

21 FEB -4 A11:50

**SENATE**  
S. B. NO. 2038

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**Introduced by Senator Juan Miguel F. Zubiri**

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**AN ACT  
CONVERTING THE MUNICIPALITY OF MANOLO FORTICH IN THE PROVINCE  
OF BUKIDNON INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF  
MANOLO FORTICH**

**EXPLANATORY NOTE**

Under the Local Government Code of 1991, as amended, a municipality or a cluster of barangays may be converted into a component city if it has satisfied the following requirements:

- 1) has a locally generated average annual income of at least One hundred million pesos (P100,000,000.00) for the last two (2) consecutive years based on 2000 constant prices, as certified by the Department of Finance; and
- 2) has a contiguous territory of at least one hundred (100) square kilometers, as certified by the Land Management Bureau; or
- 3) has a population of not less than one hundred fifty thousand (150,000) inhabitants, as certified by the National Statistics Office.

The Municipality of Manolo Fortich is a first class municipality consisting of twenty-two (22) barangays with a total land area of 506.64 square kilometres accounting for 6.1 percent of the total land area of the province of Bukidnon. It has a population of 100,210 as of the 2015 census of the Philippine Statistics Authority and an annual revenue of around 290 million pesos as of the year 2016.

Manolo Fortich has consistently been one of the most competitive municipalities in Northern Mindanao based on the 2017 competitiveness rankings released by the National Competitiveness Council. It ranked 20<sup>th</sup> in the Most Competitive 1<sup>st</sup> and 2<sup>nd</sup>

Class Municipalities in the Philippines in terms of the four pillars, namely, Economic Dynamism, Government Efficiency, Infrastructure and Resiliency. It is also home to several agricultural powerhouses in the country, such as Del Monte and Uni Fruti, to name a few.

This proposed bill seeks to convert the Municipality of Manolo Fortich in the Province of Bukidnon into a component city to be known as the City of Manolo Fortich. Its conversion into a component city will further boost the capacity of the local government unit to respond to the increasing needs and demands of its constituents in the midst of a flourishing economy. It is also envisioned to have positive impact on areas such as business, education, economy, health service delivery, infrastructure, tourism and other public service deliveries.

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



**JUAN MIGUEL F. ZUBIRI**

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**AN ACT  
CONVERTING THE MUNICIPALITY OF MANOLO FORTICH IN THE PROVINCE  
OF BUKIDNON INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF  
MANOLO FORTICH**

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

**ARTICLE I**

**General Provisions**

1  
2  
3 SECTION 1. **Short Title.** – This Act shall be known as the “*Charter of the City*  
4 *of Manolo Fortich.*”

5  
6 SEC.2. **The City of Manolo Fortich.** – The Municipality of Manolo Fortich in the  
7 Province of Bukidnon is hereby converted into a component city to be known as the City  
8 of Manolo Fortich, hereinafter referred to as the City, which shall comprise of the  
9 present territory of the Municipality of Manolo Fortich. The territorial jurisdiction of the  
10 City shall be within the present metes and bounds of the Municipality of Manolo Fortich.

11 The foregoing provision shall be without prejudice to the resolution by the  
12 appropriate agency or forum of existing boundary disputes or cases involving questions  
13 of territorial jurisdiction between the City and the adjoining local government units:  
14 *Provided, That,* the territorial jurisdiction of the disputed area or areas shall remain with  
15 the local government unit which has existing administrative supervision over said area  
16 or areas until the final resolution of the case.

1           **SEC. 3. *Corporate Powers of the City.*** – The City constitutes a political body  
2 corporate and as such is endowed with the attributes of perpetual succession and  
3 possessed of the powers which pertain to a municipal corporation to be exercised in  
4 conformity with the provisions of this Charter.

5           The City shall have the following corporate powers:

6           a) To have a continuous succession in its corporate name;

7           b) To sue and be sued;

8           c) To have and use a corporate seal;

9           d) To acquire and convey real or personal property;

10          e) To enter into contracts; and

11          f) To exercise such other powers, prerogatives and authority as are granted to  
12 corporations, subject to the limitations provided for in this Act and other laws.

13

14           **SEC. 4. *General Powers of the City.*** – The City shall have a common seal  
15 and may alter the same at pleasure. It shall exercise the power to levy taxes, close  
16 and open roads, streets, alleys, parks or squares subject to the provisions of the  
17 Constitution and existing laws. It may take, purchase, receive, hold, lease, convey and  
18 dispose of real and personal property for the general interests of the City; expropriate  
19 or condemn private property for public use; contract and be contracted with; sue and  
20 be sued; prosecute and defend to final judgment and execution suits wherein the City is  
21 a party; and exercise all the powers as are granted to corporations as hereunder  
22 conferred.

23

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

1           Within its territorial jurisdiction, the City shall, among others, preserve and enrich  
2 its culture, promote health and safety, enhance the right of the people to a balanced  
3 ecology, encourage and support the development of appropriate and self-reliant,  
4 scientific and technological capabilities, improve public morals, enhance economic  
5 prosperity and social justice, promote full employment among their residents, maintain  
6 peace and order, and preserve the comfort and convenience of their inhabitants.

7  
8           **SEC. 6. *Liability for Damages.*** – Unless otherwise provided by law, the City of  
9 Manolo Fortich shall be liable for injuries or damages to persons or property arising  
10 from the act or omission of any of its officers or employees while in the performance of  
11 their official functions.

12  
13           **SEC. 7. *Jurisdiction of the City.*** – The jurisdiction of the City of Manolo  
14 Fortich, for police purpose only, shall be coextensive with its territorial jurisdiction and  
15 for the purpose of protecting and ensuring the purity of the water supply of the City,  
16 such police jurisdiction shall also extend over all territory within the drainage area of  
17 such water supply or within one hundred meters (100 m.) of any reservoir, conduit,  
18 canal, aqueduct or pumping station used in connection with the city water service.

19           The regional trial courts and the city courts of the City of Manolo Fortich shall  
20 have concurrent jurisdiction with the regional trial courts and the metropolitan trial  
21 courts or city or municipal courts of the adjoining municipalities or cities, to try crimes  
22 and misdemeanors committed within said drainage area or within said spaces of one  
23 hundred meters (100 m.)

24           The court first taking cognizance of such an offense shall have jurisdiction to try  
25 said cases to the exclusion of others. The police forces of the several municipalities and  
26 cities shall have concurrent jurisdiction with the police forces of the City for the  
27 maintenance of good order and enforcement of ordinance throughout said zone, area  
28 or spaces.

1 **ARTICLE II**

2 **City Officials in General**

3 **SEC. 8. *The Officials of the City of Manolo Fortich.* –**

4 a) There shall be in the City of Manolo Fortich, a City Mayor, a City Vice Mayor, twelve  
5 (12) Sangguniang Panlungsod members, a Secretary to the Sangguniang Panlungsod, a  
6 City Treasurer and an Assistant City Treasurer, a City Assessor and an Assistant City  
7 Assessor, a City Accountant, a City Engineer, an Assistant City Engineer, a City  
8 Architect, a City Budget Officer, a City Planning and Development Officer, a City Health  
9 Officer, an Assistant City Health Officer, a City Civil Registrar, an Assistant City Civil  
10 Registrar, a City Administrator, a City Legal Officer, a City Social Welfare and  
11 Development Officer, a City Veterinarian, a City General Services Officer, a City  
12 Information Officer, a City Cooperatives Officer, a City Agriculturist, a City Environment  
13 and Natural Resources Officer, a City Tourism Officer and a City Human Resource  
14 Development Officer.

15 b) In addition thereto, the City Mayor may appoint a City Population Officer, City  
16 Building Official, and City Information Technology Officer.

17 c) The City shall establish a city fire station to be headed by a City Fire Marshall,  
18 a city jail to be headed by a City Jail Warden, a city schools division to be headed by a  
19 City Schools Division Superintendent and a city prosecution service to be headed by a  
20 City Prosecutor.

21 d) The sangguniang panlungsod of the City of Manolo Fortich may:

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

24 2. Create such other offices as may be necessary to carry out the  
25 purposes of the City; and

26 3. Consolidate the functions of any office with those of another in the  
27 interest of efficiency and economy.

1 Unless otherwise provided herein, all appointive city officials of the City shall be  
2 appointed by the city mayor, subject to existing civil service law, rules and regulations.  
3 The sangguniang panlungsod shall act on the appointment within fifteen (15) days from  
4 the date of its submission otherwise the same shall be deemed confirmed.

### 6 **ARTICLE III**

#### 7 **The City Mayor and the City Vice Mayor**

8 **SEC. 9. *The City Mayor.*** – a) The city mayor shall be the chief executive of  
9 the City. He shall be elected at large by the qualified voters of the City. No person  
10 shall be eligible for the position of city mayor unless at the time of election, he is at  
11 least twenty-one (21) years of age, a resident of the City for at least one (1) year prior  
12 to his election and a qualified voter therein. He shall hold office for three (3) years,  
13 unless sooner removed, and shall receive a minimum monthly compensation  
14 corresponding to Salary Grade Thirty (30) as prescribed under Republic Act No. 6758,  
15 otherwise known as the Salary Standardization Law, as amended, and the implementing  
16 guidelines issued pursuant thereto, and such other compensation, emoluments and  
17 allowances as may be determined by law.

18 b) The city mayor, as the chief executive of the city government, shall exercise  
19 such powers and perform such duties and functions as provided herein:

20  
21 1. Exercise general supervision and control over all programs, projects,  
22 services and activities of the city government, those powers expressly granted to  
23 him by law, those necessarily implied therefrom as well as powers necessary,  
24 appropriate or incidental for the efficient and effective governance of the City,  
25 and those which are essential to the promotion of the general welfare and, in  
26 this connection, shall:

27 (i) Determine the guidelines of city policies and be responsible to  
28 the sangguniang panlungsod for the program of government;

1 (ii) Direct the formulation of the city development plan with the  
2 assistance of the city development council and, upon approval thereof  
3 by the sangguniang panlungsod, implement the same;

4 (iii) Present the program of government and propose policies  
5 and projects for the consideration of the sangguniang panlungsod at  
6 the opening of the regular session of the sangguniang panlungsod  
7 every calendar year and as often as may be deemed necessary as the  
8 general welfare of the inhabitants and the needs of the city  
9 government may require;

10 (iv) Initiate and propose legislative measures to the  
11 sangguniang panlungsod, as may be deemed necessary, and provide  
12 such information and data needed or requested by said sanggunian in  
13 the performance of its legislative functions;

14 (v) Appoint all officials and employees whose salaries and  
15 wages are wholly or mainly paid out of city funds and whose  
16 appointments are not otherwise provided for in the Local Government  
17 Code of 1991, as well as those he may be authorized by law to  
18 appoint;

19 (vi) Represent the City in all its business transactions and sign  
20 on its behalf all bonds, contracts, obligations and such other  
21 documents upon authority of the sangguniang panlungsod or  
22 pursuant to law or ordinance;

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

26 (viii) Determine the time, manner and place of payments of  
27 salaries or wages of the officials and employees of the City, in  
28 accordance with law or ordinance;



1           (ix) Allocate and assign office space to city and other officials  
2 and employees who, by law or ordinance, are entitled to such space  
3 in the city hall and other buildings owned or leased by the city  
4 government, including the offices and officials created therein;

5           (x) Ensure that all executive officials and employees of the City  
6 faithfully discharge their duties and functions as provided by law and  
7 this Act, and cause to be instituted administrative or judicial  
8 proceedings against any official or employee of the City who may  
9 have committed an offense in the performance of their official duties;

10          (xi) Examine the books, records and other documents of all  
11 offices, officials, agents or employees of the City and, in aid of his  
12 executive powers and authority, require all national officials and  
13 employees stationed in or assigned to the City to make available to  
14 him such books, records and other documents in their custody, except  
15 those classified by law as confidential;

16          (xii) Furnish copies of executive orders issued by him to the  
17 provincial governor within seventy-two (72) hours after their  
18 issuance;

19          (xiii) Visit component barangays of the City at least once every  
20 six (6) months to deepen his understanding of the problems and  
21 conditions, listen and give appropriate counsel to local officials and  
22 inhabitants of general laws and ordinances which especially concern  
23 them, and otherwise conduct visits and inspections to ensure that the  
24 governance of the City will improve the quality of life of the  
25 inhabitants;

26          (xiv) Act on leave applications of officials and employees  
27 appointed by him and the commutation of the monetary value of their  
28 leave credits in accordance with law;

1           (xv) Authorize official trips of city officials and employees  
2 outside of the City for a period not exceeding thirty (30) days;

