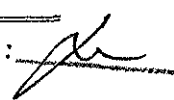


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SENATE

COMMITTEE REPORT NO.: 229

RECEIVED BY: 

Submitted by the Committee on Local Government on JAN 25 2007.

Re : House Bill No. 5997

Recommending its approval with amendments.

Sponsor : Senator Lim

**MR. PRESIDENT:**

The Committee on Local Government to which was referred House Bill No. 5997, introduced by Representatives Martinez, Cari, Petilla, Marcos, Salapuddin, Gullas, Figueroa, Wacnang, Amante, Nantes, Baculio and Pichay, entitled:

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

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 19, insert the words " SANGGUNIANG PANLUNGSOD OF THE" between the words "The" and "City";
2. On page 14, 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";
3. On page 15, line 24, change the semi-colon (;) after the word "indebtedness" to a period (.) and then 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;"
4. On page 16, line 2, change the semi-colon (;) after the word "projects" into 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;"
5. On page 17, line 11, change the word "Regulates" to "REGULATE";

6. On page 25, lines 18 and 19, delete the phrase "and twice a month for the sangguniang barangay";
7. On page 30, line 5, delete the words "DISQUALIFICATION AND" from the title of Article VI;
8. On the same page, delete the entire Sec. 22;
9. On pages 30 and 31, starting from line 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."

10. On page 33, line 18, change the word "master's" to "COLLEGE";
11. On page 34, insert a new paragraph (4) between lines 6 and 7, to read as follows:

"(4) FORWARD TO THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) COPIES OF THE APPROPRIATION ORDINANCES PASSED BY THE SANGGUNIANG PANLUNGSOD AS PROVIDED FOR UNDER SECTION 326, BOOK II OF THE LOCAL GOVERNMENT CODE;"

12. On page 34, line 8, delete the figure "57" and the words "under Book I" and in lieu thereof insert the figure "327";
13. On page 36, line 7, change the word "may" to "SHALL";
14. On page 49, insert a new paragraph (v) between lines 12 and 13, to read as follows:

"(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;"

Renumber succeeding paragraphs accordingly;

15. On page 50, 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 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;

16. On page 58, between lines 22 and 23, insert the following paragraphs:

"(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;"

Renumber the succeeding paragraphs accordingly;

17. On page 61, line 7, replace the conjunction "or" with a comma (,), and insert the phrase "OR OTHER FORMS OF MASS" between the words "broadcast" and "media";and
18. On page 65, line 2, 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:

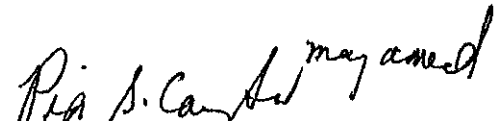
  
ALFREDO S. LIM  
Chairman


*may amend:*

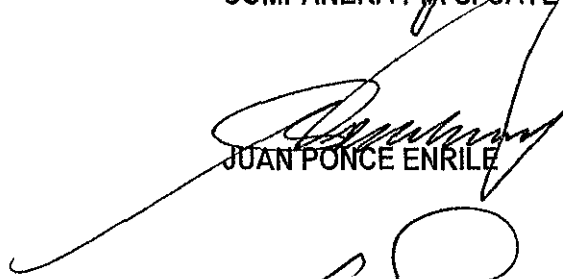
AQUILINO Q. PIMENTEL JR.  
Minority Leader  
and Vice-Chairman

Members:

