

7 JUN 25 2007

SENATE

COMMITTEE REPORT NO. 225

Submitted by the Committee on Local Government on JAN 25 2007

Re : House Bill No. 6002

Recommending its approval with amendments.

Sponsor : Senator Lim

MR. PRESIDENT:

The Committee on Local Government to which was referred House Bill No. 6002, introduced by Representatives Gullas, Cari, Petilla, Marcos, Salapuddin, Figueroa, Martinez, Wacnang, Amante, Nantes, Baculio and Pichay, entitled:

**"AN ACT
CONVERTING THE MUNICIPALITY OF CARCAR IN THE PROVINCE OF CEBU INTO A
COMPONENT CITY TO BE KNOWN AS THE CITY OF CARCAR"**

has considered the same and has the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 4, line 4, insert the words "SANGGUNIANG PANLUNGSOD OF THE" between the words "The" and "City";
2. On page 7, line 23, change the semi-colon (;) after the word "(DepEd)" to a comma (,) and insert the phrase, "THE COMMISSION ON HIGHER EDUCATION (CHED) OR THE PHILIPPINE SPORTS COMMISSION (PSC);";
3. On page 11, line 26, add the following sentence after the period: "THE ELECTIVE MEMBERS OF THE SANGGUNIANG PANLUNGSOD SHALL POSSESS THE QUALIFICATIONS AS PROVIDED UNDER SECTION 39 OF REPUBLIC ACT NO. 7160.";
4. On page 13, line 10, insert the phrase "CONSISTENT WITH THE SALARY STANDARDIZATION LAW," before the word "Determine" whose capital letter "D" is changed to a small letter "d";
5. On page 14, line 21, change the semi-colon (;) after the word "indebtedness" to a period (.) and thereafter add the following sentences: "THE APPLICATION FOR LOANS OR OTHER FORMS OF INDEBTEDNESS AND THE TERMS AND CONDITIONS THEREOF SHALL, BEFORE APPROVAL, BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY. ONCE APPROVED, THE CONTRACT COVERING THE LOANS OR OTHER FORMS OF INDEBTEDNESS SHALL BE FURNISHED TO ANY CITY RESIDENT REQUESTING A COPY THEREOF, UPON PAYMENT OF REASONABLE FEES;"

6. On page 14, line 26, change the semi-colon (;) after the word "projects" to a period (.), and then add the following sentences: "THE AUTHORIZATION TO FLOAT BONDS AND OTHER INSTRUMENTS OF INDEBTEDNESS SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY. ONCE APPROVED, THE CONTRACT COVERING THE FLOATING OF BONDS OR OTHER INSTRUMENTS OF INDEBTEDNESS SHALL BE FURNISHED TO ANY CITY RESIDENT REQUESTING A COPY THEREOF UPON PAYMENT OF REASONABLE FEES;"
7. On page 15, insert a new paragraph between lines 22 and 23, to read as follows:

"(XI) SUBJECT TO THE PROVISIONS OF BOOK II OF THE LOCAL GOVERNMENT CODE, CONTROL FISHING AND RELATED ACTIVITIES WITHIN THE CITY RIVERS AND WATERS;"

Re-number the succeeding paragraphs accordingly;
8. On page 20, line 14, insert a comma (,) after the word "DepEd" and then add the phrase "THE CHED OR THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY,";
9. On page 23, lines 20 and 21, delete the phrase "and twice a month for the sangguniang barangay";
10. On page 27, line 16, insert the phrase "AND IN THE DIALECT USED BY THE MAJORITY OF THE RESIDENTS OF THE CITY" between the words "English" and "and";
11. On the same page, line 27, delete the words "DISQUALIFICATION AND" from the title of Article VI;
12. On pages 27 and 28, delete the entire Sec. 22;
13. On page 28, lines 14 to 22, amend the title and paragraph (a) of Sec. 23, to read as follows:

"SEC. 22. *Permanent Vacancy in the OfficeS of the City Mayor and the City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the city mayor, the city vice mayor [concerned] shall become the city mayor. If a permanent vacancy occurs in the office of the city vice mayor, the highest ranking sangguniang panlungsod member or, in case of his permanent incapacity, the second highest ranking sangguniang panlungsod member shall become the [city mayor or] city vice mayor[, as the case may be]. **IF PERMANENT VACANCIES OCCUR IN BOTH THE OFFICES OF THE CITY MAYOR AND THE CITY VICE MAYOR, THE FIRST AND SECOND HIGHEST RANKING SANGGUNIANG PANLUNGSOD MEMBERS, OR IN CASE OF PERMANENT INCAPACITY OF ONE OR BOTH OF THEM, THE NEXT HIGHEST RANKING SANGGUNIANG PANLUNGSOD MEMBER OR MEMBERS, SHALL BECOME THE CITY MAYOR AND THE CITY VICE MAYOR, RESPECTIVELY.** Subsequent vacancies in said offices shall be filled automatically by the other sanggunian members according to their ranking as defined herein."
14. On page 31, line 20, delete the number "57" and the phrase "under Book I" and in lieu thereof, insert the number "327";

15. On page 33, line 15, change the word "may" to "SHALL";
16. On page 37, line 26, change the word "City" to "barangays";
17. On page 43, insert a new paragraph (2) between lines 21 and 22, to read as follows:

"(2) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY ADMINISTRATOR SHALL:

(I) ASSIST IN THE COORDINATION OF THE WORK OF ALL THE OFFICIALS OF THE CITY UNDER THE SUPERVISION, DIRECTION AND CONTROL OF THE CITY MAYOR AND, FOR THIS PURPOSE, HE MAY CONVENE THE CHIEFS OF OFFICES AND OTHER OFFICIALS OF THE CITY;

(II) ESTABLISH AND MAINTAIN A SOUND PERSONNEL PROGRAM FOR THE CITY DESIGNED TO PROMOTE CAREER DEVELOPMENT AND UPHOLD THE MERIT PRINCIPLE IN THE LOCAL GOVERNMENT SERVICE; AND

(III) CONDUCT A CONTINUING ORGANIZATIONAL DEVELOPMENT OF THE CITY WITH THE END IN VIEW OF INSTITUTING EFFECTIVE ADMINISTRATIVE REFORMS.

Renumber succeeding paragraphs accordingly;

18. On page 44, line 5, add a new sentence after the period, to read as follows:

"THE TERM OF THE CITY LEGAL OFFICER SHALL BE COTERMINOUS WITH THAT OF THE APPOINTING AUTHORITY."

19. On the same page, insert a new paragraph (3) between lines 18 and 19, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY LEGAL OFFICER SHALL:

(I) REPRESENT THE CITY OF CARCAR IN ALL CIVIL ACTIONS AND SPECIAL PROCEEDINGS WHEREIN THE CITY OR ANY OF ITS OFFICIAL, IN HIS OFFICIAL CAPACITY, IS A PARTY: *PROVIDED*, THAT IN ACTIONS OR PROCEEDINGS WHERE THE CITY IS A PARTY ADVERSE TO THE PROVINCIAL GOVERNMENT OR TO ANOTHER COMPONENT CITY OR MUNICIPALITY, A SPECIAL LEGAL OFFICER MAY BE EMPLOYED TO REPRESENT THE ADVERSE PARTY;

(II) WHEN REQUIRED BY THE CITY MAYOR, OR SANGGUNIANG PANLUNGSOD, DRAFT ORDINANCES, CONTRACTS, BONDS, LEASES AND OTHER INSTRUMENTS, INVOLVING ANY INTEREST OF THE CITY AND PROVIDE COMMENTS AND RECOMMENDATIONS ON ANY INSTRUMENT ALREADY DRAWN;

(III) RENDER HIS OPINION IN WRITING ON ANY QUESTION OF LAW WHEN REQUESTED TO DO SO BY THE CITY MAYOR OR SANGGUNIANG PANLUNGSOD;

(IV) INVESTIGATE OR CAUSE TO BE INVESTIGATED ANY CITY OFFICIAL OR EMPLOYEE FOR ADMINISTRATIVE NEGLECT OR MISCONDUCT IN OFFICE, AND RECOMMEND APPROPRIATE ACTION TO THE CITY, MAYOR OR SANGGUNIANG PANLUNGSOD, AS THE CASE MAY BE;

(V) INVESTIGATE OR CAUSE TO BE INVESTIGATED ANY PERSON, FIRM OR CORPORATION HOLDING ANY FRANCHISE OR EXERCISING ANY PUBLIC PRIVILEGE FOR FAILURE TO COMPLY WITH ANY TERM OR CONDITION IN THE GRANT OF SUCH FRANCHISE OR PRIVILEGE, AND RECOMMENDING APPROPRIATE ACTION TO THE CITY MAYOR OR SANGGUNIANG PANLUNGSOD, AS THE CASE MAY BE;

(VI) WHEN DIRECTED BY THE CITY, MAYOR, OR SANGGUNIANG PANLUNGSOD, INITIATE AND PROSECUTE IN THE INTEREST OF THE CITY OF CARCAR ANY CIVIL ACTION ON ANY BOND, LEASE OR OTHER CONTRACT UPON ANY BREACH OR VIOLATION THEREOF; AND

(VII) REVIEW AND SUBMIT RECOMMENDATIONS ON ORDINANCES APPROVED AND EXECUTIVE ORDERS ISSUED BY COMPONENT BARANGAYS;"

Renumber the succeeding paragraphs accordingly;

20. On page 45, insert a new paragraph (3) between lines 17 and 18, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY SOCIAL WELFARE AND DEVELOPMENT OFFICER SHALL:

(I) IDENTIFY THE BASIC NEEDS OF THE NEEDY, THE DISADVANTAGED AND THE IMPOVERISHED AND DEVELOP AND IMPLEMENT APPROPRIATE MEASURES TO ALLEVIATE THEIR PROBLEMS AND IMPROVE THEIR LIVING CONDITIONS;

(II) PROVIDE RELIEF AND APPROPRIATE CRISIS INTERVENTION FOR VICTIMS OF ABUSE AND EXPLOITATION AND RECOMMEND APPROPRIATE MEASURES TO DETER FURTHER ABUSE AND EXPLOITATION;

(III) ASSIST THE CITY MAYOR IN IMPLEMENTING THE BARANGAY LEVEL PROGRAM FOR THE TOTAL DEVELOPMENT AND PROTECTION OF CHILDREN UP TO SIX (6) YEARS OF AGE;

(IV) FACILITATE THE IMPLEMENTATION OF WELFARE PROGRAMS FOR THE DIFFERENTLY-ABLED, ELDERLY, AND VICTIMS OF DRUG ADDICTION, THE REHABILITATION OF PRISONERS AND PAROLEES, THE PREVENTION OF JUVENILE DELINQUENCY AND SUCH OTHER ACTIVITIES WHICH WOULD ELIMINATE OR MINIMIZE THE ILL-EFFECTS OF POVERTY;