3           (xvi) Call upon any national official or employee stationed in or  
4 assigned to the City to advise him on matters affecting the City and to  
5 make recommendations thereon; coordinate with the said officials or  
6 employees in the formulation and implementation of plans, programs  
7 and projects; and when appropriate, initiate an administrative or  
8 judicial action against a national government official or employee who  
9 may have committed an offense in the performance of their official  
10 duties while stationed in or assigned to the City;

11           (xvii) Authorize payments for medical care, necessary  
12 transportation, subsistence, hospital or medical fees of city officials  
13 and employees who are injured while in the performance of their  
14 official duties and functions, subject to the availability of funds;

15           (xviii) Solemnize marriages;

16           (xix) Conduct an annual palarong panlungsod which shall  
17 feature traditional sports and disciplines included in national and  
18 international games, in coordination with the Department of Education  
19 (DepEd), the Philippine Sports Commission and other related  
20 agencies; and

21           (xx) Submit to the provincial governor the following reports: an  
22 annual report containing a summary of all matters pertinent to the  
23 management, administration and development of the City and all  
24 information and data relative to its political, social and economic  
25 condition; and supplemental reports when unexpected events and  
26 situations arise at any time during the year, particularly when man-  
27 made or natural disasters or calamities affect the general welfare of  
28 the City;

1  
2           2. Enforce all laws and ordinances relative to the governance of the City  
3 and in the exercise of its appropriate corporate powers as provided for under  
4 Section 22 of the Local Government Code of 1991, implement all approved  
5 policies, programs, projects, services and activities of the City and, in addition,  
6 shall:

7                   (i) Ensure that the acts of the City's component barangays and  
8                   of its officials and employees are within the scope of their prescribed  
9                   powers, duties and functions;

10                   (ii) Call conventions, conferences, seminars or meetings of  
11                   elective or appointive officials of the City, including national officials  
12                   and employees stationed in or assigned to the City, at such time and  
13                   place and on such subject he may deem important for the promotion  
14                   of the general welfare of the local government unit and its  
15                   inhabitants;

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

18                   (iv) Be entitled to carry the necessary firearms within his  
19                   territorial jurisdiction after the procurement of necessary permits and  
20                   licenses from duly constituted authorities;

21                   (v) Act as the deputized representative of the National Police  
22                   Commission, formulate the peace and order plan of the City and upon  
23                   its approval, implement the same and as such, exercise general and  
24                   operational control and supervision over the local police forces in the  
25                   City in accordance with Republic Act No. 6975, otherwise known as  
26                   the "*Department of the Interior and Local Government Act of 1990*;"  
27                   and

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

6 3. Initiate and maximize the generation of resources and revenues and  
7 apply the same to the implementation of development plans, program objectives  
8 and priorities, particularly the resources and revenues programmed for agro-  
9 industrial development and the provision of basic services and, relative thereto,  
10 shall:

11 (i) Require each head of an office or department to prepare and  
12 submit an estimate of appropriations for the ensuing calendar year, in  
13 accordance with the provisions of the Local Government Code of 1991  
14 and other relevant laws;

15 (ii) Prepare and submit to the sanggunian for approval the  
16 executive and supplemental budgets of the City for the ensuing  
17 calendar year in the manner provided for under the Local Government  
18 Code of 1991;

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

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

26 (v) Issue permits, not requiring approval from any national  
27 agency, for the holding of activities for any charitable or welfare

1 purpose, excluding prohibited games of chance or shows contrary to  
2 law, public policy and public morals;

3 (vi) Require owners of illegally constructed houses, buildings or  
4 structures to obtain the necessary permits, subject to such fines and  
5 penalties as may be imposed by law or ordinance, or to make  
6 necessary changes in the construction or to order the demolition or  
7 removal of said houses, buildings or structures within the period  
8 prescribed by law or ordinance;

9 (vii) Adopt adequate measures to safeguard and conserve land,  
10 mineral, forest, marine and other resources of the City;

11 (viii) Provide efficient and effective property and supply  
12 management in the City, and protect the funds, credits, rights and  
13 other properties of the City; and

14 (ix) Institute or cause to be instituted administrative or judicial  
15 proceedings for violation of ordinances in the collection of taxes, fees  
16 or charges, and for the recovery of funds and property, and cause the  
17 City to be defended against all suits to ensure that its interests,  
18 resources and rights shall be adequately protected;

19  
20 4. Ensure the delivery of basic services and the provision of adequate  
21 facilities as provided for under Section 17 of the Local Government Code of 1991  
22 and, in addition thereto, shall:

23 (i) Ensure that the construction and repair of roads, bridges and  
24 highways funded by the national government shall be, as far as  
25 practicable, carried out in a spatially contiguous manner and in  
26 coordination with the construction and repair of the roads and bridges  
27 of the City and of the province; and

1 (ii) Coordinate the implementation of technical services,  
2 including public works and infrastructure programs rendered by  
3 national and provincial offices; and  
4

5 5. Perform such other duties and functions and exercise such other  
6 powers as provided for under the Local Government Code of 1991, and those  
7 that are prescribed by other relevant laws or by ordinance.  
8

9 (c) During his incumbency, the city mayor shall hold office in the city hall.  
10

11 **SEC. 10. *The City Vice Mayor.*** – a) There shall be a city vice mayor who shall  
12 be elected in the same manner as the city mayor and shall, at the time of his election,  
13 possess the same qualifications as the city mayor. He shall hold office for three (3)  
14 years, unless sooner removed, and shall receive a minimum monthly compensation  
15 corresponding to Salary Grade Twenty-six (26) as prescribed under the Salary  
16 Standardization Law, as amended, and the implementing guidelines issued pursuant  
17 thereto, and such other compensation, emoluments and allowances as may be  
18 determined by law.  
19

20 b) The city vice mayor shall:

21 1. Be the presiding officer of the sangguniang panlungsod and sign all  
22 warrants drawn on the city treasury for all expenditures appropriated for the  
23 operation of the sangguniang panlungsod;

24 2. Subject to civil service law, rules and regulations, appoint all officials  
25 and employees, including the secretary of the sangguniang panlungsod, except  
26 those whose manner of appointment is specifically provided for in the Local  
27 Government Code of 1991;

1           3. Assume the office of the city mayor for the unexpired term of the latter  
2 in the event of permanent vacancy, as provided for in Section 44 of the Local  
3 Government Code of 1991;

4           4. Exercise the powers and perform the duties and functions of the city  
5 mayor in case of temporary vacancy; and

6           5. Perform such other duties and functions and exercise such other  
7 powers as provided for under the Local Government Code of 1991, and those  
8 that are prescribed by other relevant laws or by ordinance.

#### 10   **ARTICLE IV**

#### 11   **The Sangguniang Panlungsod**

12  
13           **SEC. 11. *Composition and Compensation.*** – The sangguniang panlungsod,  
14 the legislative body of the City, shall be composed of the city vice mayor as the  
15 presiding officer, the twelve (12) regular sanggunian members, the president of the city  
16 chapter of the *liga ng mga barangay* and the president of the *panlungsod na*  
17 *pederasyon ng mga sangguniang kabataan*, and such other members as may be  
18 provided for by law.

19           The regular members of the sangguniang panlungsod, the sectoral  
20 representatives and other members shall be elected or appointed in the manner as may  
21 be provided for by law. The elective members of the sangguniang panlungsod shall  
22 possess the qualifications as provided for under Section 39 of the Local Government  
23 Code of 1991.

24           They shall receive a minimum monthly compensation corresponding to Salary  
25 Grade Twenty-five (25) as prescribed under the Salary Standardization Law, as  
26 amended, and the implementing guidelines issued pursuant thereto, and such other  
27 compensation, emoluments and allowances as may be determined by law.

1           SEC. 12.   ***Powers, Duties, Functions and Compensation.*** – The  
2 sangguniang panlungsod shall:

3           a) Approve ordinances and pass resolutions necessary for an efficient and  
4 effective city government and, in this connection, shall:

5                 1. Review all ordinances approved by the sangguniang barangay and  
6 executive orders issued by the punong barangay to determine whether these are  
7 within the scope of the prescribed powers of the sangguniang barangay and of  
8 the punong barangay;

9                 2. Maintain peace and order by enacting measures to prevent and  
10 suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose  
11 penalties for the violation of said ordinances;

12                3. Approve ordinances imposing a fine not exceeding Five thousand pesos  
13 (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both,  
14 at the discretion of the court, for violation of a city ordinance;

15                4. Adopt measures to protect the inhabitants of the City from harmful  
16 effects of man-made or natural disasters and calamities, and to provide relief  
17 services and assistance to victims during and in the aftermath of said disaster or  
18 calamity and in their return to productive livelihood following said events;

19                5. Enact ordinances intended to prevent, suppress and impose appropriate  
20 penalties for habitual drunkenness in public places, vagrancy, mendicancy,  
21 prostitution, establishment and maintenance of houses of ill repute, gambling  
22 and other prohibited games of chance, fraudulent devices and ways to obtain  
23 money or property, drug addiction, maintenance of drug dens, drug pushing,  
24 juvenile delinquency, the printing, distribution or exhibition of obscene or  
25 pornographic materials or publications and such other activities inimical to the  
26 welfare and morals of the inhabitants of the City;

27                6. Protect the environment. Towards this end, it shall set aside a  
28 reasonable amount from its development funds for the purpose of maintaining



1 and enhancing the ecological balance of the City. It may also impose  
2 appropriate penalties for acts which endanger the environment and such other  
3 activities which result in pollution, eutrophication of rivers and other bodies of  
4 water, or of ecological imbalance, the fines for which shall be used exclusively for  
5 the advancement of ecological protection;

6 7. Subject to the provisions of the Local Government Code of 1991 and  
7 other pertinent laws, determine the powers and duties of officials and employees  
8 of the City;

9 8. Consistent with the Salary Standardization Law, as amended,  
10 determine the positions and the salaries, wages, allowances and other  
11 emoluments and benefits of officials and employees paid wholly or mainly from  
12 city funds and provide for expenditures necessary for the proper conduct of  
13 programs, projects, services and activities of the city government;

14 9. Authorize the payment of compensation of a qualified person not in the  
15 government service, who fills up a temporary vacancy or grant honorarium to  
16 any qualified official or employee designated to fill up a temporary vacancy in a  
17 concurrent capacity at the rate authorized by law;

18 10. Provide a mechanism and the appropriate funds therefor to ensure the  
19 safety and protection of all city government properties, public documents or  
20 records such as those relating to property inventory, land ownership, records of  
21 births, marriages, deaths, assessments, taxation, accounts, business permits and  
22 such other records and documents of public interest in the offices and  
23 departments of the city government;

24 11. When the finances of the city government allow, provide for additional  
25 allowances and other benefits to judges, prosecutors, public elementary and high  
26 school teachers, and other national government officials stationed in or assigned  
27 to the City;

1           12. Provide legal assistance to barangay officials, who in the performance  
2 of their official duties or on the occasion thereof, have to initiate judicial  
3 proceedings or defend themselves against legal actions; and

4           13. Provide for group insurance or additional insurance coverage for all  
5 barangay officials, including members of barangay tanod brigades and other  
6 service units, with public or private insurance companies;

7  
8           b) Generate and maximize the use of resources and revenues for the  
9 development plans, program objectives and priorities of the City with particular  
10 attention to agro-industrial development, citywide growth and progress, and the  
11 provision of basic services and, relative thereto, the sangguniang panlungsod shall:

12           1. Approve the annual and supplemental budgets of the city government  
13 and appropriate funds for specific programs, projects, services and activities of  
14 the City or for other purposes not contrary to law, in order to promote the  
15 general welfare of the City and its inhabitants;

16           2. Subject to the provisions of Book II of the Local Government Code of  
17 1991 and applicable laws and, upon the majority vote of all the members of the  
18 sangguniang panlungsod, enact ordinances levying taxes, fees and charges,  
19 prescribing the rates thereof for general and specific purposes, and granting tax  
20 exemptions, incentives or reliefs;

21           3. Subject to the provisions of Book II of the Local Government Code of  
22 1991 and applicable laws and, upon the majority vote of all the members of the  
23 sangguniang panlungsod, authorize the city mayor to negotiate and contract  
24 loans and other forms of indebtedness. The application for loans or other forms  
25 of indebtedness and the terms and conditions thereof shall, before approval, be  
26 published in a newspaper of general circulation in the City. Once approved, the  
27 contract covering the loans or other forms of indebtedness shall be furnished to  
28 any city resident requesting a copy thereof, upon payment of reasonable fees;

1           4. Subject to the provisions of Book II of the Local Government Code of  
2 1991 and applicable laws and, upon the majority vote of all members of the  
3 sangguniang panlungsod, enact ordinances authorizing the floating of bonds or  
4 other instruments of indebtedness for the purpose of raising funds to finance  
5 development projects. The authorization to float bonds or other instruments of  
6 indebtedness shall be published in a newspaper of general circulation in the  
7 City. Once approved, the contract covering the floating of bonds or other  
8 instruments of indebtedness shall be furnished to any city resident requesting a  
9 copy thereof, upon payment of reasonable fees;