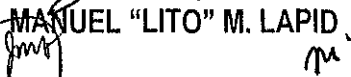
*may amend.*  
  
RODOLFO G. BIAZON

*may amend*  
  
COMPAÑERA PIA S. CAYETANO

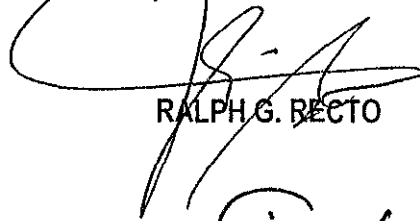
  
FRANKLIN M. DRILON

  
JUAN PONCE ENRILE

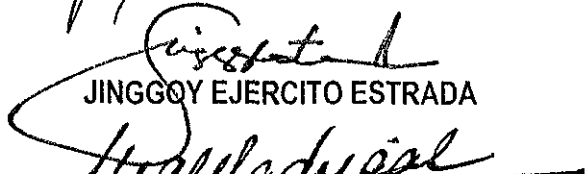
RICHARD J. GORDON

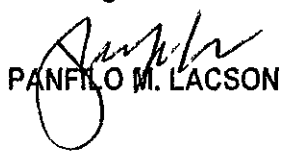
*may amend*  
  
MANUEL "LITO" M. LAPID

  
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

*may amend*  
  
FRANCIS N. PANGILINAN  
Majority Leader

Hon. MANNY VILLAR  
President  
Senate of the Philippines  
Pasay City



1 adjoining local government units: *Provided*, That the territorial jurisdiction of  
2 the disputed area or areas shall remain with the local government unit which  
3 has existing administrative supervision over said area or areas until the final  
4 resolution of the case.

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

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

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

26       SEC. 5. *General Welfare Clause of the City.* – The City shall exercise  
27 the powers expressly granted, those necessarily implied therefrom, as well as  
28 powers necessary, appropriate or incidental for its efficient and effective

1 governance, and those which are essential to the promotion of the general  
2 welfare.

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

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

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

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

24         The court first taking jurisdiction of such offense shall thereafter retain  
25 exclusive jurisdiction thereof. But any license that may be issued within the  
26 said zone, area or space shall be granted by the proper authorities of the city or  
27 municipality concerned, and the fees arising therefrom shall accrue to the  
28 treasury of the said city or municipality concerned and not to the City.

## ARTICLE II

## CITY OFFICIALS IN GENERAL

1  
2  
3       SEC. 8.   *The Officials of the City of Bogo.* – (a) There shall be in the  
4 City of Bogo: a city mayor, a city vice mayor, sangguniang panlungsod  
5 members, a secretary to the sangguniang panlungsod, a city treasurer and an  
6 assistant city treasurer, a city assessor and an assistant city assessor, a city  
7 accountant, a city budget officer, a city planning and development coordinator,  
8 a city engineer, a city health officer, a city civil registrar, a city administrator, a  
9 city legal officer, a city social welfare and development officer, a city  
10 veterinarian, a city general services officer, a city agriculturist and a city  
11 cooperatives officer.

12       (b) In addition thereto, the city mayor may appoint an environment and  
13 natural resources officer, a city architect, a city information officer and a city  
14 population officer.

15       (c) The City shall establish a city fire station to be headed by a city fire  
16 marshal, a city jail to be headed by a city jail warden, a city school division to  
17 be headed by a city school division superintendent and a city prosecution  
18 service to be headed by a city prosecutor.

19       (d) The City of Bogo may:

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

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

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

26       Unless otherwise provided herein, heads of departments and offices  
27 shall be appointed by the city mayor with the concurrence of the majority of all  
28 the sangguniang panlungsod members, subject to civil service law, rules and



1 regulations. The sangguniang panlungsod shall act on the appointment within  
2 fifteen (15) days from the day of its submission, otherwise the same shall be  
3 deemed confirmed.

### 4 ARTICLE III

#### 5 THE CITY MAYOR AND CITY VICE MAYOR

6 SEC. 9. *The City Mayor.* – (a) The city mayor shall be the chief  
7 executive of the City. He shall be elected at large by the qualified voters of the  
8 City. No person shall be eligible for the position of the city mayor unless at  
9 the time of the election:

10 (1) He is at least twenty-one (21) years of age;

11 (2) An actual resident of the City for at least one year prior to his  
12 election; and

13 (3) A qualified voter therein.

14 He shall hold office for three years, unless sooner removed, and shall  
15 receive a minimum monthly compensation corresponding to Salary Grade  
16 thirty (30) as prescribed under Republic Act No. 6758, and the implementing  
17 guidelines issued pursuant thereto and such other compensation, emoluments  
18 and allowances as may be determined by law.