(V) INITIATE AND SUPPORT YOUTH WELFARE PROGRAMS THAT WILL ENHANCE THE ROLE OF THE YOUTH IN NATION-BUILDING; AND

(VI) COORDINATE WITH GOVERNMENT AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS WHICH HAVE FOR THEIR PURPOSE THE PROMOTION AND PROTECTION OF ALL NEEDY, DISADVANTAGED, UNDERPRIVILEGED OR IMPOVERISHED GROUPS OR INDIVIDUALS, PARTICULARLY THOSE IDENTIFIED TO BE VULNERABLE AND HIGH-RISK TO EXPLOITATION, ABUSE AND NEGLECT;"

Renumber the succeeding paragraphs accordingly;

21. On page 46, insert a new paragraph (3) between lines 14 and 15, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY VETERINARIAN SHALL:

(I) ADVISE THE CITY MAYOR ON ALL MATTERS PERTAINING TO THE SLAUGHTER OF ANIMALS FOR HUMAN CONSUMPTION AND THE REGULATION OF SLAUGHTER HOUSES;

(II) REGULATE THE KEEPING OF DOMESTIC ANIMALS;

(III) REGULATE AND INSPECT POULTRY, MILK AND DAIRY PRODUCTS FOR PUBLIC CONSUMPTION;

(IV) ENFORCE ALL LAWS AND REGULATIONS FOR THE PREVENTION OF CRUELTY TO ANIMALS; AND

(V) TAKE THE NECCESARY MEASURES TO ERADICATE, PREVENT OR CURE ALL FORMS OF ANIMAL DISEASES;"

Renumber the succeeding paragraphs accordingly;

22. On page 47, line 4, change the word "three" to "FIVE";

23. On the same page, insert a new paragraph (3) between lines 18 and 19, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY GENERAL SERVICES OFFICER SHALL:"

21. On the same page, line 19, change the number "(3)" to Roman numeral (I);

24. On the same page, insert new paragraphs between lines 21 and 22, to read as follows:

"(II) WITH THE APPROVAL OF THE CITY MAYOR, ASSIGN BUILDING OR LANDSPACE TO CITY OFFICIALS AND OTHER PUBLIC OFFICIALS WHO BY LAW, ARE ENTITLED TO SUCH SPACE;

(III) RECOMMEND TO THE CITY MAYOR THE REASONABLE RENTAL RATES FOR CITY PROPERTIES, WHETHER REAL OR PERSONAL, WHICH WILL BE LEASED TO PUBLIC OR PRIVATE ENTITIES BY THE CITY GOVERNMENT;

(IV) RECOMMEND TO THE CITY MAYOR REASONABLE RENTAL RATES OF PRIVATE PROPERTIES WHICH MAY BE LEASED FOR THE OFFICIAL USE OF THE CITY GOVERNMENT;

(V) MAINTAIN AND SUPERVISE JANITORIAL, SECURITY, GOVERNMENT PUBLIC BUILDINGS AND OTHER REAL PROPERTY, WHETHER OWNED OR LEASED BY THE CITY GOVERNMENT;

(VI) COLLATE AND DISSEMINATE INFORMATION REGARDING PRICES, SHIPPING AND OTHER COSTS OF SUPPLIES AND OTHER ITEMS COMMONLY USED BY THE CITY GOVERNMENT;

(VII) PERFORM ARCHIVAL AND RECORD MANAGEMENT WITH RESPECT TO RECORDS OF OFFICES AND DEPARTMENTS OF THE CITY GOVERNMENT; AND

(VIII) PERFORM ALL OTHER FUNCTIONS PERTAINING TO SUPPLY AND PROPERTY MANAGEMENT AND ENFORCE POLICIES ON RECORDS CREATION, MAINTENANCE AND DISPOSAL;"

Renumber the succeeding paragraphs accordingly;

25. On page 48, insert a new paragraph (3) between lines 23 and 24, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY ENVIRONMENT AND NATURAL RESOURCES OFFICER SHALL;

(I) ESTABLISH, MAINTAIN, PROTECT AND PRESERVE COMMUNAL FORESTS, WATERSHEDS, TREE PARKS, MANGROVES, GREENBELTS AND SIMILAR FOREST PROJECTS AND COMMERCIAL FORESTS, LIKE INDUSTRIAL TREE FARMS AND AGRO-FORESTRY PROJECTS;

(II) PROVIDE EXTENTION SERVICES TO THE BENEFICIARIES OF FOREST DEVELOPMENT PROJECTS AND TECHNICAL, FINANCIAL, AND INRASTRUCTURE ASSISTANCE;

(III) MANAGE AND MAINTAIN SEEDBANKS AND PRODUCE SEEDLINGS FOR FOREST AND TREE PARKS;

(IV) RENDER ASSISTANCE FOR NATURAL RESOURCES-RELATED CONSERVATION AND UTILIZATION ACTIVITIES CONSISTENT WITH ECOLOGICAL BALANCE;

(V) PROMOTE THE SMALL-SCALE MINING AND UTILIZATION OF MINERAL RESOURCES PARTICULARLY MINING OF GOLD; AND

(VI) COORDINATE WITH GOVERNMENT AGENCIES AND NON- GOVERNMENTAL ORGANIZATIONS IN THE IMPLEMENTATION OF MEASURES TO PREVENT AND CONTROL LAND, AIR AND WATER POLLUTION WITH THE ASSISTANCE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES;"

Renumber the succeeding paragraphs accordingly;

26. On page 49, insert a new paragraph (3) between lines 22 and 23, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY ARCHITECT SHALL:

(I) PREPARE AND RECOMMEND FOR CONSIDERATION OF THE SANGGUNIANG PANLUNGSOD THE ARCHITECTURAL PLAN AND DESIGN FOR THE CITY OR A PART THEREOF, INCLUDING THE RENEWAL OF SLUMS AND BLIGHTED AREAS, LAND RECLAMATION ACTIVITIES, THE GREENING OF LAND, AND APPROPRIATE PLANNING OF MARINE AND FORESHORE AREAS;

(II) REVIEW AND RECOMMEND FOR APPROPRIATE ACTION OF THE SANGGUNIANG PANLUNGSOD OR CITY MAYOR THE ARCHITECTURAL PLANS AND DESIGN SUBMITTED BY GOVERNMENT AND NON-GOVERNMENT ENTITIES OR INDIVIDUALS, PARTICULARLY THOSE UNDEVELOPED, UNDERDEVELOPED AND POORLY-DESIGNED AREAS; AND

(III) COORDINATE WITH GOVERNMENT AND NON-GOVERNMENT ENTITIES AND INDIVIDUALS INVOLVED IN THE AESTHETICS AND THE MAXIMUM UTILIZATION OF LAND AND WATER WITHIN THE JURISDICTION OF THE CITY, COMPATIBLE WITH ENVIRONMENTAL INTEGRITY AND ECOLOGICAL BALANCE;"

Renumber the succeeding paragraphs accordingly;

27. On page 50, line 10, replace the conjunction "or" with a comma (,), and insert the phrase "OR OTHER FORMS OF MASS" between the words "broadcast" and "media";

28. On the same page, insert a new paragraph (3) between lines 25 and 26, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY INFORMATION OFFICER SHALL:

(I) PROVIDE RELEVANT, ADEQUATE AND TIMELY INFORMATION TO THE CITY AND ITS RESIDENTS;

(II) FURNISH INFORMATION AND DATA ON THE CITY TO GOVERNMENT AGENCIES OR OFFICES AS MAY BE REQUIRED BY LAW OR ORDINANCE AND NON-GOVERNMENTAL ORGANIZATIONS TO BE FURNISHED TO SAID AGENCIES AND ORGANIZATIONS; AND

(III) MAINTAIN EFFECTIVE LIAISON WITH THE VARIOUS SECTORS OF THE COMMUNITY ON MATTERS AND ISSUES THAT AFFECT THE LIVELIHOOD AND THE QUALITY OF LIFE OF THE INHABITANTS AND ENCOURAGE SUPPORT FOR PROGRAMS OF THE LOCAL AND NATIONAL GOVERNMENT;"

Renumber the succeeding paragraphs accordingly;

29. On page 51, insert a new paragraph (3) between lines 28 and 29, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY COOPERATIVES OFFICER SHALL;

(I) ASSIST IN THE ORGANIZATION OF COOPERATIVES;

(II) PROVIDE TECHNICAL AND OTHER FORMS OF ASSISTANCE TO EXISTING COOPERATIVES TO ENHANCE THEIR VIABILITY AS AN ECONOMIC ENTERPRISE AND SOCIAL ORGANIZATION; AND

(III) ASSIST COOPERATIVES IN ESTABLISHING LINKAGES WITH GOVERNMENT AGENCIES AND NON-GOVERNMENT ORGANIZATIONS INVOLVED IN THE PROMOTION AND INTEGRATION OF THE CONCEPT OF COOPERATIVES IN THE LIVELIHOOD OF THE PEOPLE AND OTHER COMMUNITY ACTIVITIES;"

Renumber the succeeding paragraphs accordingly;

30. On page 53, add a new paragraph (3) between lines 2 and 3, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY POPULATION OFFICER SHALL:

(I) ASSIST THE CITY MAYOR IN THE IMPLEMENTATION OF THE CONSTITUTIONAL PROVISIONS RELATIVE TO POPULATION DEVELOPMENT AND THE PROMOTION OF RESPONSIBLE PARENTHOOD;

(II) ESTABLISH AND MAINTAIN AN UPDATED DATA BANK FOR PROGRAM OPERATIONS, DEVELOPMENT PLANNING AND AN EDUCATIONAL PROGRAM TO ENSURE THE PEOPLE'S PARTICIPATION IN AND UNDERSTANDING OF POPULATION DEVELOPMENT; AND

(III) IMPLEMENT APPROPRIATE TRAINING PROGRAMS RESPONSIVE TO THE CULTURAL HERITAGE OF THE INHABITANTS; AND"

Renumber the succeeding paragraph accordingly;

31. On page 54, line 1, change the word "considered" to "CONDUCTED";
32. On page 55, line 17, add a new sentence after the period (.), to read as follows: "LIKEWISE, THE CITY SHALL ENSURE THAT PROPER SEPARATE DETENTION CENTERS FOR JUVENILES AND WOMEN ARE PROVIDED FOR."


Respectfully submitted:


ALFREDO S. LIM
Chairman

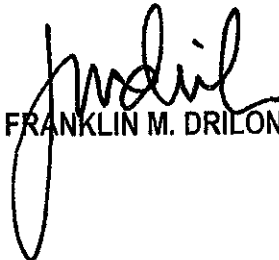
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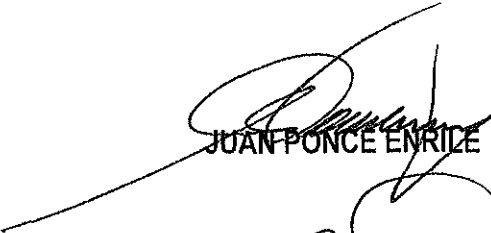
AQUILINO Q. PIMENTEL JR.
Minority Leader
and Vice-Chairman

Members:

may amend

RODOLFO G. BIAZON

COMPAÑERA PIA S. CAYETANO

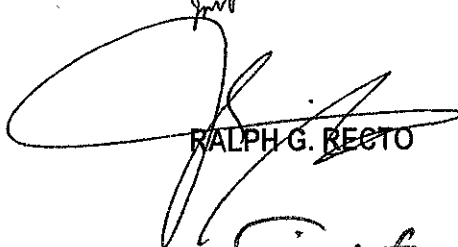

FRANKLIN M. DRILON


JUAN PONCE ENRILE

RICHARD J. GORDON

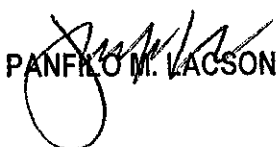
MANUEL "LITO" M. LAPID


RAMON B. MAGSAYSAY JR.