10           5. Appropriate funds for the construction and maintenance or the rental  
11 of buildings for the use of the City and, upon the majority vote of all the  
12 members of the sangguniang panlungsod, authorize the city mayor to lease to  
13 private parties such public buildings held in a proprietary capacity, subject to  
14 existing laws, rules and regulations;

15           6. Prescribe reasonable limits and restraints on the use of property within  
16 the jurisdiction of the City;

17           7. Adopt a comprehensive land-use plan for the City and ensure that the  
18 formulation, adoption or modification of said plan shall be in coordination with  
19 the approved provincial comprehensive land-use plan;

20           8. Reclassify lands within the jurisdiction of the City, subject to pertinent  
21 provisions of the Local Government Code of 1991;

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

27           10. Subject to national law, process and approve subdivision plans for  
28 residential, commercial or industrial purposes and other development purposes

1 and to collect processing fees and other charges, the proceeds of which shall  
2 accrue entirely to the City: *Provided, however,* That where the approval of  
3 national agency or office is required, said approval shall not be withheld for  
4 more than thirty (30) days from receipt of the application. Failure to act on the  
5 application within the period stated above shall be deemed as approval thereof;

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

10 12. Grant loans or provide grants to other local government units or to  
11 national, provincial and city charitable, benevolent or educational institutions:  
12 *Provided,* That said institutions are operated and maintained within the City;

13 13. Regulate the numbering of residential, commercial and other buildings;  
14 and

15 14. Regulate the inspection, weighing and measuring of articles of  
16 commerce;

17  
18 c) Subject to the provisions of the Local Government Code of 1991, enact  
19 ordinances granting franchises and authorizing the issuance of permits or licenses, upon  
20 such conditions and for such purposes intended to promote the general welfare of the  
21 inhabitants of the City and, pursuant to this legislative authority, shall:

22 1. Fix and impose reasonable fees and charges for all services rendered  
23 by the city government to private persons or entities;

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

1           3. Provide for and set the conditions under which public utilities owned  
2 by the City shall be operated by the city government and prescribe the conditions  
3 under which the same may be leased to private persons or entities, preferably  
4 cooperatives;

5           4. Regulate the display of and fix the license fees for signs, signboards or  
6 billboards at the place or places where the profession or business advertised  
7 thereby is, in whole or in part, conducted;

8           5. Authorize and license the establishment, operation and maintenance of  
9 cockpits, regulate cockfighting and commercial breeding gamecocks;

10          6. Subject to Section 458 (1) (vi) of Republic Act 7160 and to the  
11 guidelines prescribed by the Department of Transportation (DoTr), regulate the  
12 operation of tricycles and other modes of local transportation, grant franchises  
13 for the operation thereof within the territorial jurisdiction of the City to promote  
14 the safety of the riding public; and

15          7. Upon approval by a majority vote of all the members of the  
16 sangguniang panlungsod, grant a franchise to any person, partnership,  
17 corporation or cooperative to do business within the City; establish, construct,  
18 operate and maintain ferries, wharves, markets or slaughterhouses; or undertake  
19 such other activities within the City as may be allowed by existing laws:  
20 *Provided*, That cooperatives shall be given preference in the grant of such  
21 franchise;

22  
23          d) Regulate activities relative to the use of land, buildings and structures  
24 within the City in order to promote the general welfare and, for the said purpose, shall:

25           1. Declare, prevent or abate any nuisance;

26           2. With the concurrence of a majority of the members of the  
27 sangguniang panlungsod constituting a quorum, deny the entry of legalized

1 gambling by ordinance into any part of the City or regulate its location within the  
2 City;

3 3. Require that buildings and the premises thereof and any land within  
4 the City be kept and maintained in a sanitary condition: impose penalties for any  
5 violation thereof or, upon failure to comply with the requirement, have the work  
6 done at the expense of the owner, administrator or tenant concerned and  
7 require the filling up of any land or premises to a grade necessary for proper  
8 sanitation;

9 4. Regulate the disposal of clinical and other wastes from hospitals,  
10 clinics and other similar establishments;

11 5. Regulate the establishment, operation and maintenance of cafes,  
12 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses  
13 and other similar establishments, including tourist guides and transports;

14 6. Regulate the sale, giving away or dispensing of any intoxicating malt,  
15 *vino*, mixed or fermented liquors at any retail outlets;

16 7. Regulate the establishment and provide for the inspection of steam  
17 boilers or any heating device in buildings and the storage of inflammable and  
18 highly combustible materials within the City;

19 8. Regulate the establishment, operation and maintenance of  
20 entertainment or amusement facilities, including the theatrical performance,  
21 circuses, billiard halls, public dancing schools, public dance halls, sauna baths,  
22 massage parlors and other places for entertainment or amusement, particularly  
23 those which tend to disturb the community or annoy the inhabitants or require  
24 the suspension or suppression of the same; or prohibit certain forms of  
25 amusement or entertainment in order to protect the social and moral welfare of  
26 the community;

27 9. Provide for the impounding of stray animals; regulate the keeping of  
28 animals in homes or as part of a business, and the slaughter, sale or disposition

1 of the same; and adopt measures to prevent and penalize cruelty to animals,  
2 subject to existing laws, rules and regulations; and

3 10. Regulate the establishment, operation and maintenance of funeral  
4 parlors and burial or cremation of the dead, subject to existing laws, rules and  
5 regulations;

6  
7 e) Approve ordinances which shall ensure the efficient and effective delivery  
8 of basic services and facilities as provided for under the Local Government Code of  
9 1991 and, in addition to said services and facilities, shall:

10 1. Establish markets, slaughterhouses or animal corrals and authorize  
11 the operation thereof by the city government; and regulate the construction and  
12 operation of private markets, *talipapas* or other similar buildings and structures;

13 2. Regulate the preparation and sale of fish, meat, poultry, vegetables,  
14 fruits, fresh dairy products and other foodstuffs for public consumption;

15 3. Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks  
16 and other public places, and approve the construction, improvement, repair and  
17 maintenance of the same; establish bus and vehicle stops and terminals, or  
18 regulate the use of the same by privately-owned vehicles which serve the public;  
19 regulate garages and the operation of conveyances for hire; designate stands to  
20 be occupied by public vehicles when not in use; regulate the putting up of signs,  
21 signposts, awnings and awning posts on the streets; and provide for the lighting,  
22 cleaning and sprinkling of streets and public places;

23 4. Regulate traffic on all streets and bridges; prohibit encroachment or  
24 obstacles thereon and, when necessary in the interest of public welfare,  
25 authorize the removal of encroachments and illegal constructions in public  
26 places;

27 5. Subject to existing laws and when necessary, establish and provide for  
28 the maintenance, repair and operation of an efficient waterworks system to

1 supply water for the inhabitants and to purify the source of the water supply;  
2 regulate the construction, maintenance, repair and use of hydrants, pumps,  
3 cisterns and reservoirs; protect the purity and quantity of the water supply of the  
4 City and, for this purpose, extend the coverage of appropriate ordinances over all  
5 territory within the drainage area of said water supply within one hundred  
6 meters (100 m.) of the reservoir, canal, conduit aqueduct, pumping station or  
7 watershed used in connection with the water service; and regulate the  
8 consumption, use or wastage of water and fix and collect charges therefor;

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

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

21 8. Subject to the availability of funds and the existing laws, rules and  
22 regulations, establish or maintain, or provide for the operation of a city college,  
23 vocational and technical schools and similar post-secondary institutions and, with  
24 the approval of the DepEd, the Commission on Higher Education or the Technical  
25 Education and Skills Development Authority, as the case may be, and subject to  
26 existing laws on tuition fees, fix and collect reasonable tuition fees and other  
27 school charges in educational institutions supported by the city government;



1           9. Ensure the physical maintenance of educational institutions under the  
2 operational control of the City and the provision of books and other capital  
3 equipment for the same;

4           10. Establish a scholarship fund for poor but deserving students in schools  
5 located within its jurisdiction or for students residing within the City;

6           11. Approve measures and adopt quarantine regulations to prevent the  
7 introduction and spread of diseases;

8           12. Provide for an efficient and effective system of solid waste and  
9 garbage collection and prohibit littering and the placing or throwing of garbage,  
10 refuse and other filth and wastes; and, for this purpose, provide for incentive  
11 schemes for industries engaged in the recycling of waste and garbage;

12           13. Provide for the care of disabled persons, paupers, the aged, the sick,  
13 persons of unsound mind, abandoned minors, juvenile delinquents, drug  
14 dependents, abused children and other needy and disadvantaged persons,  
15 particularly children and the youth below eighteen (18) years of age and, subject  
16 to the availability of funds, establish and provide for the operation of centers and  
17 facilities for the said needy and disadvantaged persons;

18           14. Establish and provide for the maintenance and improvement of jails  
19 and detention centers, institute a sound jail management program, including a  
20 continuing education and training program for jail personnel assigned or detailed  
21 in jails and detention centers within the jurisdiction of the City, and the provision  
22 of separate detention centers for women and minors;

23           15. Establish a city council whose purpose is the promotion of culture and  
24 the arts, coordinate with government agencies and nongovernmental  
25 organizations and, subject to the availability of funds, appropriate funds for the  
26 support and development of the same;

27           16. Establish a city council for the elderly which shall formulate policies  
28 and adopt measures mutually beneficial to the elderly and to the community;

1 provide incentives for nongovernmental agencies and entities and, subject to the  
2 availability of funds, appropriate funds to support programs and projects for the  
3 benefit of the elderly; and

4 17. Perform for a social housing fund for the provision of housing for the  
5 poor and, for this purpose, may allocate a reasonable amount annually for the  
6 acquisition of land and development of the same; and

7  
8 f) Perform such other duties and functions and exercise such powers as  
9 provided for under the Local Government Code of 1991, and those that are prescribed  
10 by other relevant laws or by ordinance.

## 11 12 **ARTICLE V**

### 13 **Process of Legislation**

14 SEC. 13. ***Internal Rules of Procedure.*** – a) On the first regular session  
15 following the election of its members and, within ninety (90) days thereafter, the  
16 sangguniang panlungsod shall adopt or update its rules of procedure.

17  
18 b) The rules of procedure shall provide for the following:

19 1. The organization of the sanggunian and the election of its officers as  
20 well as the creation of standing committees which shall include, but shall not be  
21 limited to, the committees on appropriations, women and family, human rights,  
22 youth and sports development, environmental protection and cooperatives, the  
23 general jurisdiction of each committee and the election of the chairman and  
24 members of each committee;

25 2. The order and calendar of business for each session;

26 3. The legislative process;

27 4. The parliamentary procedures, which include the conduct of members  
28 during sessions;

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

9           6. Such other rules as the sanggunian may adopt.

10  
11           **SEC. 14. *Full Disclosure of Financial and Business Interests of***  
12 ***Sangguniang Panlungsod Members.*** – a) Every sangguniang panlungsod member  
13 shall, upon assumption to office, make a full disclosure of his business and financial  
14 interests. He shall also disclose any professional relationship or any relation by affinity  
15 or consanguinity within the fourth civil degree, which he may have with any person,  
16 firm or entity affected by any ordinance or resolution under consideration by the  
17 sanggunian of which he is a member, which relationship may result in conflict of  
18 interests. Such relationship shall include:

19           1. Ownership of stock or capital, or investment in the entity or firm to which  
20 the ordinance or resolution may apply; and

21           2. Contracts or agreements with any person or entity which the ordinance or  
22 resolution under consideration may affect.

23           In the absence of specific constitutional or statutory provisions applicable to this  
24 situation, "*conflict of interest*" refers in general to one where it may be reasonably  
25 deduced that a member of a sanggunian may not act in the public interest due to some  
26 private, pecuniary or other personal considerations that may tend to affect his  
27 judgment to the prejudice of the service or the public.

1 (b) The disclosure required under this Act shall be made in writing and  
2 submitted to the secretary of the sanggunian or the secretary of the committee of  
3 which he is a member. The disclosure shall, in all cases, form part of the record of the  
4 proceedings and shall be made in the following manner:

5 1. Disclosure shall be made before the member participates in the  
6 deliberations on the ordinance or resolution under consideration: *Provided, That*  
7 if the member did not participate during the deliberations, the disclosure shall be  
8 made before voting on the ordinance or resolution on second and third readings;  
9 and

10 2. Disclosure shall be made when a member takes a position or makes a  
11 privilege speech on a matter that may affect the business interest, financial  
12 connection or professional relationship described therein.