19 (b) The city mayor, as the chief executive of the city government shall  
20 exercise such powers and perform such duties and functions as provided by the  
21 Local Government Code of 1991 and other laws:

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

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

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

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

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

13           (v) Appoint all officials and employees whose salaries and wages are  
14 wholly or mainly paid out of city funds and whose appointments are not  
15 otherwise provided for in this Act as well as those he may be authorized by law  
16 to appoint except those who are to be appointed by the vice mayor as provided  
17 in Section 9 hereof;

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

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

23           (viii) Determine the time, manner and place of payment of salaries or  
24 wages of the city officials and employees, in accordance with law or ordinance;

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

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

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

11           (xii) Furnish copies of executive orders issued by him to the office of  
12 the Governor within seventy-two (72) hours after the issuance;

13           (xiii) Visit component barangays of the City at least once every six  
14 months to deepen his understanding on problems and conditions, listen and  
15 give appropriate counsel to local officials and inhabitants of general laws and  
16 ordinances which especially concern them, and otherwise conduct visits and  
17 inspections to ensure the governance of the City will improve the quality of life  
18 of the inhabitants;

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

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

24           (xvi) Call upon any national official or employee *stationed in or*  
25 assigned to the City to advise him on matters affecting the City and to make  
26 recommendations thereon; coordinate with said officials and employees in the  
27 formulation and implementation of plans, programs and projects; and, when  
28 appropriate, *initiate an administrative or judicial action* against a national

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

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

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

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

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

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

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

26 (ii) Call conventions, conferences, seminars or meetings of elective  
27 or appointive officials of the City, including provincial and national officials  
28 and employees stationed in or assigned to the City, at such time and place and

1 on such subject he may deem important for the promotion of the general  
2 welfare of the local government unit and its inhabitants;

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

5 (iv) Be entitled to carry the necessary firearms within his territorial  
6 jurisdiction;

7 (v) Act as the deputized representative of the National Police  
8 Commission, formulate the peace and order plan of the City, upon its approval,  
9 implement the same; and as such exercise the general and operational control  
10 and supervision over the police forces in the City in accordance with Republic  
11 Act No. 6975; and

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

16 (3) *Initiate and maximize* the generation of resources and revenues, and  
17 apply the same to the implementation of the development plans, program  
18 objectives and priorities, particularly the resources and revenues programmed  
19 for agro-industrial development and countryside growth and progress and  
20 relative thereto, shall:

21 (i) Require each head of an office or department to prepare and submit  
22 an estimate of appropriations for the ensuing calendar year, and in accordance  
23 with the provisions of the Local Government Code of 1991;

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

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

4           (iv) *Issue licenses and permits and suspend or revoke the same for any*  
5 *violation of the conditions upon which said licenses or permits had been issued*  
6 *pursuant to law or ordinance. This also includes the issuance of licenses and*  
7 *permits to gambling operations authorize by law subject to the ordinance of the*  
8 *sangguniang panlungsod;*

9           (v) *Issue permits, without need of approval therefor from any national*  
10 *agency, for the holding of activities for any charitable or welfare purpose,*  
11 *excluding prohibited games and shows contrary to law, public policy and*  
12 *public morals;*

13           (vi) *Require owners of illegally constructed houses, buildings or other*  
14 *structures to obtain the necessary permit, subject to such fines and penalties as*  
15 *may be imposed by law or ordinance, or to make necessary changes in the*  
16 *construction of the same when said construction violates any law or ordinance,*  
17 *or to order the demolition or removal of said house, building or structure*  
18 *within the period prescribed by law or ordinance;*

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

21           (viii) *Provide efficient and effective property and supply management in*  
22 *the City; and protect the funds, credits, rights and other properties of the City;*  
23 *and*

24           (ix) *Institute or cause to be instituted administrative or judicial*  
25 *proceedings for violation of ordinances in the collection of taxes, fees or*  
26 *charges, and for the recovery of funds and property; and cause the City to be*  
27 *defended against all suits to ensure that its interests, resources and rights shall*  
28 *be adequately protected.*

1 (4) Ensure the delivery of basic services and the provision of adequate  
2 facilities and in addition thereto:

3 (i) Ensure that the construction and repair of roads and highways  
4 funded by the national government shall be, as far as practicable, carried out in  
5 a spatially contiguous manner and in coordination with the construction and  
6 repair of the roads and bridges of the City and of the province; and

7 (ii) Coordinate the implementation of technical services, including  
8 public works and infrastructure programs, rendered by national offices and  
9 provincial offices.

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

14 SEC. 10. *The City Vice Mayor.* – (a) There shall be a city vice mayor  
15 who shall be elected in the same manner as the city mayor and shall at the time  
16 of his election possess the same qualification as the city mayor. He shall hold  
17 office for three years, unless sooner removed, and shall receive a monthly  
18 compensation corresponding to Salary Grade twenty-six (26) as prescribed  
19 under Republic Act No. 6758 and the implementing guidelines issued pursuant  
20 thereto, and such other compensation, emoluments and allowances as may be  
21 determined by law.

