; and

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

31 SEC 47. The City Population Officer - (a) The city population officer must be a
32 citizen of the Philippines, a resident of the City of Calaca, of good moral character, a

1 holder of a college degree preferably with specialized training in population
2 development from a recognized college or university, a first grade civil service eligible
3 or Its equivalent and must have at least five (5) years' experience in the
4 implementation of programs on population development or responsible parenthood.

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

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

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

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

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

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

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

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

30 SEC. 46. The City Agriculturist - (a) The city agriculturist must be a citizen of the
31 Philippines, a resident of the City of Calaca, of good moral character, a holder of a
32 college degree in agriculture or any other related course from a recognized college or

1 university, a first grade civil service eligible or its equivalent, and must have practiced
2 the profession in agriculture or acquired at least five (5) years' experience in a related
3 field.

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

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

8 (1) Formulate measures for the approval of the Sangguniang Panlungsod and
9 provide technical assistance and support to the City Mayor in carrying out
10 said measures to ensure the delivery of basic services and provision of
11 adequate facilities relative to agricultural services;

12 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
13 implement the same, particularly those which have to do with agricultural
14 programs and projects which the City Mayor is empowered to implement and
15 which the Sangguniang Panlungsod is empowered to provide;

16 (3) In addition to the foregoing duties and functions, the city agriculturist shall;

17 (i) Ensure that maximum assistance and access to resources in the
18 production, processing and marketing of agricultural and aquacultural
19 and marine products are extended to farmers, fishermen and local
20 entrepreneurs;

21 (ii) Conduct or cause to be conducted location-specific agricultural
22 researches and assist in making available the appropriate technology
23 arising out of and disseminating information on basic research on
24 crops, prevention and control of plant diseases and pests, and other
25 agricultural matters which v\dlI maximize productivity;

26 (iii) Assist the City Mayor in the establishment and extension services of
27 demonstration farms on aquaculture and marine products;

28 (iv) Enforce rules and regulations relating to agriculture and aquaculture;
29 and

30 (v) Coordinate with government agencies and non-governmental
31 organizations which promote agricultural productivity through
32 applied technology compatible with environmental integrity.

- 1 (4) Be in the frontline of the delivery of basic agricultural services, particularly
2 those needed for the survival of the City's inhabitants during and in the
3 aftermath of man-made and natural disasters and calamities;
- 4 (5) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
5 all other matters related to agriculture and aquaculture which will improve
6 the livelihood and living conditions of the inhabitants; and
- 7 (6) Perform such other duties and functions, and exercise such other powers as
8 provided under the Local Government Code of 1991, as amended, and those
9 that are prescribed by law or ordinance.

10 SEC 47. The City Business Permits and Licensing Officer- (a) The city business
11 permits and licensing officer must be a citizen of the Philippines, a resident of the City
12 of Calaca, of good moral character, a holder of a college degree preferably in business
13 administration or in any related course from a recognized college or university, a first
14 grade civil service eligible or its equivalent and must have at least five (5) years'
15 experience in management.

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

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

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

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

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

26

ARTICLE VIII

27

THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE, THE CITY

28

SCHOOLS DIVISION AND

29

THE CITY PROSECUTION SERVICE

30

SEC. 48. The City Fire Station Service - (a) There shall be established in the City
31 at least one (1) fire station with adequate personnel, firefighting facilities and
32 equipment, subject to the standards, rules and regulations that may be promulgated

1 by the Department of the Interior and Local Government (DILG). The City shall provide
2 the necessary site of the station.

3 (b) The City Fire Station Service shall be headed by a city fire marshal whose
4 qualifications shall be as those provided under Republic Act No. 9263, as amended,
5 otherwise known as the "Bureau of Fire Protection and Bureau of Jail Management
6 and Penology Professionalization Act of 2004".

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

11 SEC 49. The City Jail Service - (a) The DILG shall, at least five (5) months from
12 the Commencement of the corporate existence of the city, establish and maintain a
13 secured, clean, adequately equipped and sanitary jail facility for the custody and
14 safekeeping of prisoners, any fugitive from justice, or person detained awaiting
15 investigation or trial and/or transfer to the national penitentiary, or a violent mentally
16 ill person who may endanger oneself or the safety of others, as duly certified by the
17 proper medical health officer, prior to the transfer of such person to a mental
18 institution.

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

26 SEC. 50. The city Schools Division - (a) The Department of Education (DepEd)
27 shall establish and maintain a city schools division of the City of Calaca whose area of
28 jurisdiction will cover all the school districts within the City; and

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

31 SEC 51. The City Prosecution Service - (a) The Department of Justice (DOJ) shall,
32 within two (2) months from the commencement of the corporate existence of the city,

1 establish and maintain a prosecution service. It shall be headed by a city prosecutor,
2 who shall be assisted by such number of assistant prosecutors as may be necessary,
3 and whose qualifications, manner of appointment, rank, salary and benefits shall be
4 governed by existing laws covering prosecutors in the DOJ. The City Prosecution
5 Service shall be organizationally part of the DOJ, and under the supervision and control
6 of the Secretary of the DOJ.

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

11 SEC. 55. Succession Clause - The City of Calaca shall succeed to all the assets,
12 properties, liabilities and obligations of the Municipality of Calaca.

13 SEC. 56. Election of Provincial Governor and Sangguniang Panlalawigan Members
14 of the Province of Batangas - The qualified voters of the City of Calaca shall be qualified
15 to vote and run for any elective position in the elections for provincial governor,
16 provincial vice governor, Sangguniang Panlalawigan members and other elective
17 offices for the Province of Batangas.

18 SEC. 57. Jurisdiction of the Province of Batangas - The City of Calaca shall, unless
19 otherwise provided by law, continue to be under the jurisdiction of the Province of
20 Batangas.

21 SEC. 58. Suspension of Increase in Rates of Local Taxes - No increase in the
22 rates of local taxes shall be imposed by the City within the period of five (5) years from
23 its acquisition of corporate existence.

24 SEC. 59. Legislative District - Until otherwise provided by law, the City of Calaca
25 shall continue to be a part of the First Legislative District of the Province of Batangas.

26 SEC. 60. Applicability of Laws - The provisions of the Local Government Code of
27 1991, as amended, and such other laws as are applicable to component cities shall
28 govern the City of Calaca insofar as they are not inconsistent with the provisions of
29 this Act

30 SEC. 61. Separability Clause - If, for any reason or reasons, any part or provision
31 of this charter shall be held unconstitutional, invalid or inconsistent with the Local

1 Government Code of 1991, as amended, the other parts or provisions hereof which
2 are not affected shall continue to be in full force and effect

3 SEC. 62. Effectivity - This Act shall take effect fifteen (15) days after its
4 publication in the Official Gazette or in a newspaper of general circulation.

5 Approved,