RALPH G. RECTO


RAMON BONG REVILLA JR.

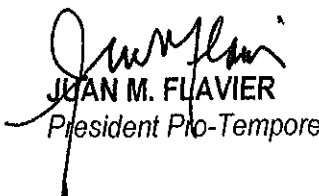

JINGGOY EJERCITO ESTRADA

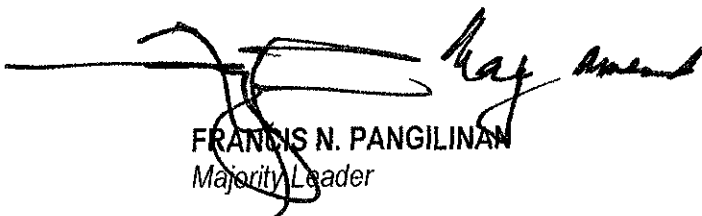

PANFILO M. LACSON


M.A. MADRIGAL

SERGIO OSMEÑA III

Ex-Officio Members:


JUAN M. FLAVIER
President Pro-Tempore


FRANCIS N. PANGILINAN
Majority Leader

Hon. MANNY VILLAR
President
Senate of the Philippines
Pasay City



HOUSE OF REPRESENTATIVES

H. No. 6002

BY REPRESENTATIVES GULLAS, CARI, PETILLA, MARCOS, SALAPUDDIN,
FIGUEROA, MARTINEZ, WACNANG, AMANTE, NANTES, BACULIO AND
PICHAY, PER COMMITTEE REPORT NO. 2129

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

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

1 ARTICLE I

2 GENERAL PROVISIONS

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

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

11 *The foregoing provision shall be without prejudice to the resolution by*
12 *the appropriate agency or forum of existing boundary disputes or cases*
13 *involving questions of territorial jurisdiction between the City of Carcar and*
14 *the adjoining local government units: Provided, That the territorial*

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

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

- 9 (a) To have a continuous succession in its corporate name;
10 (b) To sue and be sued;
11 (c) To have and use a corporate seal;
12 (d) To acquire, hold and convey real or personal property;
13 (e) To enter into contracts and/or agreements; and
14 (f) To exercise such other powers, prerogatives or authority subject to
15 the limitations as provided for in this Act or laws.

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

25 SEC. 5. *Liability for Damages.* – The City and its officials shall not be
26 exempt from liability for death or injury to persons or damage to property.

27 SEC. 6. *Jurisdiction of the City.* – The jurisdiction of the City of
28 Carcar, for police purposes only, shall be coextensive with its territorial
29 jurisdiction and for the purpose of protecting and ensuring the purity of the
30 water supply of the City, such police jurisdiction shall also extend over all the

1 territory within the drainage area of such water supply, or within one hundred
2 meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station
3 used in connection with the city water service.

4 The city court of the City of Carcar shall have concurrent jurisdiction
5 with the city or municipal court of the adjoining municipalities or cities, to try
6 crimes and misdemeanors committed within said drainage area or within said
7 spaces of one hundred meters (100 m.). The court first taking cognizance of
8 such an offense shall have jurisdiction to try said cases to the exclusion of the
9 other courts. The police force of several municipalities and cities concerned
10 shall have concurrent jurisdiction with the police of the City for the
11 maintenance of good order and the enforcement of ordinances throughout said
12 zone, area or space. But any license that may be issued within said zone, area
13 or areas shall be granted by the proper authorities of the city or municipality
14 concerned, and the fees arising therefrom shall accrue to the treasury of the
15 said city or municipality concerned and not to the City.

16 ARTICLE II

17 CITY OFFICIALS IN GENERAL

18 SEC. 7. *The Officials of the City of Carcar.* – (a) There shall be in the
19 City of Carcar: a city mayor, a city vice mayor, sangguniang panlungsod
20 members, a secretary to the sangguniang panlungsod, a city treasurer and an
21 assistant city treasurer, a city assessor and an assistant city assessor, a city
22 accountant, a city budget officer, a city planning and development coordinator,
23 a city engineer, a city health officer, a city civil registrar, a city administrator,
24 a city legal officer, a city social welfare and development officer, a city
25 veterinarian and a city general services officer.

26 (b) In addition thereto, the city mayor may appoint a city environment
27 and natural resources officer, a city architect, a city information officer, a city
28 cooperatives officer, a city population officer and a city agriculturist.

1 (c) There shall be established in the City a city fire station to be
2 headed by a city fire marshal, a city jail to be headed by a city jail warden and
3 a city school division to be headed by a city school division superintendent.

4 (d) The City of Caceres may:

5 (1) Maintain existing offices not mentioned in subsections (a), (b) and
6 (c) hereof;

7 (2) Create such other offices as may be necessary to carry out the
8 purposes of the City; or

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

11 (e) Unless otherwise provided herein, heads of departments and offices
12 shall be appointed by the city mayor with the concurrence of the majority of
13 all the members of the sangguniang panlungsod, subject to civil service law,
14 rules and regulations. The sangguniang panlungsod shall act on the
15 appointment within fifteen (15) days from the day of its submission, otherwise
16 the same shall be deemed confirmed.

17 ARTICLE III

18 THE CITY MAYOR AND CITY VICE MAYOR

19 SEC. 8. *The City Mayor.* – (a) The city mayor shall be the chief
20 executive of the City. He shall be elected at large by the qualified voters of
21 the City. No person shall be eligible for the position of city mayor unless, at
22 the time of the election, he is at least twenty-one (21) years of age, an actual
23 resident of the City for at least one year prior to his election and a qualified
24 voter therein. He shall hold office for three years, unless sooner removed, and
25 shall receive a minimum monthly compensation corresponding to Salary
26 Grade Thirty (30) as prescribed under Republic Act No. 6758, otherwise
27 known as the Salary Standardization Law, and the implementing guidelines
28 issued pursuant thereto.

1 The city mayor, as the chief executive of the city government, shall
2 exercise such powers and perform such duties and functions as provided
3 herein.

4 (b) For efficient, effective and economical governance, the purpose of
5 which is the general welfare of the City and its inhabitants, the city mayor
6 shall:

7 (1) Exercise those powers expressly granted to him by law, those
8 necessarily implied therefrom, as well as powers necessary, appropriate or
9 incidental for the efficient and effective governance of the City, and those
10 which are essential to the promotion of the general welfare:

11 (i) Determine the guidelines of city policies and be responsible to the
12 *sangguniang panlungsod* for the program of government;

13 (ii) Direct the formulation of the city development plan with the
14 assistance of the city development council and, upon approval thereof by the
15 *sangguniang panlungsod*, implement the same;

16 (iii) Present the program of government and propose policies and
17 projects for the consideration of the *sangguniang panlungsod* at the opening of
18 the regular session of the *sangguniang panlungsod* every calendar year and as
19 often as may be deemed necessary as the general welfare of the inhabitants and
20 the needs of the city government may require;

21 (iv) Initiate and propose legislative measures to the *sangguniang*
22 *panlungsod* and as often as may be deemed necessary, provide such
23 information and data needed or requested by said *sanggunian* in the
24 performance of its legislative functions;

25 (v) Appoint all officials and employees whose appointments are not
26 otherwise provided for in this Act, as well as those he may be authorized by
27 law to appoint;

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

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

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

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

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

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

19 (xii) Furnish copies of executive orders issued by him to the Office of
20 the President and the Office of the Secretary of the Interior and Local
21 Government within seventy-two (72) hours after their issuance;

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

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

4 (xv) Authorize official trips of city officials and employees outside of
5 the City for a period not exceeding thirty (30) days: *Provided*, That the trips
6 abroad or for a longer period may be authorized in accordance with the Local
7 Government Code of 1991;

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

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

19 (xviii) Solemnize marriages, any provision of law to the contrary
20 notwithstanding;

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

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

1 (2) Enforce all laws and ordinances relative to the governance of the
2 City and in the exercise of its appropriate corporate powers, as well as
3 implement all approved policies, programs, projects, services and activities of
4 the City:

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

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

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

15 (iv) Be entitled to carry the necessary firearms within his territorial
16 jurisdiction;

17 (v) Act as the deputized representative of the National Police
18 Commission, formulate the peace and order plan of the City and, upon its
19 approval, implement the same; and as such, exercise the general and
20 operational control and supervision over the police forces in the City in
21 accordance with Republic Act No. 6975, otherwise known as the Philippine
22 National Police Law; and

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

27 (3) Initiate and maximize the generation of resources and revenues,
28 and apply the same to the implementation of development plans, program
29 objectives and priorities, particularly those resources and revenues

1 programmed for agro-industrial development and countryside growth and
2 progress, and shall:

3 (i) Require each head of an office or department to prepare and submit
4 an estimate of appropriations for the ensuing calendar year, in accordance with
5 the budget preparation process enshrined under Republic Act No. 7160,
6 otherwise known as the Local Government Code of 1991;

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

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

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

16 (v) Issue permits, without need of approval therefore from any national
17 agency, for the holding of activities for any charitable or welfare purpose,
18 excluding prohibited games of chance or shows contrary to law, public policy
19 and public morals;

20 (vi) Require owners of illegally constructed houses, buildings or other
21 structures to obtain the necessary permit, subject to such fines and penalties as
22 may be imposed by law or ordinance, or to make necessary changes in the
23 construction of the same when said construction violates any law or ordinance,
24 or to order the demolition or removal of said house, building or structure
25 within the period prescribed by law or ordinance;

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

28 (viii) Provide efficient and effective property and supply management
29 in the City and protect the funds, credits, rights and other properties of the
30 City; and

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

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

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

12 (ii) Coordinate the implementation of technical services, including
13 public works and infrastructure programs, rendered by national offices; and

14 (5) 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 (c) During his incumbency, the city mayor shall hold office in the city
18 hall.

19 SEC. 9. *The City Vice Mayor.* – There shall be a city vice mayor who
20 shall be elected in the same manner as the city mayor and shall, at the time of
21 his election, possess the same qualifications as the city mayor. He shall hold
22 office for three years, unless sooner removed, and shall receive a monthly
23 compensation corresponding to Salary Grade Twenty-six (26) as prescribed
24 under the Salary Standardization Law and the implementing guidelines issued
25 pursuant thereto.