13  
14 **SEC. 15. *Sessions.*** – a) On the first day of the session immediately following  
15 the election of its members, the sangguniang panlungsod shall, by resolution, fix the  
16 day, time and place of its sessions. The minimum number of regular sessions shall be  
17 once a week.

18  
19 b) When the public interest so demands, special sessions may be called by the  
20 city mayor or by a majority of the members of the sanggunian.

21  
22 c) All sanggunian sessions shall be open to the public unless a closed-door  
23 session is ordered by an affirmative vote of a majority of the members present, there  
24 being a quorum, in the public interest or for reasons of security, decency or morality.  
25 No two (2) sessions, regular or special, may be held in a single day.

26

1 d) In the case of special sessions of the sanggunian, a written notice to the  
2 members shall be served personally at the member's usual place of residence at least  
3 twenty-four (24) hours before the special session is held.

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

7  
8 e) The sanggunian shall keep a journal and a record of its proceedings which  
9 may be published upon a resolution of the sangguniang panlungsod.

10  
11 **SEC. 16. Quorum.** – a) A majority of all the members of the sanggunian who  
12 have been elected and qualified shall constitute a quorum to transact official business.  
13 Should a question of quorum be raised during a session, the presiding officer shall  
14 immediately proceed to call the roll of the members and thereafter announce the result.

15  
16 b) Where there is no quorum, the presiding officer may declare a recess until  
17 such time a quorum is constituted, or a majority of the members present may adjourn  
18 from day to day and may compel the immediate attendance of any member absent  
19 without justifiable cause by designating a member or members of the sanggunian to be  
20 assisted by a member or members of the police force assigned in the territorial  
21 jurisdiction of the City of Manolo Fortich, to arrest the absent member and present him  
22 at the session.

23  
24 c) If there is still no quorum despite the enforcement of the immediately  
25 preceding subsection, no business shall be transacted. The presiding officer, upon  
26 proper motion and duly approved by the members present, shall then declare the  
27 session adjourned for lack of quorum.

1           SEC. 17. **Approval of Ordinances.** – a) Every ordinance enacted by the  
2 sangguniang panlungsod shall be presented to the city mayor. If the city mayor  
3 approves the same, he shall affix his signature on each and every page thereof;  
4 otherwise, he shall veto it and return the same with his objections to the sanggunian,  
5 which may proceed to reconsider the same. The sanggunian may override the veto of  
6 the city mayor by two-thirds (2/3) vote of all its members, thereby making the  
7 ordinance or resolution effective for all legal intents and purposes.

8  
9           b) The veto shall be communicated by the city mayor to the sanggunian within  
10 ten (10) days; otherwise, the ordinance shall be deemed approved as if he signed it.

11  
12           SEC. 18. **Veto Power of the City Mayor.** – a) The city mayor may veto any  
13 ordinance of the sangguniang panlungsod on the ground that it is *ultra vires* or  
14 prejudicial to public welfare, stating his reasons thereof in writing.

15  
16           b) The city mayor shall have the power to veto any particular item or items of  
17 an appropriations ordinance, an ordinance or resolution adopting a local development  
18 plan, any public investment program or an ordinance directing the payment of money  
19 or creating liability. In such case, the vetoed item or items shall not take effect unless  
20 the sangguniang panlungsod overrides the veto in the manner herein provided;  
21 otherwise, the item or items in the appropriations ordinance of the previous year  
22 corresponding to those vetoed, if any, shall be deemed enacted.

23  
24           c) The city mayor may veto an ordinance or resolution only once. The  
25 sanggunian may override the veto by two-thirds (2/3) vote of all its members, thereby  
26 making the ordinance effective even without the approval of the city mayor.

27

1           SEC. 19. ***Review of City Ordinances by the Sangguniang Panlalawigan.***

2       –     a) Within three (3) days after approval, the secretary of the sangguniang  
3 panlungsod shall forward to the sangguniang panlalawigan for review, copies of  
4 approved ordinances and resolutions approving the local development plans and public  
5 investment programs formulated by the local development councils.

6  
7           b) Within thirty (30) days after receipt of copies of such ordinances and  
8 resolutions, the sangguniang panlalawigan shall examine the documents or transmit  
9 them to the provincial attorney or the provincial prosecutor for prompt examination.  
10 The provincial attorney or the provincial prosecutor shall, within a period of ten (10)  
11 days from receipt of the documents, inform the sangguniang panlalawigan in writing of  
12 his comments or recommendations, which may be considered by the sangguniang  
13 panlalawigan in making its decision.

14  
15           c) If the sangguniang panlalawigan finds that such an ordinance or resolution is  
16 beyond the power conferred upon the sangguniang panlungsod, it shall declare such  
17 ordinance or resolution invalid in whole or in part. The sangguniang panlalawigan shall  
18 enter its action in the minutes and shall advise the corresponding city authorities of the  
19 action it has taken.

20  
21           d) If no action has been taken by the sangguniang panlalawigan within thirty  
22 (30) days after submission of such an ordinance or resolution, the same shall be  
23 presumed consistent with law and therefore valid.

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

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b) If the sangguniang panlungsod fails to take action on barangay ordinances within thirty (30) days from receipt thereof, the same shall be deemed approved.

c) If the sangguniang panlungsod finds the barangay ordinance inconsistent with law or city ordinances, the sangguniang panlungsod shall, within thirty (30) days from receipt thereof, return the same with comments and recommendations to the sangguniang barangay for adjustment, amendment or modification; in which case, the effectivity of the barangay ordinance is suspended until such time as the revision called for is effected.

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

**SEC. 22. *Effectivity of Ordinances or Resolutions.*** – a) Unless otherwise stated in the ordinance or the resolution approving the local development plan and public investment program, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the city hall and in at least two (2) other conspicuous places in the City of Manolo Fortich.

b) The secretary of the sangguniang panlungsod shall cause the posting of an ordinance or resolution in the bulletin board at the entrance of the city hall and in at least two (2) other conspicuous places in the City of Manolo Fortich not later than five (5) days after approval thereof. The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and in the language or dialect understood by a majority of the people in the City, and the secretary of the sangguniang



1 panlungsod shall record such fact in a book kept for the purpose, stating the dates of  
2 approval and posting.

3  
4 c) The main features of the ordinance or resolution duly enacted or adopted  
5 shall, in addition to being posted, be published once in a local newspaper of general  
6 circulation within the City: *Provided*, That in the absence thereof, the ordinance or  
7 resolution shall be published in any newspaper of general circulation: *Provided, further*,  
8 That the gist of all ordinances with penal sanctions shall also be published in a  
9 newspaper of general circulation.

## 11 **ARTICLE VI**

### 12 **Succession for Elective City Officials**

13 **SEC. 23. *Permanent Vacancy in the Offices of the City Mayor and the***  
14 ***City Vice Mayor.*** – a) If a permanent vacancy occurs in the office of the city mayor,  
15 the city vice mayor shall become the city mayor. If a permanent vacancy occurs in the  
16 office of the city vice mayor, the highest ranking sangguniang panlungsod member, or  
17 in case of his permanent incapacity, the second highest ranking sangguniang  
18 panlungsod member shall become the city vice mayor, as the case may be.  
19 Subsequent vacancies in the said office shall be filled in automatically by the other  
20 sanggunian members according to their ranking as defined herein.

21  
22 b) A tie between or among the highest ranking sangguniang panlungsod  
23 members shall be resolved by drawing of lots.

24  
25 c) The successors as defined herein shall serve only the unexpired terms of their  
26 predecessors.

27

1 For purposes of this Act, a permanent vacancy arises when an elective local  
2 official fills in a higher vacant office, refuses to assume office, fails to qualify, dies, is  
3 removed from office, voluntarily resigns or is otherwise permanently incapacitated to  
4 discharge the function of his office.

5

6 For purposes of succession as provided for in this Act, ranking in the sanggunian  
7 shall be determined on the basis of the proportion of votes obtained by each winning  
8 candidate to the total number of registered voters in the City in the immediately  
9 preceding local election.

10

11 **SEC. 24. *Permanent Vacancies in the Sangguniang Panlungsod.* –**

12 Permanent vacancies in the sangguniang panlungsod where automatic succession as  
13 provided above does not apply shall be filled in by appointments in the following  
14 manner:

15 a) The provincial governor shall make the aforesaid appointments;

16

17 b) Only the nominee of the political party under which the sanggunian member  
18 had been elected shall be appointed in the manner herein provided. The appointee  
19 shall come from the same political party as that of the sanggunian member who caused  
20 the vacancy and shall serve the unexpired term of the vacant office.

21 In the appointment herein mentioned, a nomination and a certificate of  
22 membership of the appointee from the highest official of the political party are  
23 conditions *sine qua non*, and any appointment without such nomination and certification  
24 shall be null and void *ab initio* and shall be a ground for administrative action against  
25 the official responsible therefor;

26

1 c) In case the permanent vacancy is caused by a sanggunian member who  
2 does not belong to any political party, the city mayor shall, upon the recommendation  
3 of the sangguniang panlungsod, appoint a qualified person to fill in the vacancy; and  
4

5 d) In case of vacancy in the representation of the youth, the barangay and  
6 other sectors in the sangguniang panlungsod, said vacancy shall be filled in  
7 automatically by the official next-in-rank of the organization concerned.  
8

9 **SEC. 25. *Temporary Vacancy in the Office of the City Mayor.*** – a) When  
10 the city mayor is temporarily incapacitated to perform his duties for physical or legal  
11 reasons such as, but not limited to, leave of absence, travel abroad and suspension  
12 from office, the city vice mayor shall automatically exercise the powers and perform the  
13 duties and functions of the city mayor, except the power to appoint, suspend or dismiss  
14 employees which can only be exercised if the period of temporary incapacity exceeds  
15 thirty (30) working days.  
16

17 b) Said temporary incapacity shall terminate upon submission to the  
18 sangguniang panlungsod of written declaration by the city mayor that he has reported  
19 back to office. In case where the temporary incapacity is due to legal cause, the city  
20 mayor shall also submit necessary documents showing that the said legal cause no  
21 longer exists.  
22

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

1 d) In the event, however, that the city mayor fails or refuses to issue such  
2 authorization, the city vice mayor or the highest ranking sangguniang panlungsod  
3 member, as the case may be, shall have the right to assume the powers, duties and  
4 functions of the said office on the fourth (4<sup>th</sup>) day of absence of the city mayor subject  
5 to the limitations provided in subsection (c) hereof.

6  
7 e) Except as provided above, the city mayor shall, in no case, authorize any  
8 local official to assume the powers, duties and functions of the office other than the city  
9 vice mayor or the highest ranking sangguniang panlungsod member, as the case may  
10 be.

11  
12 **ARTICLE VII**

13 **THE APPOINTIVE OFFICIALS OF THE CITY;**  
14 **THEIR QUALIFICATIONS, POWERS AND DUTIES**  
15  
16  
17

18 **SEC. 26. *The Secretary to the Sangguniang Panlungsod.* –**

19 a) There shall be a secretary to the sangguniang panlungsod who shall be a  
20 career official with the rank and salary equal to a head of a department or office who  
21 shall be appointed by the city mayor with the concurrence of a majority of all  
22 sangguniang panlungsod members, subject to civil service law, rules and regulations.

23  
24 b) No person shall be appointed secretary to the sangguniang panlungsod  
25 unless he is a citizen of the Philippines, a resident of the City, of good moral character,  
26 preferably, a holder of a master's degree in law, commerce or public administration  
27 from a recognized college or university and a first grade civil service eligible or its  
28 equivalent.

29  
30

1           c) The secretary to the sangguniang panlungsod shall receive such  
2 compensation, emoluments and allowances as may be determined by law.

3  
4           d) The secretary to the sanggunian shall take charge of the office of the  
5 sangguniang panlungsod, and shall:

6                 1. Attend meetings of the sangguniang panlungsod and keep a journal  
7 of its proceedings;

8                 2. Keep the seal of the City and affix the same with his signature to all  
9 ordinances, resolutions and other official acts of the sangguniang panlungsod  
10 and present the same to the presiding officer for his signature;

11                3. Forward to the city mayor for approval copies of ordinances enacted  
12 by the sangguniang panlungsod, duly certified by the presiding officer;

13                4. Forward to the sangguniang panlalawigan copies of duly approved  
14 ordinances in the manner as provided in Section 56 under Book I of the Local  
15 Government Code of 1991;

16                5. Furnish, upon request of any interested party, certified copies of  
17 records of public character in his custody, upon payment to the city treasurer of  
18 such fees as may be prescribed by ordinance;

19                6. Record in a book kept for the purpose, all ordinances and resolutions  
20 enacted or adopted by the sangguniang panlungsod, with the dates of passage  
21 and publication thereof;

22                7. Keep his office and all nonconfidential records therein open to the  
23 public during usual business hours;

24                8. Translate into the dialect used by a majority of the inhabitants all  
25 ordinances and resolutions immediately after their approval and cause the  
26 publication of the same together with the original version in the manner provided  
27 for under the Local Government Code of 1991;

1           9. Take custody of the local archives and, where applicable, the local  
2 library and annually account for the same;

3           10. Perform such other duties and functions and exercise such other  
4 powers as provided for under the Local Government Code of 1991, and those  
5 that are prescribed by other relevant laws or by ordinance.