22 (b) The city vice mayor shall:

23 (1) Act as presiding officer of the sangguniang panlungsod and sign all  
24 warrants drawn on the city treasury for all expenditures appropriated for the  
25 operation of the sangguniang panlungsod

26 (2) Subject to civil service law, rules and regulations, appoint all  
27 officials and employees including the secretary of the sangguniang panlungsod,  
28 and such employees of the individual members of the sangguniang panlungsod,

1 except those whose manner of appointment is specifically provided for under  
2 existing laws;

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

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

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

#### 11 ARTICLE IV

#### 12 THE SANGGUNIANG PANLUNGSOD

13 SEC. 11. *The Sangguniang Panlungsod.* – The sangguniang  
14 panlungsod, the legislative body of the City, shall be composed of the city vice  
15 mayor as the presiding officer, ten (10) regular sanggunian members, the  
16 president of the city chapter of the liga ng mga baranggay, the president of the  
17 panlungsod na pederasyon ng mga sangguniang kabataan and the sectoral  
18 representatives, as members.

19 (a) 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, indigenous cultural communities or disabled persons.

24 (b) The regular members of the sangguniang panlungsod and the  
25 sectoral representative shall be elected in the manner as may be provided for  
26 by law. The elective members of the sangguniang panlungsod shall possess the  
27 qualifications as provided under Section 39 of Republic Act No. 7160.



1 (c) They shall receive such compensation, emoluments and allowances  
2 as may be determined by law.

3 (d) The sangguniang panlungsod shall:

4 (1) Approve ordinances and pass resolutions necessary for an efficient  
5 and effective city government, and relative thereto shall:

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

10 (ii) Maintain peace and order by enacting measures to prevent and  
11 suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose  
12 penalties for the violation of said ordinance;

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

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

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

7           (vii) Subject to the provisions of the Local Government Code of 1991  
8 and the pertinent laws, determine the powers and duties of officials and  
9 employees of 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  
15 in the government service who fills up a temporary vacancy in a concurrent  
16 capacity at the rate authorized by law;

17          (x) Provide a mechanism and appropriate funds therefor, to ensure the  
18 safety and protection of all city government property, public documents or  
19 records such as those relating to property inventory, land ownership, record of  
20 births, marriages, deaths, assessments, taxation, accounts, business permits and  
21 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 city and barangay officials, including  
28 the members of the city police whom, in the performance of their official duties

1 or in the occasion thereof, have to initiate judicial proceedings or defend  
2 themselves against legal actions. The sangguniang panlungsod may authorize  
3 the city mayor to engage the services of private counsel for this purpose; and .

4 (xiii) Provide for group insurance or additional insurance coverage for  
5 all officials, including members of barangay tanod brigades and other service  
6 units, with public or private insurance companies, when the finances of the city  
7 government allows said coverage.

8 (2) *Generate and maximize the use of resources and revenues for the*  
9 *development plans, program objectives and priorities of the City, with*  
10 *particular attention to agro-industrial development and citywide growth and*  
11 *progress, and relative thereto, shall:*

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

16 (ii) *Subject to the provisions of Book II of the Local Government*  
17 *Code of 1991 and the applicable laws, and upon the majority vote of all the*  
18 *members of the sangguniang panlungsod, enact ordinances levying taxes, fees*  
19 *and charges, prescribing the rates thereof for general and specific purposes and*  
20 *granting tax exemption, incentive or relief;*

21 (iii) *Subject to the provisions of Book II of the Local Government*  
22 *Code of 1991, and upon the majority vote of all the members of the*  
23 *sangguniang panlungsod, authorize the city mayor to negotiate and contract*  
24 *loans and other forms of indebtedness;*

25 (iv) *Subject to the provisions of Book II of the Local Government*  
26 *Code of 1991, and applicable laws, and upon the majority vote of all the*  
27 *members of the sangguniang panlungsod, enact ordinances authorizing the*

1 floating of bonds or other instruments of indebtedness, for the purpose of  
2 raising funds to finance development projects;

3 (v) Appropriate funds for the construction and maintenance or the  
4 rental of the buildings for the use of the City, and upon the majority vote of all  
5 the members of the sangguniang panlungsod, authorize the city mayor to lease  
6 to private parties such public buildings held in a proprietary capacity, subject  
7 to existing laws, rules and regulations;