26 The city vice mayor shall:

27 (a) Be the presiding officer of the sangguniang panlungsod and sign all
28 warrants drawn on the city treasury for all expenditures appropriated for the
29 operation of the sangguniang panlungsod;

1 (b) Subject to civil service law, rules and regulations, appoint all
2 officials and employees of the sangguniang panlungsod, except those whose
3 manner of appointment is specifically provided for under existing laws;

4 (c) Assume the office of the city mayor for the unexpired term of the
5 latter in the event of permanent vacancy;

6 (d) Exercise the powers and perform the duties and functions of the
7 city mayor in cases of temporary vacancy; and

8 (e) 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 ARTICLE IV

12 THE SANGGUNIANG PANLUNGSOD

13 SEC. 10. *Composition.* – (a) The sangguniang panlungsod, the
14 legislative body of the City, shall be composed of the city vice mayor as the
15 presiding officer, the regular sanggunian members, the president of the city
16 chapter of the liga ng mga barangay, the president of the panlungsod na
17 pederasyon ng mga sangguniang kabataan and the sectoral representatives, as
18 members.

19 (b) In addition thereto, there shall be three sectoral representatives: one
20 from the women; and, as shall be determined by the sangguniang panlungsod
21 within ninety (90) days prior to the holding of the local elections, one from the
22 agricultural or industrial workers; and one from the other sectors, including the
23 urban poor or disabled persons.

24 (c) The regular members of the sangguniang panlungsod and the
25 sectoral representatives shall be elected in the manner as may be provided for
26 by law.

27 SEC. 11. *Powers, Duties, Functions and Compensation.* – (a) The
28 sangguniang panlungsod, as the legislative body of the City, shall enact
29 ordinances, approve resolutions and appropriate funds for the general welfare
30 of the City and its inhabitants pursuant to Section 16 of the Local Government

1 Code and in the proper exercise of the corporate powers of the City as
2 provided for under Section 22 of the Local Government Code, and shall:

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

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

9 (ii) 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 ordinance;

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

15 (iv) Adopt measures to protect the inhabitants of the City from the
16 harmful effects of man-made or natural disasters and calamities and to provide
17 relief services and assistance for victims during and in the aftermath of said
18 disasters or calamities and in their return to productive livelihood following
19 said events;

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

28 (vi) Protect the environment To this end, it may set aside at least ten
29 percent (10%) of its development funds for the purpose of maintaining and
30 enhancing ecological balance of the City. It may also impose appropriate

1 penalties for acts which endanger the environment, such as dynamite fishing
2 and other forms of destructive fishing, illegal logging, smuggling of logs,
3 smuggling of natural resources products and of endangered species of flora
4 and fauna, slash-and-burn farming and such other activities which result in
5 pollution, acceleration of or eutrophication of rivers and lakes or of ecological
6 imbalance;

7 (vii) Subject to the provisions of the Local Government Code and
8 pertinent laws, determine the powers and duties of officials and employees of
9 the City;

10 (viii) Determine the positions and the salaries, wages, allowances and
11 other emoluments and benefits of officials and employees paid wholly or
12 mainly from city funds and provide for expenditures necessary for the proper
13 conduct of programs, projects, services and activities of the city government;

14 (ix) Authorize the payment of compensation to a qualified person not in
15 the government service who fills in a temporary vacancy in a concurrent
16 capacity at the rate authorized by law;

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

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

27 (xii) Provide legal assistance to barangay officials who, in the
28 performance of their official duties or on the occasion thereof, have to initiate
29 judicial proceedings or defend themselves against legal actions; and

1 (xiii) Provide for group insurance or additional insurance coverage for
2 all barangay officials, including members of barangay tanod brigades and
3 other service units, with public or private insurance companies, when the
4 finances of the city government allow said coverage;

5 (2) Generate and maximize the use of resources and revenues for the
6 development plans, program objectives and priorities of the City, with
7 particular attention to agro-industrial development and city-wide growth and
8 progress, and shall:

9 (i) Approve the annual and supplemental budgets of the city
10 government and appropriate funds for specific programs, projects, services
11 and activities of the City, or for other purposes not contrary to law, in order to
12 promote the general welfare of the City and its inhabitants;

13 (ii) Subject to the provisions of Book II of the Local Government Code
14 and the applicable laws and, upon the majority vote of all the members of the
15 sangguniang panlungsod, enact ordinances levying taxes, fees and charges,
16 prescribing the rates thereof for general and specific purposes, and granting
17 tax exemption, incentive or relief;

18 (iii) Subject to the provisions of Book II of the Local Government Code
19 and, upon the majority vote of all the members of the sangguniang
20 panlungsod, authorize the city mayor to negotiate and contract loans and other
21 forms of indebtedness;

22 (iv) Subject to the provisions of Book II of the Local Government Code
23 and applicable laws and, upon the majority vote of all the members of the
24 sangguniang panlungsod, enact ordinances authorizing the floating of bonds or
25 other instruments of indebtedness, for the purpose of raising funds to finance
26 development projects;

27 (v) Appropriate funds for the construction and maintenance or the
28 rental of buildings for the use of the City and, upon the majority vote of all the
29 members of the sangguniang panlungsod, authorize the city mayor to lease to

1 private parties such public buildings held in a proprietary capacity, subject to
2 existing laws, rules and regulations;

3 (vi) Prescribe reasonable limits and restraints on the use of property
4 within the jurisdiction of the City;

5 (vii) Adopt a comprehensive land-use plan for the City and that the
6 formulation, adoption or modification of said plan shall be in coordination
7 within the approved provincial comprehensive land-use plan;

8 (viii) Reclassify lands within the jurisdiction of the City, subject to the
9 pertinent provisions of the Local Government Code;

10 (ix) Enact integrated zoning ordinances in consonance with the
11 approved comprehensive land-use plan, subject to existing laws, rules and
12 regulations; establish fire limits or zones, particularly in populous centers; and
13 regulate the construction, repair or modification of buildings within said fire
14 limits or zones in accordance with the provisions of the Fire Code;

15 (x) Subject to national law, process and approve subdivision plans for
16 residential, commercial or industrial purposes and other development
17 purposes, and to collect processing fees and other charges, the proceeds of
18 which shall accrue entirely to the City: *Provided, however,* That where
19 approval of a national agency or office is required, said approval shall not be
20 withheld for more than thirty (30) days from receipt of the application. Failure
21 to act on the application within the period stated above shall be deemed as
22 approval thereof;

23 (xi) With the concurrence of at least two-thirds (2/3) of all the members
24 of the sangguniang panlungsod, grant tax exemptions, incentives or reliefs to
25 entities engaged in community growth-inducing industries, subject to the
26 provisions of the Local Government Code;

27 (xii) Grant loans or provide grants to other local government units or to
28 national, provincial and city charitable, benevolent or educational institutions:
29 *Provided,* That said institutions are operated and maintained within the City;

1 (xiii) Regulate the numbering of residential, commercial and other
2 buildings; and

3 (xiv) Regulate the inspection, weighing and measuring of articles of
4 commerce;

5 (3) Subject to the provisions of Book II of the Local Government
6 Code, enact ordinances granting franchises and authorizing the issuance of
7 permits or licenses, upon such conditions and for such purposes intended to
8 promote the general welfare of the inhabitants of the City and, pursuant to this
9 legislative authority, shall:

10 (i) Fix and impose reasonable fees and charges for all services
11 rendered by the city government to private persons or entities;

12 (ii) Regulate or fix license fees for any business or practice of
13 profession within the City and the conditions under which the license for said
14 business or practice of profession may be revoked and enact ordinances
15 levying taxes thereon;

16 (iii) Provide for and set the terms and conditions under which public
17 utilities owned by the City shall be operated by the city government and
18 prescribe the conditions under which the same may be leased to private
19 persons or entities, preferably cooperatives;

20 (iv) Regulate the display of and fix the license fees for signs,
21 signboards or billboards at the place or places where the profession or
22 business advertised thereby is, in whole or in part, conducted;

23 (v) Any law to the contrary notwithstanding, authorize and license the
24 establishment, operation and maintenance of cockpits, and regulate
25 cockfighting and commercial breeding of gamecocks: *Provided*, That existing
26 rights should not be prejudiced;

27 (vi) Subject to the guidelines prescribed by the Department of
28 Transportation and Communications, regulate the operation of tricycles and
29 grant franchises for the operation thereof within the territorial jurisdiction of
30 the City; and

1 (vii) Upon approval by a majority vote of all the members of the
2 sangguniang panlungsod, grant a franchise to any person, partnership,
3 corporation or cooperative to do business within the City; establish, construct,
4 operate and maintain ferries, wharves, markets or slaughterhouses; or
5 undertake such other activities within the City as may be allowed by existing
6 laws: *Provided, That cooperatives shall be given preference in the grant of*
7 *such franchise;*

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

11 (i) Declare, prevent or abate any nuisance;

12 (ii) With the concurrence of a majority of the members of the
13 sangguniang panlungsod, a quorum being present, deny the entry of legalized
14 gambling by ordinance into any part of the City or regulate its location in the
15 City;

16 (iii) Require that buildings and the premises thereof and any land within
17 the City be kept and maintained in a sanitary condition; impose penalties for
18 any violation thereof; or upon failure to comply with said requirement, have
19 the work done at the expense of the owner, administrator or tenant concerned;
20 or require the filling up of any land or premises to a grade necessary for proper
21 sanitation;

22 (iv) Regulate the disposal of clinical and other wastes from hospitals,
23 clinics and other similar establishments;

24 (v) Regulate the establishment, operation and maintenance of cafes,
25 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses
26 and other similar establishments, including tourist guides and transports;

27 (vi) Regulate the sale, giving away or dispensing of any intoxicating
28 malt, *vino*, mixed or fermented liquors at any retail outlets;

1 (vii) Regulate the establishment and provide for the inspection of
2 steam boilers or any heating device in buildings and the storage of
3 inflammable and highly combustible materials within the City;

4 (viii) Regulate the establishment, operation and maintenance of any
5 entertainment or amusement facilities, including the theatrical performances,
6 circuses, billiard pools, public dancing schools, public dance halls, sauna
7 baths, massage parlors and other places for entertainment or amusement;
8 regulate such other events or activities for amusement or entertainment,
9 particularly those which tend to disturb the community or annoy the
10 inhabitants, or require the suspension or suppression of the same; or prohibit
11 certain forms of amusement or entertainment in order to protect the social and
12 moral welfare of the community;

13 (ix) Provide for the impounding of stray animals; regulate the keeping
14 of animals in homes or as part of a business, and the slaughter, sale or
15 disposition of the same; and adopt measures to prevent and penalize cruelty to
16 animals; and

17 (x) Regulate the establishment, operation and maintenance of funeral
18 parlors and the burial or cremation of the dead, subject to existing laws, rules
19 and regulations;

20 (5) Approve ordinances which shall ensure the efficient and effective
21 delivery of the basic services and facilities as provided for under the Local
22 Government Code and, in addition to said services and facilities, shall:

23 (i) Provide for the establishment, maintenance, protection and
24 conservation of tree parks and greenbelts;

25 (ii) Establish markets, slaughterhouses or animal corrals and authorize
26 the operation thereof by the city government; and regulate the construction and
27 operation of private markets, talipapas or other similar buildings and
28 structures;

1 (iii) Authorize the establishment, maintenance and operation by the city
2 government of ferries, wharves and/or other structures intended to accelerate
3 productivity related to marine life in the preservation thereof;