6  
7           **SEC. 27. *The City Treasurer.*** – a) The city treasurer shall be appointed by  
8 the Secretary of Finance from a list of at least three (3) ranking eligible recommendees  
9 of the city mayor, subject to civil service law, rules and regulations.

10  
11           b) The city treasurer shall be under the administrative supervision of the city  
12 mayor, to whom he shall report regularly on the tax collection efforts of the City.

13  
14           c) No person shall be appointed city treasurer unless he is a citizen of the  
15 Philippines, a resident of the City, of good moral character, a holder of a college degree  
16 preferably in commerce, public administration or law from a recognized college or  
17 university and a first grade civil service eligible or its equivalent. He must have  
18 acquired experience in treasury or accounting service for at least five (5) years.

19  
20           d) The city treasurer shall receive such compensation, emoluments and  
21 allowances as may be determined by law.

22  
23           e) The city treasurer shall take charge of the city treasury office, and shall:

24           1. Advise the city mayor, the sangguniang panlungsod and other local  
25 government and national officials concerned regarding disposition of local  
26 government funds and on such other matters relative to public finance;

27           2. Take custody and exercise proper management of the funds of the  
28 City;

1           3. Take charge of the disbursement of all funds of the City and other  
2 funds, the custody of which may be entrusted to him by law or other competent  
3 authority;

4           4. Inspect private commercial and industrial establishments within the  
5 jurisdiction of the City in relation to the implementation of tax ordinances,  
6 pursuant to the provisions of the Local Government Code of 1991;

7           5. Maintain and update the tax information system of the City; and

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

11  
12           **SEC. 28. *The Assistant City Treasurer.*** – a) The assistant city treasurer may  
13 be appointed by the Secretary of Finance from a list of at least three (3) ranking eligible  
14 recommendees of the city mayor, subject to civil service law, rules and regulations.

15  
16           b) No person shall be appointed assistant city treasurer unless he is a citizen of  
17 the Philippines, a resident of the City, of good moral character, a holder of a degree  
18 preferably in commerce, public administration or law from a recognized college or  
19 university and a first grade civil service eligible or its equivalent. He must have  
20 acquired at least three (3) years experience in treasury or accounting.

21  
22           c) The assistant city treasurer shall receive such compensation, emoluments  
23 and allowances as may be determined by law.

24  
25           d) The assistant city treasurer shall assist the city treasurer and perform such  
26 other duties as the latter may assign to him. He shall have authority to administer  
27 oaths concerning notices and notifications to those delinquent in the payment of the  
28 real property tax and concerning official matters relating to the accounts of the city

1 treasurer or otherwise arising from the offices of the city treasurer and the city  
2 assessor.

3  
4       **SEC. 29. *The City Assessor.*** – a) The city assessor must be a citizen of the  
5 Philippines, a resident of the City, of good moral character, a holder of a college degree  
6 preferably in civil or mechanical engineering, commerce or any other related course  
7 from a recognized college or university and a first grade civil service eligible or its  
8 equivalent. He must have acquired experience on real property assessment work or in  
9 any related field for at least five (5) years immediately preceding the date of his  
10 appointment.

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

14  
15       c) The city assessor shall take charge of the city assessor's office, and shall:  
16           1. Ensure that all laws and policies governing the appraisal and  
17 assessment of real properties for taxation purposes are properly executed;  
18           2. Initiate, review and recommend changes in policies and objectives,  
19 plans and programs, techniques, procedures and practices in the evaluation and  
20 assessment of real properties for taxation purposes;  
21           3. Establish a systematic method of real property assessment;  
22           4. Install and maintain real property identification and accounting  
23 systems;  
24           5. Prepare, install and maintain a system of tax mapping, showing  
25 graphically all properties subject to assessment and gather all data concerning  
26 the same;  
27           6. Conduct frequent physical surveys to verify and determine whether  
28 all real properties within the City are properly listed in the assessment rolls;



1           7. Exercise the functions of appraisal and assessments primarily for  
2 taxation purposes of all real properties in the City;

3           8. Prepare a schedule of the fair market value of the different classes of  
4 real properties in accordance with the provisions of the Local Government Code  
5 of 1991;

6           9. Issue, upon request of any interested party, certified copies of  
7 assessment upon payment of a service charge or fee to the city treasurer;

8           10. Submit every semester a report of all assessments as well as  
9 cancellations and modifications of assessments to the city mayor and the  
10 sangguniang panlungsod; and

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

14  
15           **SEC. 30. *The Assistant City Assessor.*** – a) The assistant city assessor must  
16 be a citizen of the Philippines, a resident of the City, of good moral character, a holder  
17 of a college degree preferably in civil or mechanical engineering, commerce or any  
18 related course from a recognized college or university and a first grade civil service  
19 eligible or its equivalent. He must have acquired experience in assessment or in any  
20 related field for at least three (3) years immediately preceding the date of his  
21 appointment.

22  
23           b) The assistant city assessor shall receive such compensation, emoluments  
24 and allowances as may be determined by law.

25  
26           c) The assistant city assessor shall assist the city assessor and perform such  
27 other duties as the latter may assign to him. He shall have authority to administer  
28 oaths on all declarations of real property for purposes of assessment.

1  
2  
3       **SEC. 31. *The City Accountant.*** – a) The city accountant must be a citizen of  
4 the Philippines, a resident of the City, of good moral character and a certified public  
5 accountant. He must have acquired experience in the treasury or accounting services  
6 for at least five (5) years immediately preceding the date of his appointment.  
7

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

10       c) The city accountant shall take charge of both the office of the accounting  
11 and internal audit services, and shall:

12               1. Install and maintain an internal audit system in the City;

13               2. Prepare and submit financial statements to the city mayor and to the  
14 sangguniang panlungsod;

15               3. Apprise the sangguniang panlungsod and other officials on the  
16 financial condition and operation of the City;

17               4. Certify to the availability of budgetary allotment from which  
18 expenditures and obligations may be properly charged;

19               5. Review supporting documents before the preparation of vouchers to  
20 determine the completeness of requirements;

21               6. Prepare statements of cash advances, liquidations, salaries,  
22 allowances, reimbursements and remittances pertaining to the City;

23               7. Prepare statements of journal vouchers and liquidations of the same  
24 and other adjustments related thereto;

25               8. Post individual disbursements on the subsidiary ledger and index  
26 cards;

27               9. Maintain individual ledgers for officials and employees of the City  
28 pertaining to payrolls and deductions;

1           10. Record and post in index cards details of purchased furniture,  
2 fixtures and equipment, including disposal thereof, if any;

3           11. Account for all issued requests for obligations and maintain and keep  
4 all records and reports related thereto;

5           12. Prepare journals and the analysis of obligations and maintain and  
6 keep all records and reports related thereto; and

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

10  
11           **SEC. 32. *The City Engineer.*** – a) The city engineer must be a citizen of the  
12 Philippines, a resident of the City, of good moral character and a licensed civil engineer.  
13 He must have acquired experience in the practice of his profession for at least five (5)  
14 years immediately preceding the date of his appointment.

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

18  
19           c) The city engineer shall take charge of the city engineering office, and shall:

20           1. Initiate, review and recommend changes in policies and objectives,  
21 plans and programs, techniques, procedures and practices in infrastructure  
22 development and public works, in general, of the City;

23           2. Advise the city mayor on infrastructure, public works and other  
24 engineering matters;

25           3. Administer, coordinate, supervise and control the construction,  
26 maintenance, improvement and repair of roads, bridges, other engineering and  
27 public works projects of the City;

1           4. Provide engineering services to the City, including investigations and  
2 surveys, engineering designs, feasibility studies and project management; and

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

6  
7           **SEC. 33. *The Assistant City Engineer.*** – a) The assistant city engineer must  
8 be a citizen of the Philippines, a resident of the City, of good moral character, a holder  
9 of a college degree preferably in civil or mechanical engineering, commerce or any  
10 related course from a recognized college or university and a first grade civil service  
11 eligible or its equivalent. He must have acquired experience in engineering or in any  
12 related field for at least three (3) years immediately preceding the date of his  
13 appointment.

14  
15           b) The assistant city engineer shall assist the city engineer and perform such  
16 other duties as the latter may assign to him.

17  
18           c) The assistant city engineer shall receive such compensation, emoluments  
19 and allowances as may be determined by law.

20  
21           **SEC. 34. *The City Architect.*** – a) The city architect must be a citizen of the  
22 Philippines, a resident of the City, of good moral character and a duly licensed architect.  
23 He must have practiced his profession for at least five (5) years immediately preceding  
24 the date of his appointment.

25  
26           b) The city architect shall receive such compensation, emoluments and  
27 allowances as may be determined by law.

1 c) The city architect shall take charge of the office of the architectural planning  
2 and design, and shall:

3 1. Formulate measures for the consideration of the sangguniang  
4 panlungsod and provide technical assistance and support to the city mayor in  
5 carrying out measures to ensure the delivery of basic services and the provision  
6 of adequate facilities relative to architectural planning and design;

7 2. Develop plans and strategies and, upon approval thereof by the city  
8 mayor, implement the same, particularly those which have to do with  
9 architectural planning and design programs and projects which the city mayor is  
10 empowered to implement and which the sangguniang panlungsod is empowered  
11 to provide for under the Local Government Code of 1991;

12  
13 3. In addition to the foregoing duties and functions, the city architect  
14 shall:

15 (i) Prepare and recommend, for consideration of the  
16 sanggunian, the architectural plan and design for the City or a part  
17 thereof, including the greening of land and the renewal of slums and  
18 blighted areas;

19 (ii) Review and recommend for appropriate action of the  
20 sanggunian or the mayor, as the case may be, the architectural plans  
21 and designs submitted by governmental and nongovernmental  
22 entities or individuals particularly those for undeveloped,  
23 underdeveloped and poorly-designed areas; and

24 (iii) Coordinate with government, nongovernment entities and  
25 individuals involved in the aesthetics and the maximum utilization of  
26 the land and water within the jurisdiction of the City, compatible with  
27 environmental integrity and ecological balance;

1           4. Be in the frontline of the delivery of services involving architectural  
2           planning and design, particularly those related to the redesigning of spatial  
3           distribution of basic facilities and physical structures during and in the aftermath  
4           of man-made and natural disasters or calamities;

5           5. Recommend to the sangguniang panlungsod and advise the city  
6           mayor on all matters relative to architectural planning and design as it relates to  
7           the total socioeconomic development of the City; and

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

11  
12          **SEC. 35. *The City Budget Officer.*** – a) The city budget officer must be a  
13          citizen of the Philippines, a resident of the City, of good moral character, a holder of a  
14          college degree preferably in accounting, economics, public administration or any related  
15          course from a recognized college or university and a first grade civil service eligible or  
16          its equivalent. He must have acquired experience in government budgeting or in any  
17          related field for at least five (5) years immediately preceding the date of his  
18          appointment.

19  
20          b) The city budget officer shall receive such compensation, emoluments and  
21          allowances as may be determined by law.

22  
23          c) The city budget officer shall take charge of the city budget office, and shall:

24                1. Prepare forms, orders and circulars embodying instructions on  
25                budgetary and appropriation matters for the signature of the city mayor;

26                2. Review and consolidate the budget proposals of different departments  
27                and offices of the City;

1           3. Assist the city mayor in the preparation of the proposed legislation and  
2 submit comments and recommendations thereon;

3           4. Study and evaluate budgetary implementation of proposed legislation  
4 and submit comments and recommendations thereon;

5           5. Submit periodic budgetary reports to the Department of Budget and  
6 Management;

7           6. Coordinate with the city treasurer, the city accountant and the city  
8 planning and development officer for the purpose of budgeting;

9           7. Assist the sangguniang panlungsod in reviewing the approved budgets  
10 of component barangays;

11          8. Coordinate with the city planning and development officer in the  
12 formulation of the development plan of the City; and

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

16  
17          **SEC. 36. *The City Planning and Development Officer.*** – a) The city  
18 planning and development officer must be a citizen of the Philippines, a resident of the  
19 City, of good moral character, a holder of a college degree preferably in urban planning,  
20 development studies, economics, public administration or any related course from a  
21 recognized college or university and a first grade civil service eligible or its equivalent.  
22 He must have acquired experience in development planning or in any related field for at  
23 least five (5) years immediately preceding the date of his appointment.