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

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

13 (viii) Reclassify lands within the jurisdiction of the City subject to the  
14 pertinent provisions of the Local Government Code of 1991;

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

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

27 (xi) Subject to the provisions of Book II of the Local Government  
28 Code of 1991, grant the exclusive privilege of constructing fish corrals or fish

1 pens or the taking or catching of bangus fry or kawag-kawag, or fry of any  
2 species of fish within the city waters;

3 (xii) With the concurrence of at least two-thirds (2/3) of all the members  
4 of the sangguniang panlungsod, grant tax exemptions, incentives or relief to  
5 entities engaged in community growth-inducing industries, subject to the  
6 provisions of the Local Government Code of 1991;

7 (xiii) Grant loans or provide grants to other local government units or  
8 to national, provincial and city charitable, benevolent or educational  
9 institutions: *Provided*, That said institutions are operated and maintained  
10 within the City;

11 (xiv) Regulates the numbering of residential, commercial and other  
12 buildings; and

13 (xv) Regulate the inspection, weighing and measuring of articles of  
14 commerce.

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

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

22 (ii) Regulate and/or fix license fees for any business or practice of  
23 profession within the City and the conditions under which the license for said  
24 business or practice of profession may be revoked and enact ordinances  
25 levying taxes thereon;

26 (iii) Provide for and set the terms and conditions under which public  
27 utilities owned by the City shall be operated by the city government, and

1 prescribe the conditions under which the same may be leased to private  
2 persons or entities, preferably cooperatives;

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

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

10 (vi) Subject to the guidelines prescribed by the Department of  
11 Transportation and Communications, regulate the operation of tricycles and  
12 grant franchises for the operation thereof within the territorial jurisdiction of  
13 the City; and

14 (vii) Upon approval by a majority vote of all the members of the  
15 sangguniang panlungsod, grant a franchise to any person, partnership,  
16 corporation or cooperative to do business within the City as may be allowed by  
17 existing laws: *Provided*, That cooperatives shall be given preference in the  
18 grant of such franchise.

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

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

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

27 (iii) Require that buildings and the premises thereof and any land  
28 within the City be kept and maintained in a sanitary condition; impose

1 penalties for any violation thereof; or, upon failure to comply with said  
2 requirement, have the work done at the expense of the owner, administrator or  
3 tenant concerned, or require the filling up of any land or premises to a grade  
4 necessary for proper sanitation;

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

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

10 (vi) Regulate the sale, giving away or dispensing of any intoxicating  
11 malt, *vinò*, mixed or fermented liquors at any retail outlets;

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

15 (viii) Regulate the establishment, operation and maintenance of any  
16 entertainment or amusement facilities, including the theatrical performances,  
17 circuses, billiard pools, public dancing schools, public dance halls, sauna  
18 baths, massage parlors, and other places for entertainment and amusement;  
19 regulate such other events or activities for amusement or entertainment,  
20 particularly those which tend to disturb the community or annoy the  
21 inhabitants, or require the suspension or suppression of the same, or prohibit  
22 certain forms of amusement or entertainment in order to protect the social and  
23 moral welfare of the community;

24 (ix) Regulate the establishment, operation and maintenance of funeral  
25 parlors and burial or cremation of the dead, subject to existing laws, rules and  
26 regulations; and

27 (x) Provide for the impounding of stray animals; regulate the keeping  
28 of animals in homes or as part of a business, and the slaughter, sale or

1 disposition of the same; and adopt measures to prevent and penalize cruelty to  
2 animals.

3 (5) Approve ordinances which shall ensure the efficient and effective  
4 delivery of the basic services and facilities as provided for under the Local  
5 Government Code of 1991, and in addition to said services and facilities, shall.