4 (iv) Regulate the preparation and sale of meat, poultry, fish, vegetables,
5 fruits, fresh dairy products and other foodstuffs for public consumption;

6 (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges,
7 parks and other public places and approve the construction, improvement,
8 repair and maintenance of the same; establish bus and vehicle stops and
9 terminals or regulate the use of the same by privately-owned vehicles which
10 serve the public; regulate garages and operation of conveyances for hire;
11 designate stands to be occupied by public vehicles when not in use; regulate
12 the putting up of signs, signposts, awnings and awning posts on the streets; and
13 provide for the lighting, cleaning and sprinkling of streets and public places;

14 (vi) Regulate traffic on all streets and bridges, prohibit encroachments
15 or obstacles thereon and, when necessary in the interest of public welfare,
16 authorize the removal of encroachments and illegal constructions in public
17 places;

18 (vii) Subject to existing laws, establish and provide for the
19 maintenance, repair and operation of an efficient waterworks system to supply
20 water for the inhabitants and to purify the source of the water supply; regulate
21 the construction, maintenance, repair and use of hydrants, pumps, cisterns and
22 reservoirs; protect the purity and quantity of the water supply of the City and,
23 for this purpose, extend the coverage of appropriate ordinances over all
24 territory within the drainage area of said water supply and within one hundred
25 meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping station or
26 watershed used in connection with the water service; and regulate the
27 consumption, use or wastage of water and fix and collect charges therefor;

28 (viii) Regulate the drilling and excavation of the ground for the laying
29 of water, gas, sewer and other pipes and the construction, repair and
30 maintenance of public drains, sewers, cesspools, tunnels and similar structures;

1 regulate the placing of poles and the use of crosswalks, curbs and gutters;
2 adopt measures to ensure public safety against open canals, manholes, live
3 wires and other similar hazards to life and property; and regulate the
4 construction and use of private water closets, privies and other similar
5 structures in buildings and homes;

6 (ix) Regulate the placing, stringing, attaching, installing, repair and
7 construction of all gas mains, electric telegraph and telephone wires, conduits,
8 meters and other apparatus; and provide for the correction, condemnation or
9 removal of the same when found to be dangerous to the welfare of the
10 inhabitants;

11 (x) Subject to the availability of funds and the existing laws, rules and
12 regulations, establish and provide for the operation of vocational and technical
13 schools and similar post-secondary institutions and, with the approval of the
14 DepEd and subject to existing laws on tuition fees, fix and collect reasonable
15 tuition fees and other school charges in educational institutions supported by
16 the city government;

17 (xi) Establish a scholarship fund for the poor but deserving students in
18 schools located within its jurisdiction or for students residing within the City;

19 (xii) Approve measures and adopt quarantine regulations to prevent the
20 introduction and spread of diseases;

21 (xiii) Provide for an efficient and effective system of solid waste and
22 garbage collection and disposal and prohibit littering and the placing or
23 throwing of garbage, refuse and other filth and wastes;

24 (xiv) Provide for the care of disabled persons, paupers, the aged, the
25 sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug
26 dependents, abused children and the youth below eighteen (18) years of age
27 and, subject to the availability of funds, establish and provide for the operation
28 of centers and facilities for the said needy and disadvantaged persons;

29 (xv) Establish and provide for the maintenance and improvement of
30 jails and detention centers, institute a sound jail management program and

1 appropriate funds for the subsistence of detainees and convicted prisoners in
2 the City;

3 (xvi) Establish a city council whose purpose is the promotion of
4 culture and the arts, coordinate with government agencies and
5 nongovernmental organizations and, subject to the availability of funds,
6 appropriate funds for the support and development of the same; and

7 (xvii) Establish a city council for the elderly and senior citizens which
8 shall formulate policies and adopt measures mutually beneficial to the elderly
9 and to the community; provide incentives for nongovernmental agencies and
10 entities and, subject to the availability of funds, appropriate funds to support
11 programs and projects for the benefit of the elderly; and

12 (6) 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 (b) The members of the sangguniang panlungsod of the City of Carcar
16 shall receive a minimum monthly compensation corresponding to Salary
17 Grade Twenty-five (25) as prescribed under the Salary Standardization Law
18 and the implementing guidelines issued pursuant thereto.

19 ARTICLE V

20 PROCESS OF LEGISLATION

21 SEC. 12. *Internal Rules of Procedure.* – (a) On the first regular session
22 following the election of its members and within ninety (90) days thereafter,
23 the sangguniang panlungsod shall adopt or update its existing rules of
24 procedure.

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

26 (1) The organization of the sanggunian and the election of its officers
27 as well as the creation of standing committees which shall include, but shall
28 not be limited to, the committees on appropriations, revenues, engineering and
29 public works, education and health, women and family, human rights, youth
30 and sports development, environmental protection, peace and order and traffic,

1 and cooperatives; the general jurisdiction of each committee; and the election
2 of the chairman and members of each committee;

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

4 (3) The legislative process;

5 (4) The parliamentary procedures which include the conduct of
6 members during sessions;

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

15 (6) Such other rules as the sanggunian may adopt.

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

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

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

29 In the absence of a specific constitutional or statutory provision
30 applicable to this situation, “conflict of interest” refers in general to one where

1 it may be reasonably deduced that a member of a sanggunian may not act in
2 the public interest due to some private, pecuniary or other personal
3 considerations that may tend to affect his judgment to the prejudice of the
4 service or the public.

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

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

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

17 SEC. 14. *Sessions.* – (a) On the first day of the session immediately
18 following the election of its members, the sangguniang panlungsod shall, by
19 resolution, fix the day, time and place of its sessions. The minimum number
20 of regular sessions shall be once a week for the sangguniang panlungsod and
21 twice a month for the sangguniang barangay.

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

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

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

4 Unless 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
6 a special session except those stated in the notice.

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

10 SEC. 15. *Quorum*. – (a) A majority of all the members of the
11 *sanggunian* who have been elected and qualified shall constitute a quorum to
12 transact official business. Should a question of quorum be raised during a
13 session, the presiding officer shall immediately proceed to call the roll of the
14 members and thereafter announce the results.

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

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

26 SEC. 16. *Approval of Ordinances* – (a) Every ordinance enacted by
27 the *sangguniang panlungsod* shall be presented to the city mayor. If the city
28 mayor approves the same, he shall affix his signature on each and every page
29 thereof; otherwise, he shall veto it and return the same with his objections to
30 the *sanggunian*, which may proceed to reconsider the same. The *sanggunian*

1 may override the veto of the city mayor by two-thirds (2/3) vote of all its
2 members, thereby making the ordinance or resolution effective for all legal
3 intents and purposes.

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

7 SEC. 17. *Veto Power of the City Mayor.* – (a) The city mayor may veto
8 any ordinance of the sangguniang panlungsod on the ground that it is *ultra*
9 *vires* or prejudicial to the public welfare, stating his reasons thereof in writing.

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

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

23 SEC. 18. *Review of City Ordinances by the Sangguniang*
24 *Pantalawigan.* – (a) Within three days after approval, the secretary to the
25 sangguniang panlungsod shall forward to the sangguniang panlalawigan for
26 review, copies of approved ordinances and the resolutions approving the local
27 development plans and public investment programs formulated by the local
28 development councils.

29 (b) Within thirty (30) days after receipt of copies of such ordinances
30 and resolutions, the sangguniang panlalawigan shall examine the documents or

1 transmit them to the provincial attorney or the provincial prosecutor for
2 prompt examination. The provincial attorney or the provincial prosecutor
3 shall, within a period of ten (10) days from receipt of the documents, inform
4 the sangguniang panlalawigan in writing of his comments or
5 recommendations, which may be considered by the sangguniang panlalawigan
6 in making its decision.

7 (c) If the sangguniang panlalawigan finds that such an ordinance or
8 resolution is beyond the power conferred upon the sangguniang panlungsod
9 concerned, it shall declare such ordinance or resolution invalid in whole or in
10 part. The sangguniang panlalawigan shall enter its action in the minutes and
11 shall advise the corresponding city authorities of the action it has taken.

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

15 SEC. 19. *Review of Barangay Ordinances by the Sangguniang*
16 *Panlungsod.* – (a) Within ten (10) days after its enactment, the sangguniang
17 barangay shall furnish copies of all barangay ordinances to the sangguniang
18 panlungsod for review as to whether the ordinance is consistent with law and
19 city ordinances.

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

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

29 SEC. 20. *Enforcement of Disapproved Ordinances or Resolutions.* –
30 Any attempt to enforce any ordinance or any resolution approving the local

1 development plan and the public investment program after the disapproval
2 thereof shall be sufficient ground for the suspension or dismissal of the official
3 or employee concerned.

4 SEC. 21. *Effectivity of Ordinances or Resolutions.* – (a) Unless
5 otherwise stated in the ordinance or the resolution approving the local
6 development plan and the public investment program, the same shall take
7 effect after ten (10) days from the date a copy thereof is posted in a bulletin
8 board at the entrance of the City Hall of Carcar and in at least two other
9 conspicuous places in the City of Carcar not later than five days after approval
10 thereof.

11 (b) The secretary to the sangguniang panlungsod shall cause the
12 posting of an ordinance or a resolution in the bulletin board at the entrance of
13 the city hall in at least two conspicuous places not later than five days after
14 approval thereof.

15 The text of the ordinance or the resolution shall be disseminated and
16 posted in Filipino or English and the secretary of the sangguniang panlungsod
17 shall record such fact in a book kept for the purpose, stating the dates of
18 approval and posting.

19 (c) The main features of the ordinance or the resolution duly enacted
20 or adopted shall, in addition to being posted, be published once in a local
21 newspaper of general circulation within the City: *Provided*, That in the
22 absence thereof, the ordinance or the resolution shall be published in any
23 newspaper of general circulation: *Provided, further*, That the gist of all
24 ordinances with penal sanctions shall also be published in a newspaper of
25 general circulation.

26 ARTICLE VI

27 DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS

28 SEC. 22. *Disqualifications of Elective Public City Officials.* – The
29 following persons are disqualified from running for any elective position in the
30 City:

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

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

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

7 (d) Those with dual citizenship;

8 (e) Fugitives from justice in criminal or nonpolitical cases here and
9 abroad;

10 (f) Permanent residents in a foreign country or those who have
11 acquired the right to reside abroad and continue to avail of the same right after
12 the effectivity of the Local Government Code; and

13 (g) The insane or feeble-minded.

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

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

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

27 (d) For purposes of this Act, a permanent vacancy arises when an
28 elective local official fills a higher vacant office, refuses to assume office, fails
29 to qualify, dies, is removed from office, voluntarily resigns or is otherwise
30 permanently incapacitated to discharge the functions of his office.

1 (e) For purposes of succession as provided for in this Act, ranking in
2 the sanggunian shall be determined on the basis of the proportion of votes
3 obtained by each winning candidate to the total number of registered voters in
4 the City immediately preceding local election.