24  
25          b) The city planning and development officer shall receive such compensation,  
26 emoluments and allowances as may be determined by law.

27

1 c) The city planning and development officer shall take charge of the city  
2 planning and development coordinating office, and shall:

3 1. Formulate integrated economic, social, physical and other development  
4 plans and policies for the consideration of the City;

5 2. Conduct continuing studies, researches and training programs  
6 necessary to evolve plans and programs for implementation;

7 3. Integrate and coordinate all sectoral plans and studies undertaken by  
8 the different functional groups or agencies;

9 4. Monitor and evaluate the implementation of the different development  
10 programs, projects and activities in the City in accordance with the approved  
11 development plan;

12 5. Prepare comprehensive plans and other development planning  
13 documents for the consideration of the local development council;

14 6. Analyze the income and expenditure patterns, and formulate and  
15 recommend fiscal plans and policies for the consideration of the finance  
16 committee of the City as provided for under the Local Government Code of 1991;

17 7. Promote people's participation in development planning within the City;

18 8. Exercise supervision and control over the secretariat of the local  
19 development council; and

20 9. Perform such other duties and functions and exercise such other  
21 powers as provided for under the Local Government Code of 1991, and those  
22 that are prescribed by law or ordinance.

23  
24 **SEC. 37. *The City Health Officer.*** – a) The city health officer must be a  
25 citizen of the Philippines, a resident of the City, of good moral character and a licensed  
26 medical practitioner. He must have acquired experience in the practice of his  
27 profession for at least five (5) years immediately preceding the date of his appointment.



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

3  
4           c) The city health officer shall take charge of the office of the city health  
5 services, and shall:

6           1. Supervise the personnel and staff of the said office, formulate program  
7 implementation guidelines, and rules and regulations for the operation of the  
8 said office for the approval of the city mayor in order to assist him in the  
9 efficient, effective and economical implementation of health services programs  
10 geared to implement health-related projects and activities;

11           2. Formulate measures for the consideration of the sangguniang  
12 panlungsod and provide technical assistance and support to the city mayor in  
13 carrying out activities to ensure the delivery of basic services and the provision of  
14 adequate facilities relative to health services provided for under Section 17 of the  
15 Local Government Code of 1991;

16           3. Develop plans and strategies and, upon approval thereof by the city  
17 mayor, implement the same, particularly those which have to do with health  
18 programs and projects which the city mayor is empowered to implement and  
19 which the sangguniang panlungsod is empowered to provide for under the Local  
20 Government Code of 1991;

21           4. In addition to the foregoing duties and functions, the city health officer  
22 shall:

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

25           (ii) Advise the city mayor and the sangguniang panlungsod on  
26 matters pertaining to health;

27           (iii) Execute and enforce all laws, ordinances and regulations  
28 relating to health;

1 (iv) Recommend to the sangguniang panlungsod, through the  
2 local health board, the passage of such ordinance as he may deem  
3 necessary for the preservation of public health;

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

6 (vi) Direct the sanitary inspection of all business  
7 establishments selling food items or providing accommodation, such  
8 as hotels, motels, lodging houses and the like, in accordance with the  
9 Sanitation Code;

10 (vii) Conduct health information campaigns and render health  
11 intelligence services; and

12 (viii) Coordinate with other government agencies and non-  
13 government organizations involved in the promotion and delivery of  
14 health services;

15 5. Be in the frontline of the delivery of health services, particularly  
16 during and in the aftermath of man-made and natural disasters or calamities;  
17 and

18 6. Perform such other duties and functions and exercise such other  
19 powers as provided for under the Local Government Code of 1991, and those  
20 that are prescribed by law or ordinance.

21  
22 SEC. 38. ***The Assistant City Health Officer.*** – a) The assistant city health  
23 officer must be a citizen of the Philippines, a resident of the City, of good moral  
24 character and a licensed medical practitioner. He must have acquired experience in  
25 assessment or in any related field for at least three (3) years immediately preceding the  
26 date of his appointment.

27

1           b) The assistant city health officer shall assist the city health officer and  
2 perform such other duties as the latter may assign to him.

3  
4           c) The assistant city health officer shall receive such compensation,  
5 emoluments and allowances as may be determined by law.

6  
7           **SEC. 39. *The City Civil Registrar.*** – a) The city civil registrar must be a  
8 citizen of the Philippines, a resident of the City, of good moral character, a holder of a  
9 college degree from a recognized college or university and a first grade civil service  
10 eligible or its equivalent. He must have acquired experience in civil registry work for at  
11 least five (5) years immediately preceding the date of his appointment.

12  
13           b) The city civil registrar shall receive such compensation, emoluments and  
14 allowances as may be determined by law.

15  
16           c) The city civil registrar shall be responsible for the civil registration program in  
17 the City of Manolo Fortich pursuant to the Civil Registry Law, the Civil Code and other  
18 pertinent laws, rules and regulations issued to implement them.

19  
20           d) The city civil registrar shall take charge of the office of the city civil registrar,  
21 and shall:

22               1. Develop plans and strategies and, upon approval thereof by the city  
23 mayor, implement the same, particularly those which have to do with the  
24 management and administration-related programs and projects which the city  
25 mayor is empowered to implement and which the sangguniang panlungsod is  
26 empowered to provide for under the Local Government Code of 1991;

27               2. In addition to the foregoing duties and functions, the city civil  
28 registrar shall:

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

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

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

8 (iv) Transmit to the Office of the Civil Registrar-General within  
9 the prescribed period duplicate copies of registered documents  
10 required by law;

11 (v) Issue certified transcript or copies of any certificate or  
12 registered document upon payment of the required fees to the  
13 treasurer;

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

19 (vii) Coordinate with the National Statistics Office in  
20 conducting educational campaigns for vital registration and assist in  
21 the preparation of demographic and other statistics for the City of  
22 Manolo Fortich; and

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

26  
27 SEC. 40. ***The Assistant City Civil Registrar.*** – a) The assistant city civil  
28 registrar must be a citizen of the Philippines, a resident of the City, of good moral

1 character and a holder of a college degree from a recognized college or university and a  
2 first grade civil service eligible or its equivalent. He must have acquired experience in  
3 civil registry work or in any related field for at least three (3) years immediately  
4 preceding the date of his appointment.

5 b) The assistant city civil registrar shall assist the city civil registrar and perform  
6 such other duties as the latter may assign to him.

7  
8 c) The assistant city civil registrar shall receive such compensation,  
9 emoluments and allowances as may be determined by law.

10  
11 **SEC. 41. *The City Administrator.*** – a) The city administrator must be a  
12 citizen of the Philippines, a resident of the City, of good moral character, a holder of a  
13 college degree preferably in public administration, law or in any other related course  
14 from a recognized college or university and a first grade civil service eligible or its  
15 equivalent. He must have acquired experience in management and administrative work  
16 for at least five (5) years immediately preceding the date of his appointment.

17  
18 b) The term of the city administrator is co-terminus with that of his appointing  
19 authority.

20  
21 c) The city administrator shall receive such compensation, emoluments and  
22 allowances as may be determined by law.

23  
24 d) The city administrator shall take charge of the city administrator's office, and  
25 shall:

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

1 mayor is empowered to implement and which the sangguniang panlungsod is  
2 empowered to provide for under the Local Government Code of 1991;

3 2. In addition to the foregoing duties and functions, the city administrator  
4 shall assist in the coordination of the work of all the officials of the City under the  
5 supervision, direction and control of the city mayor and, for this purpose, he may  
6 convene the chiefs of offices and other officials of the City;

7 3. Be in the frontline of the delivery of administrative support services,  
8 particularly those related to the situations during and in the aftermath of man-  
9 made and natural disasters or calamities;

10 4. Recommend to the sangguniang panlungsod and advise the city mayor  
11 on all matters relative to the management and administration of the City; and

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

15  
16 **SEC. 42. *The City Legal Officer.*** – a) The city legal officer must be a citizen  
17 of the Philippines, a resident of the City, of good moral character and a member of the  
18 Philippine Bar. He must have practiced his profession for at least five (5) years  
19 immediately preceding the date of his appointment.

20 b) The term of the city legal officer shall be co-terminus with that of his  
21 appointing authority.

22  
23 c) The city legal officer shall receive such compensation, emoluments and  
24 allowances as may be determined by law.

25  
26  
27 d) The city legal officer, the chief legal counsel of the City, shall take charge of  
28 the office of the city legal service, and shall:

1           1. Formulate measures for the consideration of the sangguniang  
2 panlungsod and provide legal assistance and support to the city mayor in  
3 carrying out the delivery of basic services and the provision of adequate facilities;

4           2. Develop plans and strategies and, upon approval thereof by the city  
5 mayor, implement the same, particularly those which have to do with programs  
6 and projects related to legal services which the city mayor is empowered to  
7 implement and which the sangguniang panlungsod is empowered to provide for  
8 under the Local Government Code of 1991;

9           3. In addition to the foregoing duties and functions, the city legal officer  
10 shall:

11                   (i) Represent the City in all civil actions and special  
12 proceedings wherein the City or any official thereof, in his official  
13 capacity, is a party: *Provided, That*, in actions or proceedings where  
14 the City is a party adverse to the provincial government or to another  
15 component city or municipality, a special legal officer may be  
16 employed to represent the adverse party;

17                   (ii) When required by the city mayor or sanggunian, draft  
18 ordinances, contracts, bonds, leases and other instruments involving  
19 any instruments already drawn;

20                   (iii) Render his opinion in writing on any question of law when  
21 requested to do so by the city mayor or sanggunian;

22                   (iv) Investigate or cause to be investigated any local official or  
23 employee for administrative neglect or misconduct in office and  
24 recommend the appropriate action to the city mayor or sanggunian,  
25 as the case may be;

26                   (v) Investigate or cause to be investigated any person, firm  
27 or corporation holding any franchise or exercising any public privilege  
28 for failure to comply with any term or condition in the grant of such

1 franchise or privilege, and recommend appropriate action to the city  
2 mayor or sangguniang panlungsod, as the case may be;

3 (vi) When directed by the city mayor or sanggunian, initiate  
4 and prosecute, in the interest of the City, any civil action on any  
5 bond, lease or other contract upon any breach or violation thereof;  
6 and

7 (vii) Review and submit recommendations on ordinances  
8 approved and executive orders issued by component units;

9 4. Recommend measures to the sangguniang panlungsod and advise the  
10 city mayor on all matters related to upholding the rule of law;

11 5. Be in the frontline of protecting human rights and prosecuting any  
12 violations thereof, particularly those which occur during and in the aftermath of  
13 man-made and natural disasters or calamities; and

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

17  
18 **SEC. 43. *The City Social Welfare and Development Officer.*** – a) The city  
19 social welfare and development officer must be a citizen of the Philippines, a resident of  
20 the City, of good moral character, a duly licensed social worker or a holder of a college  
21 degree preferably in sociology or any other related course from a recognized college or  
22 university and a first grade civil service eligible or its equivalent. He must have  
23 acquired experience in the practice of social work for at least five (5) years immediately  
24 preceding the date of his appointment.

25  
26 b) The city social welfare and development officer shall receive such  
27 compensation, emoluments and allowances as may be determined by law.

28



1 c) The city social welfare and development officer shall take charge of the  
2 office of social welfare and development, and shall:

3 1. Formulate measures for the approval 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 adequate  
6 facilities relative to social welfare and development services;

7 2. Develop plans and strategies and, upon approval thereof by the city  
8 mayor, implement the same, particularly those which have to do with social  
9 welfare programs and projects which the city mayor is empowered to implement  
10 and which the sangguniang panlungsod is empowered to provide for under the  
11 Local Government Code of 1991;

12 3. In addition to the foregoing duties and functions, the city social  
13 welfare and development officer shall:

14 (i) Identify the basic needs of the needy, the disadvantaged and  
15 the impoverished and develop and implement appropriate measures to  
16 alleviate their problems and improve their living conditions;

17 (ii) Provide relief and appropriate crisis intervention for victims of  
18 abuse and exploitation and recommend appropriate measures to deter  
19 further abuse and exploitation;

20 (iii) Assist the city mayor in implementing the barangay level  
21 program for the total development and protection of children up to six  
22 (6) years of age;

23 (iv) Facilitate the implementation of welfare programs for the  
24 differently-abled, elderly and victims of drug addition, the rehabilitation  
25 of prisoners and parolees, the prevention of juvenile delinquency and  
26 such other activities which would eliminate or minimize the ill-effects  
27 of poverty;

1 (v) Initiate and support youth welfare program that will  
2 enhance the role of the youth in nation-building; and

3 (vi) Coordinate with government agencies and  
4 nongovernmental organizations which have for their purpose the  
5 promotion and protection of all the needy, disadvantaged,  
6 underprivileged or impoverished groups or individuals, particularly  
7 those identified to be vulnerable and high-risk to exploitation, abuse  
8 and neglect;

9 4. Be in the frontline of the delivery of services particularly those which  
10 have to do with the immediate relief and assistance during and in the aftermath  
11 of man-made and natural disasters or calamities;

12 5. Recommend to the sangguniang panlungsod and advise the city mayor  
13 on all other matters related to social welfare and development services which will  
14 improve the livelihood and living conditions of the inhabitants; and

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

18  
19 **SEC. 44. *The City Veterinarian.*** – a) The city veterinarian must be a citizen  
20 of the Philippines, a resident of the City, of good moral character and a licensed doctor  
21 of veterinary medicine. He must have practiced his profession for at least three (3)  
22 years immediately preceding the date of his appointment.