6 (i) Provide for the establishment, maintenance, protection and  
7 conservation of communal forest and watersheds, tree parks, greenbelts,  
8 mangroves and other similar forest development projects;

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

13 (iii) Authorize the establishment, maintenance and operation by the  
14 city government of ferries, wharves, and other structure intended to accelerate  
15 productivity related to marine and seashore or offshore activities;

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

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

27 (vi) Regulate traffic on all streets and bridges; prohibit encroachments  
28 or obstacles thereon and, when necessary in the interest of public welfare,



1 authorize the removal of encroachments and illegal constructions in public  
2 places;

3 (vii) Subject to existing laws, establish and provide for the  
4 maintenance, repair and operation of an efficient waterworks system to supply  
5 water for the inhabitants and to purify the source of the water supply; regulate  
6 the construction, maintenance, repair and use of hydrants, pumps, cistern and  
7 reservoirs; protect the purity and quantity of the water supply of the City and,  
8 for this purpose, extend the coverage of appropriate ordinances over all  
9 territory within the drainage area of said water supply and within one hundred  
10 meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping station, or  
11 watershed used in connection with the water service; and regulate the  
12 consumption, use or wastage of water and fix and collect charges therefor;

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

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

26 (x) Subject to the availability of funds and the existing laws, rules  
27 and regulations, establish and provide for the operation of vocational and  
28 technical schools and similar post-secondary institutions and, with the approval

1 of the DepEd, the Commission on Higher Education (CHED), or the Technical  
2 Education and Skills Development Authority (TESDA), as the case may be,  
3 and subject to existing laws on tuition fees, and to collect reasonable tuition  
4 fees and other school charges in educational institutions supported by the city  
5 government;

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

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

11 (xiii) Provide for an efficient and effective system of solid waste and  
12 garbage collection and disposal and prohibit littering and the placing and  
13 throwing of garbage, refuse and other filth and wastes;

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

20 (xv) Establish and provide for the maintenance and improvement of  
21 jails and detention centers, institute a sound jail management program, and  
22 appropriate funds for the subsistence of detainees and convicted prisoners in  
23 the City;

24 (xvi) Appropriate funds to support the maintenance and improvement  
25 of the provincial hospital located within the City;

26 (xvii) Establish a city council whose purpose is the promotion of  
27 culture and the arts, coordinate with government agencies and nongovernment

1 organizations and, subject to the availability of funds, appropriate funds for the  
2 support and development of the same; and

3 (xviii) Establish a city council for the elderly which shall formulate  
4 policies and adopt measures mutually beneficial to the elderly and to the  
5 community; provide incentives for nongovernment agencies and entities and,  
6 subject to the availability of funds, appropriate funds to support programs and  
7 projects for the benefit of the elderly.

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

## 12 ARTICLE V

### 13 PROCESS OF LEGISLATION

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

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

19 (1) The organization of the sanggunian and the election of its officers  
20 as well as the creation of standing committees which shall include, but shall not  
21 be limited to, the committees on appropriations, revenues, engineering and  
22 public works, education and health, women and family, human rights, youth  
23 and sports development, environmental protection, peace and order and traffic,  
24 and cooperatives; the general jurisdiction of each committee; and the election  
25 of the chairman and members of each committee;

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

27 (3) The legislative process;

1 (4) The parliamentary procedures which include the conduct of  
2 members during sessions;

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

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

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

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

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

25 In the absence of specific constitutional or statutory provisions  
26 applicable to this situation, “conflict of interest” refers in general to one where  
27 it may be reasonably deduced that a member of a sanggunian may not act in the  
28 public interest due to some private, pecuniary or other personal considerations

1 that may tend to affect his judgment to the prejudice of the service or the  
2 public.

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

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

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

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

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

22 (c) All sanggunian sessions shall be open to the public unless a closed-  
23 door session is ordered by an affirmative vote of a majority of the members  
24 present, there being a quorum, in the public interest or for reasons of security,  
25 decency or morality. No two sessions, regular or special, may be held in a  
26 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 otherwise concurred in by two-thirds (2/3) vote of the  
5 sanggunian members present, there being a quorum, no other matters may be  
6 considered at a special session except those stated in the notice.

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

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

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

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

25 St.C. 16. *Approval of Ordinances.* – (a) Every ordinance enacted by the  
26 sangguniang panlungsod shall be presented to the city mayor. If the city mayor  
27 approves the same, he shall affix his signature on each and every page thereof;  
28 otherwise, he shall veto it and return the same with his objections to the

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

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

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

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

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

24 SEC. 18. *Review of City Ordinances by the Sangguniang*  
25 *Panlalawigan.* – (a) Within three days after approval, the secretary to the  
26 sangguniang panlungsod shall forward to the sangguniang panlalawigan for  
27 review, copies of approved ordinances and the resolutions approving the local

1 development plans and public investment programs formulated by the local  
2 development councils.