5 SEC. 24. *Permanent Vacancies in the Sanggunian.* – Permanent
6 vacancies in the sangguniang panlungsod where automatic succession as
7 provided above does not apply shall be filled by appointments in the following
8 manner:

9 (a) The governor shall make the aforesaid appointments;

10 (b) Only the nominee of the political party under which the sanggunian
11 member concerned had been elected shall be appointed in the manner herein
12 provided. The appointee shall come from the political party as that of the
13 sanggunian member who caused the vacancy and shall serve the unexpired
14 term of the vacant office. In the appointment herein mentioned, a nomination
15 and a certificate of membership of the appointee from the highest official of
16 the political party concerned are conditions *sine qua non*, and any appointment
17 without such nomination and certification shall be null and void *ab initio* and
18 shall be a ground for administrative action against the official responsible
19 therefor;

20 (c) In case the permanent vacancy is caused by a sanggunian member
21 who does not belong to any political party, the city mayor shall, upon the
22 recommendation of the sangguniang panlungsod, appoint a qualified person to
23 fill the vacancy; and

24 (d) In case of vacancy in the representation of the youth and the
25 *barangay* in the sangguniang panlungsod, said vacancy shall be filled
26 automatically by the official next-in-rank of the organization concerned.

27 SEC. 25. *Temporary Vacancy in the Office of the City Mayor.* – (a)
28 When the city mayor is temporarily incapacitated to perform his duties for
29 physical or legal reasons such as, but not limited to, leave of absence, travel
30 abroad and suspension from office, the city vice mayor or the highest ranking

1 sangguniang panlungsod member shall automatically exercise the powers and
2 perform the duties and functions of the city mayor, except the power to
3 appoint, suspend or dismiss employees which can only be exercised if the
4 period of temporary incapacity exceeds thirty (30) working days.

5 (b) Said temporary incapacity shall terminate upon submission to the
6 sangguniang panlungsod of a written declaration by the city mayor that he has
7 reported back to office. In case where the temporary incapacity is due to legal
8 cause, the city mayor shall also submit necessary documents showing that the
9 said legal causes no longer exist.

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

16 (d) In the event, however, that the city mayor fails or refuses to issue
17 such authorization, the city vice mayor or the highest ranking sangguniang
18 panlungsod member, as the case may be, shall have the right to assume the
19 powers, duties and functions of the said office on the fourth day of absence of
20 the city mayor, subject to the limitations provided in subsection (c) hereof.

21 (e) Except as provided above, the city mayor shall, in no case,
22 authorize any local official to assume the powers, duties and functions of the
23 office, other than the city vice mayor or the highest ranking member of the
24 sangguniang panlungsod, as the case may be.

25 ARTICLE VII

26 THE APPOINTIVE OFFICIALS OF THE CITY

27 SEC. 26. *The Secretary to the Sangguniang Panlungsod.* – (a) There
28 shall be a secretary to the sangguniang panlungsod who shall be a career
29 official with the rank and salary equal to a head of a department or office.

1 (b) No person shall be appointed secretary to the sangguniang
2 panlungsod unless he is a citizen of the Philippines, a resident of the City of
3 Carcar, of good moral character, a holder of a college degree preferably in
4 law, commerce or public administration from a recognized college or
5 university and a *first grade civil service eligible or its equivalent*.

6 (c) The secretary to the sangguniang panlungsod shall take charge of
7 the office of the sangguniang panlungsod and shall:

8 (1) Attend meetings of the sangguniang panlungsod and keep a journal
9 of its proceedings;

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

13 (3) Forward to the city mayor, for approval, copies of ordinances
14 enacted by the sangguniang panlungsod and duly certified by the presiding
15 officer;

16 (4) Forward to the Department of Budget and Management (DBM)
17 copies of the appropriations ordinances passed by the sangguniang panlungsod
18 as provided for under Section 326, Book II of the Local Government Code;

19 (5) Forward to the sangguniang panlalawigan copies of duly approved
20 ordinances in the manner provided for in Sections 56 and 57 under Book I of
21 the Local Government Code;

22 (6) Furnish, upon the request of any interested party, certified copies of
23 records of public character in his custody, upon payment to the city treasurer
24 of such fees as may be prescribed by ordinance;

25 (7) Record in a book kept for the purpose all ordinances and
26 resolutions enacted or adopted by the sangguniang panlungsod, with the dates
27 of passage and publication thereof;

28 (8) Keep his office and all nonconfidential records therein open to the
29 public during usual business hours;

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

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

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

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

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

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

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

25 (e) The city treasurer shall take charge of the city finance department
26 and shall:

27 (1) Advise the city mayor, the sangguniang panlungsod and other local
28 government and national officials concerned regarding disposition of local
29 government funds and on such other matters relative to public finance;

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

3 (3) Take charge of the disbursement of all funds of the City and such
4 other funds, the custody of which may be entrusted to him by law or other
5 competent authority;

6 (4) Inspect private commercial and industrial establishments within the
7 jurisdiction of the City in relation to the implementation of tax ordinances,
8 pursuant to the provisions of the Local Government Code;

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

10 (6) Perform such other duties and functions and exercise such other
11 powers as provided for under Republic Act No. 7160, otherwise known as the
12 Local Government Code of 1991, and those that are prescribed by law or
13 ordinance.

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

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

24 (c) The assistant city treasurer shall receive such compensation,
25 emoluments and allowances as may be determined by law.

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

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

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

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

12 (c) The city assessor shall take charge of the city assessment
13 department and shall:

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

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

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

20 (4) Install and maintain a real property identification and accounting
21 systems;

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

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

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

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

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

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

10 (11) Perform such other duties and functions and exercise such other
11 powers as provided for under Republic Act No. 7160, otherwise known as the
12 Local Government Code of 1991, and those that are prescribed by law or
13 ordinance.

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

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

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

27 SEC. 31. *The City Accountant.* – (a) The city accountant must be a
28 citizen of the Philippines, a resident of the City of Carcar, of good moral
29 character and a certified public accountant. He must have acquired experience

1 in the treasury or accounting service for at least five years immediately
2 preceding the date of his appointment.

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

5 (c) The city accountant shall take charge of both the office of the
6 accounting and internal audit services and shall:

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

8 (2) Prepare and submit financial statements to the city mayor and to
9 the sangguniang panlungsod;

10 (3) Apprise the sangguniang panlungsod and other officials on the
11 financial condition and operations of the City;

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

14 (5) Review supporting documents before the preparation of vouchers
15 to determine the completeness of requirements;

16 (6) Prepare statements of cash advances, liquidations, salaries,
17 allowances, reimbursements and remittances pertaining to the City;

18 (7) Prepare statements of journal vouchers and liquidations of the same
19 and other adjustments related thereto;

20 (8) Post individual disbursements to the subsidiary ledger and index
21 cards;

22 (9) Maintain individual ledgers for officials and employees of the City
23 pertaining to payrolls and deductions;

24 (10) Record and post in index cards details of purchased furniture,
25 fixtures and equipment, including disposal thereof, if any;

26 (11) Account for all issued requests for obligations and maintain and
27 keep all records and reports related thereto;

28 (12) Prepare journals and the analyses of obligations and maintain and
29 keep all records and reports related thereto; and

1 (13) Perform such other duties and functions and exercise such other
2 powers as provided for under Republic Act No. 7160, otherwise known as the
3 Local Government Code of 1991, and those that are prescribed by law or
4 ordinance.

5 SEC. 32. *The City Budget Officer.* – (a) The city budget officer must be
6 a citizen of the Philippines, a resident of the City of Carcar, of good moral
7 character, a holder of a college degree preferably in accounting, economics,
8 public administration or any related course from a recognized college or
9 university and a first grade civil service eligible or its equivalent. He must
10 have acquired experience in government budgeting or in any related field for
11 at least five years immediately preceding the date of his appointment.

12 (b) The city budget officer shall take charge of the city budget
13 department and shall:

14 (1) Prepare forms, orders and circulars embodying instructions on
15 budgetary and appropriations matters for the signature of the city mayor;

16 (2) Review and consolidate the budget proposals of the different
17 departments and offices of the City;

18 (3) Assist the city mayor in the preparation of the budget and during
19 budget hearings;

20 (4) Study and evaluate budgetary implications of proposed legislation
21 and submit comments and recommendations thereon;

22 (5) Submit periodic budgetary reports to the DBM;

23 (6) Coordinate with the city treasurer, the city accountant and the city
24 urban development officer for the purpose of budgeting;

25 (7) Assist the sangguniang panlungsod in reviewing the approved
26 budgets of the component City;

27 (8) Coordinate with the city urban development office in the
28 formulation of the development plan of the City; and

29 (9) Perform such other duties and functions and exercise such other
30 powers as provided for under Republic Act No. 7160, otherwise known as the

1 Local Government Code of 1991, and those that are prescribed by law or
2 ordinance.

3 SEC. 33. *The City Planning and Development Officer.* – (a) The city
4 planning and development officer must be a citizen of the Philippines, a
5 resident of the City of Carcar, of good moral character, a holder of a college
6 degree preferably in urban planning, development studies, economics, public
7 administration or any related course from a recognized college or university
8 and a first grade civil service eligible or its equivalent. He must have acquired
9 experience in development planning or in any related field for at least five
10 years immediately preceding the date of his appointment.

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

13 (c) The city planning development officer shall take charge of the city
14 planning and development coordinating office and shall:

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

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

19 (3) Integrate and coordinate all sectoral plans and studies undertaken
20 by the different functional groups or agencies;

21 (4) Monitor and evaluate the implementation of the different
22 development programs, projects and activities in the City in accordance with
23 the approved development plan;

24 (5) Prepare comprehensive plans and other development planning
25 documents for the consideration of the local development council;

26 (6) Analyze the income and expenditure patterns and formulate and
27 recommend fiscal plans and policies for consideration of the finance
28 committee of the sangguniang panlungsod;

29 (7) Promote people's participation in development planning within the
30 City;

1 (8) Exercise supervision and control over the secretariat of the local
2 development council; and

3 (9) Perform such other duties and functions and exercise such other
4 powers as provided for under Republic Act No. 7160, otherwise known as the
5 Local Government Code of 1991, and those that are prescribed by law or
6 ordinance.

7 SEC. 34. *The City Engineer.* – (a) The city engineer must be a citizen
8 of the Philippines, a resident of the City of Carcar, of good moral character
9 and a licensed civil engineer. He must have acquired experience in the
10 practice of his profession for at least five years immediately preceding the date
11 of his appointment.

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

14 (c) The city engineer shall take charge of the city engineering office
15 and shall:

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

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

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

24 (4) Provide engineering services to the City, including investigations
25 and surveys, engineering designs, feasibility studies and project management;
26 and

27 (5) Perform such other duties and functions and exercise such other
28 powers as provided for under Republic Act No. 7160, otherwise known as the
29 Local Government Code of 1991, and those that are prescribed by law or
30 ordinance.

1 SEC. 35. *The City Health Officer.* – (a) The city health officer must be
2 a citizen of the Philippines, a resident of the City of Carcar, of good moral
3 character and a licensed medical practitioner. He must have acquired
4 experience in the practice of his profession for at least five years immediately
5 preceding the date of his appointment.