23  
24 b) The city veterinarian shall receive such compensation, emoluments and  
25 allowances as may be determined by law.

26  
27 c) The city veterinarian shall take charge of the office of veterinary services,  
28 and shall:

1           1.     Formulate measures for consideration of the sangguniang  
2     panlungsod and provide technical assistance and support to the city mayor in  
3     carrying out measures to ensure the delivery of basic services and the provision  
4     of adequate facilities;

5           2.     Develop plans and strategies and, upon approval thereof by the city  
6     mayor, implement the same, particularly those which have to do with veterinary-  
7     related activities which the city mayor is empowered to implement and which the  
8     sangguniang panlungsod is empowered to provide for under the Local  
9     Government Code of 1991;

10          3.     In addition to the foregoing duties and functions, the city  
11     veterinarian shall:

12           (i)    Advise the city mayor on all matters pertaining to the  
13     slaughter of animals for human consumption and the regulation of  
14     slaughterhouses;

15           (ii)   Regulate the keeping of domestic animals;

16           (iii)  Regulate and inspect poultry, milk and dairy products for  
17     public consumption;

18           (iv)  Enforce all laws and regulations for the prevention of  
19     cruelty to animals; and

20           (v)   Take the necessary measures to eradicate, prevent or cure  
21     all forms of animal diseases;

22          4.     Be in the frontline of veterinary-related activities, such as the  
23     outbreak of highly contagious and deadly diseases and in situations resulting in  
24     the depletion of animals for work and for human consumption, particularly those  
25     arising from and in the aftermath of man-made and natural disasters or  
26     calamities;

27          5.     Recommend to the sangguniang panlungsod and advise the city  
28     mayor on all matters relative to veterinary services which will increase the

1 number and improve the quality of livestock, poultry and other domestic animals  
2 used for work or for human consumption; and

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

6  
7 **SEC. 45. *The City General Services Officer.*** – a) The city general services  
8 officer must be a citizen of the Philippines, a resident of the City, of good moral  
9 character, a holder of a college degree in public administration, business administration  
10 or management from a recognized college or university and a first grade civil service  
11 eligible or its equivalent. He must have acquired experience in general services,  
12 including management of supply, solid waste disposal and general sanitation for at least  
13 five (5) years immediately preceding the date of his appointment.

14  
15 b) The city general services officer shall receive such compensation,  
16 emoluments and allowances as may be determined by law.

17  
18 c) The city general services officer shall take charge of the office of the  
19 general services, and shall:

20 1. Formulate measures for the consideration of the sangguniang  
21 panlungsod and provide technical assistance and support to the city mayor in  
22 carrying out measures to ensure the delivery of basic services and the provision  
23 of adequate facilities which require general services expertise and technical  
24 support services;

25 2. Develop plans and strategies and, upon approval thereof by the city  
26 mayor, implement the same, particularly those which have to do with the general  
27 services supportive of the welfare of the inhabitants of the City which the city

1 mayor is empowered to implement and which the sangguniang panlungsod is  
2 empowered to provide for under the Local Government Code of 1991;

3 3. In addition to the foregoing duties and functions, the city general  
4 services officer shall:

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

8 (ii) With the approval of the city mayor, assign building or  
9 land space to local officials or other public officials which, by law, are  
10 entitled to space;

11 (iii) Recommend to the city mayor the reasonable rental rates  
12 for local government properties, whether real or personal, which will  
13 be leased to public or private entities, owned by the City;

14 (iv) Recommend to the city mayor reasonable rental rates for  
15 private properties which may be leased for the official use of the  
16 City;

17 (v) Maintain and supervise janitorial, security, landscaping  
18 and other related services in all local government public buildings  
19 and other real property, whether owned or leased by the City;

20 (vi) Collate and disseminate information regarding prices,  
21 shipping and other costs of supplies and other items commonly used  
22 by the City;

23 (vii) Perform archival and record management with respect to  
24 records of offices and development of the City; and

25 (viii) Perform all other functions pertaining to supply and  
26 property management and enforce policies on records creation,  
27 maintenance and disposal;

1           4.     Be in the frontline of general services-related activities, such as the  
2 possible and imminent destruction or damage to records, supplies, properties  
3 and structure materials or debris particularly during and in the aftermath of man-  
4 made and natural disasters or calamities;

5           5.     Recommend to the sangguniang panlungsod and advise the city  
6 mayor on all matters relative to general services; and

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

10  
11         **SEC. 46. *The City Information Officer.*** – a) The city information officer must  
12 be a citizen of the Philippines, a resident of the City, of good moral character, a holder  
13 of a college degree preferably in journalism or mass communications or any related  
14 course from a recognized college or university and a first grade civil service eligible or  
15 its equivalent. He must have acquired experience in writing articles and research  
16 papers or writing for print, television, broadcast and other forms of mass media for at  
17 least five (5) years immediately preceding the date of his appointment.

18  
19         b)     The city information officer shall receive such compensation, emoluments  
20 and allowances as may be determined by law.

21  
22         c)     The city information officer shall take charge of the office on public  
23 information, and shall:

24           1.     Formulate measures for the consideration of the sangguniang  
25 panlungsod and provide technical assistance and support to the city mayor in  
26 providing the information and research data required for the delivery of basic  
27 services and the provision of adequate facilities so that the public becomes  
28 aware of said services and may fully avail of the same;

1           2.     Develop plans and strategies and, upon approval thereof by the city  
2     mayor, implement the same, particularly those which have to do with public  
3     information and research data to support programs and projects which the city  
4     mayor is empowered to implement and which the sangguniang panlungsod is  
5     empowered to provide for under the Local Government Code of 1991;

6           3.     In addition to the foregoing duties and functions, the city  
7     information officer shall:

8                   (i)    Provide relevant, adequate and timely information to the  
9     City and its residents;

10                   (ii)   Furnish information and data on the City to government  
11     agencies or offices as may be required by law or ordinance and  
12     nongovernmental organizations to be furnished to said agencies and  
13     organizations; and

14                   (iii)   Maintain effective liaison with the various sectors of the  
15     community on matters and issues that affect the livelihood and the  
16     quality of life of the inhabitants and encourage support for programs  
17     of the local and national governments;

18           4.     Be in the frontline in providing information during and in the  
19     aftermath of man-made and natural disasters or calamities, with special attention  
20     to the victims thereof, to help minimize injuries and casualties during and after  
21     the emergency, and to accelerate relief and rehabilitation;

22           5.     Recommend to the sangguniang panlungsod and advise the city  
23     mayor on all matters relative to public information and research data as it relates  
24     to the total socioeconomic development of the City; and

25           6.     Perform such other duties and functions and exercise such other  
26     powers as provided for under the Local Government Code of 1991, and those  
27     that are prescribed by law or ordinance.

1           SEC. 47. ***The City Cooperatives Officer.*** – a) The city cooperatives officer  
2 must be a citizen of the Philippines, a resident of the City, of good moral character, a  
3 holder of a college degree preferably in business administration with special training on  
4 cooperatives or any related course from a recognized college or university and a first  
5 grade civil service eligible or its equivalent. He must have acquired experience in  
6 cooperatives development for at least five (5) years immediately preceding the date of  
7 his appointment.

8  
9           b) The city cooperatives officer shall receive such compensation, emoluments  
10 and allowances as may be determined by law.

11  
12           c) The city cooperatives officer shall take charge of the office for the  
13 development of cooperatives, and shall:

14                   1. Formulate measures for the consideration of the sangguniang  
15 panlungsod and provide technical assistance and support to the city mayor in  
16 carrying out measures to ensure the delivery of basic services and the provision  
17 of facilities through the development of cooperatives, and in providing access to  
18 such services and facilities;

19                   2. Develop plans and strategies and, upon approval thereof by the city  
20 mayor, implement the same, particularly those which have to do with the  
21 integration of cooperatives principles and methods in programs and projects  
22 which the city mayor is empowered to implement and which the sangguniang  
23 panlungsod is empowered to provide for under the Local Government Code of  
24 1991;

25                   3. In addition to the foregoing duties and functions, the city  
26 cooperatives officer shall:

27                           (i) Assist in the organization of cooperatives;



1 (ii) Provide technical and other forms of assistance to existing  
2 cooperatives to enhance their viability as an economic enterprise and  
3 social organization; and

4 (iii) Assist cooperatives in establishing linkages with government  
5 agencies and nongovernmental organizations involved in the  
6 promotion and integration of the concept of cooperatives in the  
7 livelihood of the people and other community activities;

8 4. Be in the frontline of cooperatives organization, rehabilitation or  
9 viability enhancement, particularly during and in the aftermath of man-made and  
10 natural disasters or calamities, to aid in their survival and, if necessary,  
11 subsequent rehabilitation;

12 5. Recommend to the sangguniang panlungsod and advise the city  
13 mayor on all other matters relative to cooperatives development and viability  
14 enhancement which will improve the livelihood and the quality of life of the  
15 inhabitants; and

16 6. Perform such other duties and functions and exercise such other  
17 powers as provided for under the Local Government Code of 1991, and those  
18 that are prescribed by law or ordinance.

19  
20 **SEC. 48. *The City Population Officer.*** – a) The city population officer must  
21 be a citizen of the Philippines, a resident of the City, of good moral character, a holder  
22 of a college degree preferably with specialized training in population development from  
23 a recognized college or university and a first grade civil service eligible or its equivalent.  
24 He must have acquired experience in the implementation of programs on population  
25 development or responsible parenthood for at least five (5) years immediately  
26 preceding the date of his appointment.

27

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

3  
4           c) The city population officer shall take charge of the office of the population  
5 development, and shall:

6           1. Formulate measures for the consideration of the sangguniang  
7 panlungsod and provide technical assistance and support to the city mayor in  
8 carrying out measures to ensure the delivery of basic services and the provision  
9 of adequate facilities relative to the integration of the population development  
10 principles and in providing access to said services and facilities;

11           2. Develop plans and strategies and, upon approval thereof by the city  
12 mayor, implement the same, particularly those which have to do with the  
13 integration of population development principles and methods in programs and  
14 projects which the city mayor is empowered to implement and which the  
15 sangguniang panlungsod is empowered to provide for under the Local  
16 Government Code of 1991;

17           3. In addition to the foregoing duties and functions, the city population  
18 officer shall:

19           (i) Assist the city mayor in the implementation of the  
20 constitutional provisions relative to population development and the  
21 promotion of responsible parenthood;

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

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

1           4. Perform such other duties and functions and exercise such other  
2 powers as provided for under the Local Government Code of 1991, and those  
3 that are prescribed by law or ordinance.  
4

5           **SEC. 49. *The City Agriculturist.*** – a) The city agriculturist must be a citizen of  
6 the Philippines, a resident of the City, of good moral character, a holder of a college  
7 degree preferably in agriculture or any other related course from a recognized college  
8 or university and a first grade civil service eligible or its equivalent. He must have  
9 practiced his profession in agriculture or acquired experience for at least five (5) years  
10 preceding the date of his appointment.  
11

12           b) The city agriculturist shall receive such compensation, emoluments and  
13 allowances as may be determined by law.  
14

15           c) The city agriculturist shall take charge of the office for agricultural services,  
16 and shall:

17               1. Formulate measures for the approval of the sangguniang panlungsod  
18 and provide technical assistance and support to the city mayor in carrying out  
19 measures to ensure the delivery of basic services and the provision of adequate  
20 facilities relative to agricultural services;

21               2. Develop plans and strategies and, upon approval thereof by the city  
22 mayor, implement the same, particularly those which have to do with agricultural  
23 programs and projects which the city mayor is empowered to implement and  
24 which the sangguniang panlungsod is empowered to provide for under the Local  
25 Government Code of 1991;

26               3. In addition to the foregoing duties and functions, the city  
27 agriculturist shall:

1 (i) Ensure that maximum assistance and access to resources  
2 in the production, processing and marketing of agricultural and  
3 aquaculture products are extended to farmers and local  
4 entrepreneurs;

5 (ii) Conduct or cause to be conducted location-specific  
6 agricultural researches and assist in making available the appropriate  
7 technology arising out of and disseminating information on basic  
8 research on crops, prevention and control of plant diseases and pests  
9 and other agricultural matters which will maximize productivity;

10 (iii) Assist the city mayor in the establishment and extension  
11 services of demonstration farms on aquaculture products;

12 (iv) Enforce rules and regulations relating to agriculture and  
13 aquaculture; and

14 (v) Coordinate with government agencies and  
15 nongovernmental organizations which promote agricultural  
16 productivity through appropriate technology compatible with  
17 environmental integrity;

18 4. Be in the frontline of the delivery of basic agricultural services,  
19 particularly those needed for the survival of the inhabitants during and in the  
20 aftermath of man-made and natural disasters or calamities;

21 5. Recommend to the sangguniang panlungsod and advise the city  
22 mayor on all other matters related to agriculture and aquaculture which will  
23 improve the livelihood and living conditions of the inhabitants; and

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

27

1           SEC. 50. *The City Environment and Natural Resources Officer.* – a) The  
2 city environment and natural resources officer must be a citizen of the Philippines, a  
3 resident of the City, of good moral character, a holder of a college degree preferably in  
4 environment, forestry, agriculture or any other related course from a recognized college  
5 or university and a first grade civil service eligible or its equivalent. He must have  
6 acquired experience in environment and natural resources management, conservation  
7 and utilization work for at least five (5) years immediately preceding the date of his  
8 appointment.