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

8 (c) The city health officer shall take charge of the office of the city
9 health services and shall:

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

15 (2) Formulate measures for the consideration of the sangguniang
16 panlungsod and provide technical assistance and support to the city mayor in
17 carrying out activities to ensure the delivery of basic services and the
18 provision of adequate facilities relative to health services as provided for
19 under Section 17 of the Local Government Code;

20 (3) Develop plans and strategies and, upon approval thereof by the city
21 mayor, implement the same, particularly those which have to do with health
22 programs and projects which the city mayor is empowered to implement and
23 which the sangguniang panlungsod is empowered to provide for under the
24 Local Government Code;

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

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

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

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

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

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

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

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

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

15 (ix) Be in the frontline of the delivery of health services, particularly
16 during and in the aftermath of man-made and natural disasters and calamities;
17 and

18 (5) Perform such other duties and functions and exercise such other
19 powers as provided for under Republic Act No. 7160, otherwise known as the
20 Local Government Code of 1991, and those that are prescribed by law or
21 ordinance.

22 SEC. 36. *The City Civil Registrar.* – (a) The city civil registrar must be
23 a citizen of the Philippines, a resident of the City of Carcar, of good moral
24 character, a holder of a college degree from a recognized college or university
25 and a first grade civil service eligible or its equivalent. He must have acquired
26 experience in civil registry work for at least five years immediately preceding
27 the date of his appointment.

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

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

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

6 (1) Develop plans and strategies and, upon approval thereof by the city
7 mayor, implement the same, particularly those which have to do with the
8 management and administration-related programs and projects which the city
9 mayor is empowered to implement and which the sangguniang panlungsod is
10 empowered to provide for under the Local Government Code;

11 (2) In addition to the foregoing duties and functions, the city civil
12 registrar shall:

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

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

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

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

22 (v) Issue certified transcripts or copies of any certificate or registered
23 document upon payment of the required fees to the treasurer;

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

28 (vii) Coordinate with the National Statistics Office in conducting
29 educational campaigns for vital registration and assist in the preparation of
30 demographic and other statistics for the City of Carcar; and

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

4 SEC. 37. *The City Administrator.* – (a) The city administrator must be
5 a citizen of the Philippines, a resident of the City of Carcar, of good moral
6 character, a holder of a college degree preferably in public administration, law
7 or any other related course from a recognized college or university and a first
8 grade civil service eligible or its equivalent. He must have acquired
9 experience in management and administrative work for at least five years
10 immediately preceding the date of his appointment.

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

13 (c) The city administrator shall receive such compensation,
14 emoluments and allowances as may be determined by law.

15 (d) The city administrator shall take charge of the city administrator's
16 office and shall:

17 (1) Develop plans and strategies and, upon approval thereof by the city
18 mayor, implement the same, particularly those which have to do with the
19 management and administration-related programs and projects which the city
20 mayor is empowered to implement and which the sangguniang panlungsod is
21 empowered to provide for under the Local Government Code;

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

25 (3) Recommend to the sangguniang panlungsod and advise the city
26 mayor on all matters relative to the management and administration of the
27 City; and

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

1 SEC. 38. *The City Legal Officer.* – (a) The city legal officer must be a
2 citizen of the Philippines, a resident of the City of Carcar, of good moral
3 character and a member of the Philippine Bar. He must have practiced his
4 profession for at least five years immediately preceding the date of his
5 appointment.

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

8 (c) The city legal officer, the chief legal counsel of the City, shall take
9 charge of the office of the city legal service and shall:

10 (1) Formulate measures for the consideration of the sangguniang
11 panlungsod and provide legal assistance and support to the city mayor in
12 carrying out the delivery of basic services and the provision of adequate
13 facilities;

14 (2) Develop plans and strategies and, upon approval thereof by the city
15 mayor, implement the same, particularly those which have to do with the
16 programs and projects related to legal services which the city mayor is
17 empowered to implement and which the sangguniang panlungsod is
18 empowered to provide;

19 (3) Recommend measures to the sangguniang panlungsod and advise
20 the city mayor on all matters related to upholding the rule of law;

21 (4) Be in the frontline of protecting human rights and prosecuting any
22 violation thereof, particularly those which occur during and in the aftermath of
23 man-made and natural disasters or calamities; and

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

27 SEC. 39. *The City Social Welfare and Development Officer.* – (a) The
28 city social welfare and development officer must be a citizen of the
29 Philippines, a resident of the City of Carcar, of good moral character, a duly
30 licensed social worker or a holder of a college degree preferably in sociology

1 or any other related course from a recognized college or university and a first
2 grade civil service eligible or its equivalent. He must have acquired
3 experience in the practice of social work for at least five years immediately
4 preceding the date of his appointment.

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

7 (c) The city social welfare and development officer shall take charge
8 of the office of the social welfare and development and shall:

9 (1) Formulate measures for the approval of the sangguniang
10 panlungsod and provide technical assistance and support to the city mayor in
11 carrying out measures to ensure the delivery of basic services and the
12 provision of adequate facilities relative to social welfare and development
13 services;

14 (2) Develop plans and strategies and, upon approval thereof by the city
15 mayor, implement the same, particularly those which have to do with social
16 welfare programs and projects which the city mayor is empowered to
17 implement and which the sangguniang panlungsod is empowered to provide;

18 (3) Be in the frontline of the delivery of services particularly those
19 which have to do with the immediate relief and assistance during and in the
20 aftermath of man-made and natural disasters or calamities;

21 (4) Recommend to the sangguniang panlungsod and advise the city
22 mayor on all other matters related to social welfare and development services
23 which will improve the livelihood and living conditions of the inhabitants; and

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

27 SEC. 40. *The City Veterinarian.* – (a) The city veterinarian must be a
28 citizen of the Philippines, a resident of the City of Carcar, of good moral
29 character and a licensed doctor of veterinary medicine. He must have

1 practiced his profession for at least three years immediately preceding the date
2 of his appointment.

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

5 (c) The city veterinarian shall take charge of the office of veterinary
6 services and shall:

7 (1) Formulate measures for the consideration of the sangguniang
8 panlungsod and provide technical assistance and support to the city mayor in
9 carrying out measures to ensure the delivery of basic services and the
10 provision of adequate 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
13 veterinary-related activities which the city mayor is empowered to implement
14 and which the sangguniang panlungsod is empowered to provide;

15 (3) Be in the frontline of the veterinary-related activities, such as the
16 outbreak of highly contagious and deadly diseases, and in situations resulting
17 in the depletion of animals for work and human consumption, particularly
18 those arising from and in the aftermath of man-made and natural disasters or
19 calamities;

20 (4) Recommend to the sangguniang panlungsod and advise the city
21 mayor on all other matters relative to veterinary services which will increase
22 the number and improve the quality of livestock, poultry and other domestic
23 animals used for work or human consumption; and

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

27 SEC. 41. *The City General Services Officer.* – (a) The city general
28 services officer must be a citizen of the Philippines, a resident of the City of
29 Carcar, of good moral character, a holder of a college degree in public
30 administration, business administration and management from a recognized

1 college or university and a first grade civil service eligible or its equivalent.
2 He must have acquired experience in general services, including the
3 management of supply, property, solid waste disposal and general sanitation
4 for at least three years immediately preceding the date of his appointment.

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

7 (c) The city general services officer shall take charge of the office on
8 general services and shall:

9 (1) Formulate measures for the consideration of the sangguniang
10 panlungsod and provide technical assistance and support to the city mayor in
11 carrying out measures to ensure the delivery of basic services and the
12 provision of adequate facilities which require general services expertise and
13 technical support services;

14 (2) Develop plans and strategies and, upon approval thereof by the city
15 mayor, implement the same, particularly those which have to do with general
16 services supportive of the welfare of the inhabitants of the City which the city
17 mayor is empowered to implement and which the sangguniang panlungsod is
18 empowered to provide;

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

22 (4) Be in the frontline of general services-related activities, such as the
23 possible or imminent destruction or damage to records, supplies, properties
24 and structure materials or debris, particularly during and in the aftermath of
25 man-made and natural disasters or calamities;

26 (5) Recommend to the sangguniang panlungsod and advise the city
27 mayor on all other matters relative to general services; and

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

1 SEC. 42. *The City Environment and Natural Resources Officer* – (a)
2 The city environment and natural resources officer must be a citizen of the
3 Philippines, a resident of the City of Carcar, of good moral character, a holder
4 of a college degree preferably in environment, forestry, agriculture or any
5 other related course from a recognized college or university and a first grade
6 civil service eligible or its equivalent. He must have acquired experience in
7 the environment and natural resources management, conservation and
8 utilization work for at least five years immediately preceding the date of his
9 appointment.

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

12 (c) The city environment and natural resources officer shall take
13 charge of the environment service department and shall:

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

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 environment and natural resources programs and projects which the city mayor
22 is empowered to implement and which the sangguniang panlungsod is
23 empowered to provide for under the Local Government Code;

24 (3) Be in the frontline of the delivery of services concerning the
25 environment and natural resources, particularly in the renewal and
26 rehabilitation of the environment during and in the aftermath of man-made and
27 natural disasters or calamities;

28 (4) Recommend measures to the sangguniang panlungsod and advise
29 the city mayor on all matters relative to the protection, conservation, maximum

1 utilization, application of appropriate technology and other matters related to
2 the environment and natural resources; and

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

6 SEC. 43. *The City Architect.* – (a) The city architect must be a citizen
7 of the Philippines, a resident of the City of Carcar, of good moral character
8 and a duly licensed architect. He must have practiced his profession for at
9 least five years immediately preceding the date of his appointment.

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

12 (c) The city architect shall take charge of the office on the architectural
13 planning and design 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
17 provision of adequate facilities relative to architectural planning and design;

18 (2) Develop plans and strategies and, upon approval thereof by the city
19 mayor, implement the same, particularly those which have to do with
20 architectural planning and design programs and projects which the city mayor
21 is empowered to implement and which the sangguniang panlungsod is
22 empowered to provide for under the Local Government Code;

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

27 (4) Recommend to the sangguniang panlungsod and advise the city
28 mayor on all matters relative to architectural planning and design as it relates
29 to the total socioeconomic development of the City; and

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

4 SEC. 44. *The City Information Officer.* – (a) The city information
5 officer must be a citizen of the Philippines, a resident of the City of Carcar, of
6 good moral character, a holder of a college degree preferably in journalism,
7 mass communication or any related course from a recognized college or
8 university and a first grade civil service eligible or its equivalent. He must
9 have acquired experience in writing articles and research papers, or writing for
10 print, television or broadcast media for at least five years immediately
11 preceding the date of his appointment.