9  
10           b) The city environment and natural resources officer shall receive such  
11 compensation, emoluments and allowances as may be determined by law.

12  
13           c) The city environment and natural resources officer shall take charge of the  
14 office of the environment and natural resources, and shall:

15                 1. Formulate measures for the consideration of the sangguniang  
16 panlungsod and provide assistance and support to the city mayor in carrying out  
17 measures to ensure the delivery of basic services and the provision of adequate  
18 facilities relative to environment and natural resources services as provided for  
19 under Section 17 of the Local Government Code of 1991;

20                 2. Develop plans and strategies and, upon approval thereof by the city  
21 mayor, implement the same, particularly those which have to do with the  
22 environment and natural resources programs and projects which the city mayor  
23 is empowered to implement and which the sangguniang panlungsod is  
24 empowered to provide for under the Local Government Code of 1991;

25                 3. In addition to the foregoing duties and functions, the city  
26 environment and natural resources officer shall:

27                         (i) Establish, maintain, protect and preserve communal forests,  
28 watersheds, tree parks, mangroves, greenbelts, commercial forests

1 and similar forest projects like industrial tree farms and agro-forestry  
2 projects;

3 (ii) Provide extension service to beneficiaries of forest  
4 development projects and render assistance for natural resources-  
5 related conservation and utilization activities consistent with  
6 ecological balance;

7 (iii) Manage and maintain seed banks and produce seedlings for  
8 forest and tree parks;

9 (iv) Promote the small-scale mining and utilization of mineral  
10 resources, particularly the mining of gold; and

11 (v) Coordinate with government agencies and  
12 nongovernmental organizations in the implementation of measures to  
13 prevent and control land, air and water pollution, with the assistance  
14 of the Department of Environment and Natural Resources;

15 4. Be in the frontline of the delivery of services concerning the  
16 environment and natural resources, particularly in the renewal and rehabilitation  
17 of the environment during and in the aftermath of man-made and natural  
18 disasters or calamities;

19 5. Recommend to the sangguniang panlungsod and advise the city  
20 mayor on all matters relative to protection, conservation, maximum utilization,  
21 application of appropriate technology and other matters related to the  
22 environment and natural resources; and

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

26  
27 **SEC. 51. *The City Tourism Officer.*** – a) The city tourism officer must be a  
28 citizen of the Philippines, a resident of the City, of good moral character, a holder of a

1 college degree preferably with specialized training in tourism development from a  
2 recognized college or university and a first grade civil service eligible or its equivalent.  
3 He must have acquired experience in the implementation of programs on tourism  
4 development for at least five (5) years immediately preceding the date of his  
5 appointment.

6  
7 b) The city tourism officer shall receive such compensation, emoluments and  
8 allowances as may be determined by law.

9  
10 c) The city tourism officer shall take charge of the city tourism office and shall  
11 assist the city mayor and the local tourism council in developing and implementing  
12 programs, and shall:

13 1. Encourage the local government unit to enact local legislation adopting  
14 the Department of Tourism (DOT) accreditation standards for tourism facilities  
15 and services;

16 2. Ensure a pleasant experience and stay of tourists while at the same  
17 time protecting the interests, welfare and rights of the City;

18 3. Develop tourist products and destinations that will benefit the City and  
19 its local community;

20 4. Pursue the implementation of the national tourism master plans, the  
21 national ecotourism strategy and the area specific plans of the national and local  
22 government units;

23 5. Support the local government unit in promoting festivals, fiestas and  
24 other tourism-related activities; and

25 6. Perform such other duties and functions and exercise such other powers  
26 as provided for under the Local Government Code of 1991, and those that are  
27 prescribed by law or ordinance.

1           **SEC. 52. *The City Human Resource Development Officer.*** – a) The city  
2 human resource development officer must be a citizen of the Philippines, a resident of  
3 the City, of good moral character, a holder of a college degree preferably in psychology  
4 or any related course from a recognized college or university and a first grade civil  
5 service eligible or its equivalent. He must have acquired experience in personnel  
6 administration for at least five (5) years immediately preceding the date of his  
7 appointment.

8  
9           b) The city human resource development officer shall receive such  
10 compensation, emoluments and allowances as may be determined by law.

11  
12           c) The city human resource development officer shall take charge of the human  
13 resource development office, and shall:

14                   1. Develop a human resource management program for approval by the  
15 city mayor and the sangguniang panlungsod;

16                   2. Assist the city mayor in implementing the city's policies and programs  
17 relative to recruitment and selection, appointments, training, promotion,  
18 compensation and other personnel actions involving officials and employees of  
19 the City;

20                   3. Recommend to the sangguniang panlungsod and advise the city  
21 mayor on all matters relative to human resource management and  
22 development;

23                   4. Establish and maintain a sound personnel program for the City  
24 designed to promote career development and uphold the merit principle in the  
25 local government service;

26                   5. Conduct a continuing organizational development of the City, with the  
27 end in view of instituting effective administrative reforms; and



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

4  
5                                   **ARTICLE VIII**  
6

7                               **The City Fire Station Service, The City Jail**  
8                               **Service, The City Schools Division And**  
9                               **The City Prosecution Service**  
10

11  
12           **SEC. 53. *The City Fire Station Service.*** – a) There shall be established in the  
13 City at least one (1) fire station with adequate personnel, firefighting facilities and  
14 equipment, subject to the standards, rules and regulations that may be promulgated by  
15 the Department of the Interior and Local Government (DILG). The City shall provide  
16 the necessary land or site of the station.  
17

18           b) The city fire station service shall be headed by a city fire marshal whose  
19 qualifications shall be as those provided for under the Philippine National Police Law.  
20

21           c) The city fire station shall be responsible for the provision of various  
22 emergency services such as the rescue and evacuation of injured people at fire-related  
23 incidents and, in general, fire prevention and suppression measures to secure the safety  
24 of life and property of the citizenry.  
25

26           **SEC. 54. *The City Jail Service.*** – a) There shall be established and maintained  
27 in the City a secured, clean and adequately equipped jail for the custody and  
28 safekeeping of prisoners, any fugitive from justice, or person detained awaiting  
29 investigation or trial or transfer to the national penitentiary, or the violent mentally ill  
30 person who endangers himself or the safety of others, duly certified as such by the  
31 proper medical health officer, pending the transfer to a mental institution.  
32

1           b) The city jail service shall be headed by a city jail warden who must be a  
2 holder of a Bachelor's degree in psychology, psychiatry, sociology, nursing, social work  
3 or criminology, and possess all the necessary qualifications required by the Bureau of  
4 Jail Management and Penology. The city jail warden shall assist in the immediate  
5 rehabilitation of individuals or detention of prisoners. Great care must be exercised so  
6 that the human rights of these prisoners are respected and protected, and their spiritual  
7 and physical well-being is properly and promptly attended to. Likewise, the City shall  
8 ensure that proper separate detention centers for juveniles and women are provided  
9 for.

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11           **SEC. 55. *The City Schools Division.*** – a) The Department of Education shall  
12 establish and maintain a city schools division of the City of Manolo Fortich whose area  
13 of jurisdiction will cover all the school districts within the City.

14

15           b) The city schools division shall be headed by a city schools division  
16 superintendent who must possess the necessary qualifications required by the DepEd.

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18           **SEC. 56. *The City Prosecution Service.*** – a) There shall be established in the  
19 City a prosecution service to be headed by a city prosecutor and such number of  
20 assistant city prosecutors as may be necessary who shall be organizationally part of the  
21 Department of Justice (DOJ), and under the supervision and control of the Secretary of  
22 Justice and whose qualifications, manner of appointment, rank, salary and benefits shall  
23 be governed by existing laws covering prosecutors in the DOJ.

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

28

1 c) The Secretary of Justice shall always assure the adequacy and quality of  
2 prosecution service in the City and for this purpose shall, in the absence or lack or  
3 insufficiency in number of assistant city prosecutors as provided hereinabove, designate  
4 from among the assistant provincial prosecutors a sufficient number to perform and  
5 discharge the functions of the city prosecution service as provided hereinabove.

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7  
8 **ARTICLE IX**

9  
10 **TRANSITORY AND FINAL PROVISIONS**

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13 **SEC. 57. *Municipal Ordinances Existing at the Time of the Approval of***  
14 ***This Act.*** – All municipal ordinances of the Municipality of Manolo Fortich existing at  
15 the time of the approval of this Act shall continue to be in force and effect within the  
16 City of Manolo Fortich until the sangguniang panlungsod shall provide otherwise.

17  
18 **SEC. 58. *Plebiscite.*** – The City of Manolo Fortich shall acquire corporate  
19 existence upon the ratification of its creation by a majority of the votes cast by the  
20 qualified voters in a plebiscite to be conducted in the present Municipality of Manolo  
21 Fortich within thirty (30) days from the approval of this Act. The expenses for such  
22 plebiscite shall be borne by the Municipality of Manolo Fortich. The Commission on  
23 Elections shall conduct and supervise such plebiscite.

24  
25 **SEC. 59. *Officials of the City of Manolo Fortich.*** – The present elective  
26 officials of the Municipality of Manolo Fortich shall continue to exercise their powers and  
27 functions until such time that a new election is held and the duly elected officials shall  
28 have already qualified and assumed their offices. The appointive officials and  
29 employees of the municipality shall likewise continue exercising their functions and  
30 duties and they shall automatically be absorbed by the city government of Manolo  
31 Fortich.

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SEC. 60. **Succession Clause.** – The City of Manolo Fortich shall succeed to all the assets, properties, liabilities and obligations of the Municipality of Manolo Fortich.

SEC. 61. **Election of Provincial Governor and Sangguniang Panlalawigan Members of the Province of Bukidnon.** – The qualified voters of the City of Manolo Fortich shall be qualified to vote and run for any elective position in the elections for provincial governor, provincial vice governor, sangguniang panlalawigan members and other elective offices for the Province of Bukidnon.

SEC. 62. **Jurisdiction of the Province of Bukidnon.** – The City of Manolo Fortich shall, unless otherwise provided by law, continue to be under the jurisdiction of the Province of Bukidnon.

SEC. 63. **Suspension of Increase in Rates of Local Taxes.** – No increase in the rates of local taxes shall be imposed by the City within the period of five (5) years from its acquisition of corporate existence.

SEC. 64. **Applicability of Laws.** – The provisions of Republic Act No 7160, otherwise known as the Local Government Code of 1991, and such laws as are applicable to component cities shall govern the City of Manolo Fortich insofar as they are not inconsistent with the provisions of this Act.

SEC. 65. **Reservation.** – Nothing herein contained shall preclude the determination by the appropriate agency or forum of any boundary dispute or case involving question of territorial jurisdiction between the City of Manolo Fortich and any of the adjoining local government units even after the effectivity of this Act.

1           SEC. 66. **Separability Clause.** – If, for any reason, any part or provision of this  
2 Act is declared invalid or unconstitutional, the remaining parts or provisions not affected  
3 thereby shall remain in full force and effect.

4

5           SEC. 67. **Repealing Clause.** – All laws, decrees, rules and regulations or parts  
6 thereof inconsistent with the provisions of this Act are hereby repealed, or modified  
7 accordingly.

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9           SEC. 68. **Effectivity.** – This Act shall take effect fifteen (15) days after  
10 publication in the Official Gazette or in a newspaper of general circulation.

Approved,