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

14 (c) The city information officer shall take charge of the city
15 information and community relations department and shall:

16 (1) Formulate measures for the consideration of the *sangguniang*
17 *panlungsod* and provide technical assistance and support to the city mayor in
18 providing the information and research data required for the delivery of basic
19 services and the provision of adequate facilities so that the public becomes
20 aware of said services and may fully avail of the same;

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 public
23 information and research data to support programs and projects which the city
24 mayor is empowered to implement and which the *sangguniang panlungsod* is
25 empowered to provide;

26 (3) Be in the frontline in providing information during and in the
27 aftermath of man-made and natural disasters and calamities, with special
28 attention to the victims thereof, to help minimize injuries and casualties during
29 and after the emergency, and to accelerate relief and rehabilitation;

1 (4) Recommend to the sangguniang panlungsod and advise the city
2 mayor on all matters relative to public information and research data as it
3 relates to the total socioeconomic development of the City; and

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

7 SEC. 45. *The City Cooperatives Officer.* – (a) The city cooperatives
8 officer must be a citizen of the Philippines, a resident of the City of Carcar, of
9 good moral character, a holder of a college degree preferably in business
10 administration with special training on cooperatives or any related course from
11 a recognized college or university and a first grade civil service eligible or its
12 equivalent. He must have acquired experience in cooperatives organization
13 and management for at least five years immediately preceding the date of his
14 appointment.

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

17 (c) The city cooperatives officer shall take charge of the office for the
18 development of cooperatives and shall:

19 (1) Formulate measures for the consideration of the sangguniang
20 panlungsod and provide technical assistance and support to the city mayor in
21 carrying out measures to ensure the delivery of basic services and the
22 provision of adequate facilities through the development of cooperatives and
23 in providing access to such services and facilities;

24 (2) Develop plans and strategies and, upon approval thereof by the city
25 mayor, implement the same, particularly those which have to do with the
26 integration of cooperative principles and methods in programs which the city
27 mayor is empowered to implement and which the sangguniang panlungsod is
28 empowered to provide;

29 (3) Be in the frontline of cooperative organization, rehabilitation or
30 viability enhancement, particularly during and in the aftermath of man-made

1 and natural disasters and calamities, to aid in their survival and, if necessary,
2 subsequent rehabilitation;

3 (4) Recommend to the sangguniang panlungsod and advise the city
4 mayor on all other matters relative to cooperatives development and viability
5 enhancement which will improve the livelihood and the quality of life of the
6 inhabitants; and

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

10 SEC. 46 *The City Population Officer.* – (a) The city population officer
11 must be a citizen of the Philippines, a resident of the City of Carcar, of good
12 moral character, a holder of a college degree preferably with specialized
13 training in population development from a recognized college or university
14 and a first grade civil service eligible or its equivalent. He must have acquired
15 experience in the implementation of programs or population development or
16 responsible parenthood for at least five years immediately preceding the date
17 of his appointment.

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

20 (c) The city population officer shall take charge of the office of the
21 population development and shall:

22 (1) Formulate measures for the consideration of the sangguniang
23 panlungsod and provide technical assistance and support to the city mayor in
24 carrying out measures to ensure the delivery of basic services and the
25 provision of adequate facilities relative to the integration of population
26 development principles and in providing access to said services and facilities;

27 (2) Develop plans and strategies and, upon approval thereof by the city
28 mayor, implement the same, particularly those which have to do with the
29 integration of population development principles and methods in programs

1 and projects which the city mayor is empowered to implement and which the
2 sangguniang panlungsod is empowered to provide; and

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

6 SEC. 47. *The City Agriculturist.* – (a) The city agriculturist must be a
7 citizen of the Philippines, a resident of the City of Carcar, of good moral
8 character, a holder of a college degree preferably in agriculture or any other
9 related course from a recognized college or university and a first grade civil
10 service eligible or its equivalent. He must have practiced his profession in
11 agriculture or acquired the experience in a related field for at least five years
12 immediately preceding the date of his appointment.

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

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

17 (1) Formulate measures for the approval of the sangguniang
18 panlungsod and provide technical assistance and support to the city mayor in
19 carrying out measures to ensure the delivery of basic services and the
20 provision of adequate 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
23 agricultural programs and projects which the city mayor is empowered to
24 implement and which the sangguniang panlungsod is empowered to provide;

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

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

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

6 (iii) Assist the city mayor in the establishment and the extension
7 services of demonstration farms or aquaculture and marine products;

8 (iv) Enforce rules and regulations relating to agriculture and
9 aquaculture; and

10 (v) Coordinate with government agencies and nongovernmental
11 organizations which promote agricultural productivity through appropriate
12 technology compatible with environmental integrity;

13 (4) Be in the frontline of the delivery of basic agricultural services,
14 particularly those needed for the survival of the inhabitants during and in the
15 aftermath of man-made and natural disasters or calamities;

16 (5) Recommend to the sangguniang panlungsod and advise the city
17 mayor on all other matters relative to agriculture and aquaculture which will
18 improve the livelihood and living conditions of the inhabitants; and

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

22 ARTICLE VIII

23 THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE, 24 THE CITY SCHOOL DIVISION AND THE CITY PROSECUTION SERVICE

25 SEC. 48. *The City Fire Station Service.* – There shall be established in
26 the City at least one fire station with adequate personnel, fire fighting facilities
27 and equipment, subject to the standards, rules and regulations that may be
28 promulgated by the Department of the Interior and Local Government (DILG).
29 The City shall provide the necessary land or site of the station.

1 The city fire station shall be responsible for the provision of various
2 emergency services such as the rescue and evacuation of injured people at fire-
3 related incidents and, in general, all fire prevention and suppression measures
4 to secure the safety of life and property of the citizenry.

5 SEC. 49. *The City Jail Service.* – (a) There shall be established and
6 maintained in the City a secured, clean, adequately equipped and sanitary jail
7 for the custody and safekeeping of prisoners, any fugitive from justice or
8 person detained awaiting investigation or trial and/or violent mentally ill
9 person who endangers himself or the safety of others, duly certified as such by
10 the proper medical health officer, pending the transfer to a mental institution.

11 (b) The city jail service shall be headed by a city jail warden who must
12 be a graduate of a four-year course in psychology, psychiatry, sociology,
13 nursing, social work or criminology who shall assist in the immediate
14 rehabilitation of individuals or detention of prisoners. Great care must be
15 exercised so that human rights of these prisoners are respected and protected,
16 and their spiritual and physical well-being are properly and promptly attended
17 to.

18 SEC. 50. *The City School Division.* – (a) There shall be established and
19 maintained by the DepEd a city school division of the City of Carcar whose
20 area of jurisdiction will cover all the school districts within the City.

21 (b) The city school division shall be headed by a division
22 superintendent who must possess the necessary qualifications required by the
23 DepEd.

24 SEC. 51. *The City Prosecution Service.* – (a) There shall be established
25 in the City a prosecution service to be headed by a city prosecutor and such
26 number of assistant prosecutors as may be necessary, who shall be
27 organizationally part of the Department of Justice (DOJ), and under the
28 supervision and control of the Secretary of Justice and whose qualifications,
29 manner of appointment, rank, salary and benefits shall be governed by existing
30 laws covering prosecutors in the DOJ.

1 (b) The city prosecutor shall handle the criminal prosecution in the
2 municipal trial courts in the City as well as in the regional trial courts for
3 criminal cases originating in the territory of the City, and shall render to or for
4 the City such services as are required by law, ordinance or regulation of the
5 DOJ.

6 The Secretary of Justice shall always ensure the adequacy and the
7 quality of prosecution service in the City and, for this purpose, shall, in the
8 absence or lack or insufficiency in number of city assistant prosecutors as
9 provided hereinabove, designate from among the assistant provincial
10 prosecutors a sufficient number to perform and discharge the functions of the
11 city prosecution service as provided hereinabove.

12 ARTICLE IX

13 TRANSITORY AND FINAL PROVISIONS

14 SEC. 52. *Municipal Ordinances Existing at the Time of the Approval*
15 *of this Act.* – All municipal ordinances of the Municipality of Carcar existing
16 at the time of the approval of this Act shall continue to be in force within the
17 City of Carcar until the sangguniang panlungsod ordinance shall provide
18 otherwise.

19 SEC. 53. *Plebiscite.* – The City of Carcar shall acquire corporate
20 existence upon the ratification of its creation by a majority of the votes cast by
21 the qualified voters in a plebiscite to be conducted in the present Municipality
22 of Carcar within thirty (30) days from the approval of this Act. The expenses
23 for such plebiscite shall be borne by the Municipality of Carcar. The
24 Commission on Elections shall conduct and supervise such plebiscite.

25 SEC. 54. *Officials of the City of Carcar.* – The present elective
26 officials of the Municipality of Carcar shall continue to exercise their powers
27 and functions until such time that a new election is held and the duly elected
28 officials shall have already qualified and assumed their offices. The
29 appointive officials and employees of the Municipality of Carcar shall likewise

1 continue exercising their functions and duties and they shall be automatically
2 absorbed by the city government of the City of Carcar.

3 SEC. 55. *Succession Clause.* – The City of Carcar shall succeed to all
4 the assets, properties, liabilities and obligations of the Municipality of Carcar.

5 SEC. 56. *Election of Provincial Governor and Sangguniang*
6 *Panlalawigan Members of the Province of Cebu.* – The qualified voters of the
7 City of Carcar shall be qualified to vote and run for any elective position in the
8 elections for provincial governor, provincial vice governor, sangguniang
9 panlalawigan members and other elective offices for the Province of Cebu.

10 SEC. 57. *Jurisdiction of the Province of Cebu* – The City of Carcar
11 shall, unless otherwise provided by law, continue to be under the jurisdiction
12 of the Province of Cebu.

13 SEC. 58. *Suspension of Increase in Rates of Local Taxes.* – No
14 increase in the rates of local taxes shall be imposed by the City within the
15 period of five years from its acquisition of corporate existence.

16 SEC. 59. *Representative District.* – Until otherwise provided by law,
17 the City of Carcar shall continue to be a part of the First Congressional District
18 of the Province of Cebu.

19 SEC. 60. *Limitation* – Within three years from the approval of this
20 Act, no new race track, jai-alai fronton, gambling casino or cockpit shall be
21 licensed or allowed to operate in the City.

22 SEC. 61. *Reservation* – Nothing herein contained shall preclude the
23 determination by the appropriate agency or forum of boundary disputes or
24 cases involving questions of territorial jurisdiction between the City of Carcar
25 and any of the adjoining local government units even after the effectivity of
26 this Act.

27 SEC. 62. *Applicability of Laws.* – The provisions of Republic Act No.
28 7160, otherwise known as the Local Government Code of 1991, and other
29 laws pertaining to the Province of Cebu and such laws as are applicable to

1 cities shall govern the City of Carcar insofar as they are not inconsistent with
2 the provisions of this Act.

3 SEC. 63. *Exemption from Republic Act No. 9009.* – The City of Carcar
4 shall be exempted from the income requirement prescribed under Republic
5 Act No. 9009.

6 SEC. 64. *Separability Clause.* – If, for any reason or reasons, any part
7 or provision of this Charter shall be held unconstitutional, invalid or
8 inconsistent with the Local Government Code of 1991, other parts or
9 provisions hereof which are not affected thereby shall continue to be in full
10 force and effect. Moreover, in cases where this Charter is silent or unclear, the
11 pertinent provisions of the Local Government Code shall govern, if so
12 provided therein.

13 SEC. 65. *Effectivity.* – This Act shall take effect fifteen (15) days after
14 its complete publication in at least two newspapers of general and local
15 circulation.

Approved,