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

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

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

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

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

27 (c) If the sangguniang panlungsod finds the barangay ordinances  
28 inconsistent with law or city ordinances, the sangguniang panlungsod shall,



1 within thirty (30) days from receipt thereof, return the same with its comments  
2 and recommendations to the sangguniang barangay concerned for adjustment,  
3 amendment or modification; in which case, the effectivity of the barangay  
4 ordinance is suspended until such time as the revision called for is effected.

5 *SEC. 20. Enforcement of Disapproved Ordinances or Resolutions.* –  
6 Any attempt to enforce any ordinance or any resolution approving the local  
7 development plan and public investment program after the disapproval thereof,  
8 shall be sufficient ground for the suspension or dismissal of the official or  
9 employee concerned.

10 *SEC. 21. Effectivity of Ordinances and Resolutions.* – (a) Unless  
11 otherwise stated in the ordinance or the resolution approving the local  
12 government plan and public investment program, the same shall take effect  
13 after ten (10) days from the date a copy thereof is posted in a bulletin board at  
14 the entrance of the City Hall of Bogo, and in at least two other conspicuous  
15 places in the City of Bogo.

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

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

25 (c) The main features of the ordinance or resolution duly enacted or  
26 adopted shall, in addition to being posted, be published once in a local  
27 newspaper of general circulation within the City: *Provided*, That in the  
28 absence thereof, the ordinance or resolution shall be published in any

1 newspaper of general circulation: *Provided, further,* That the gist of all  
2 ordinances with penal sanctions shall also be published in a newspaper of  
3 general circulation.

#### 4 ARTICLE VI

#### 5 DISQUALIFICATION AND SUCCESSION

#### 6 FOR ELECTIVE CITY OFFICIALS

7 SEC. 22. *Disqualifications of Elective City Officials.* – The following  
8 persons are not qualified from running for any elective position in the City:

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

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

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

15 (d) Those with dual citizenship;

16 (e) Fugitives from justice in criminal or nonpolitical cases here and  
17 abroad;

18 (f) Permanent residents in a foreign country or those who have  
19 acquired the right to reside abroad and continue to avail of the same right after  
20 the effectivity of the Local Government Code of 1991; and

21 (g) The insane or feeble-minded.

22 SEC. 23. *Permanent Vacancy in the Office of the City Mayor and the*  
23 *City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the  
24 city mayor, the city vice mayor concerned shall become the city mayor. If a  
25 permanent vacancy occurs in the office of the city vice mayor, the highest  
26 ranking sangguniang panlungsod member or, in case of his permanent  
27 incapacity, the second highest ranking sangguniang panlungsod member shall  
28 become the city mayor or city vice mayor, as the case may be. Subsequent

1 vacancies in the said offices shall be filled automatically by the other  
2 sanggunian members according to their ranking as defined herein.

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

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

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

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

15 SEC. 24. *Permanent Vacancies in the Sanggunian.* – Permanent  
16 vacancies in the sangguniang panlungsod where automatic succession as  
17 provided above does not apply shall be filled by appointments in the following  
18 manner:

19 (a) The provincial governor shall make the aforesaid appointments;

20 (b) Only the nominee of the political party under which the sanggunian  
21 member concerned had been elected shall be appointed in the manner herein  
22 provided. The appointee shall come from the political party as that of the  
23 sanggunian member who caused the vacancy and shall serve the unexpired  
24 term of the vacant office. In the appointment herein mentioned, a nomination  
25 and a certificate of membership of the appointee from the highest official of  
26 the political party concerned are conditions *sine qua non*, and any appointment  
27 without such nomination and certification shall be null and void *ab initio* and

1 shall be a ground for administrative action against the official responsible  
2 therefor;

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

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

10 *SEC. 25. Temporary Vacancy in the Office of the City Mayor. –*

11 (a) When the city mayor is temporarily incapacitated to perform his  
12 duties for physical or legal reasons such as, but not limited to, leave of  
13 absence, travel abroad and suspension from office, the city vice mayor or the  
14 highest ranking sangguniang panlungsod member shall automatically exercise  
15 the powers and perform the duties and functions of the city mayor, except the  
16 power to appoint, suspend or dismiss employees which can only be exercised if  
17 the period of temporary incapacity exceeds thirty (30) working days.

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

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

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

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

## 10 ARTICLE VII

### 11 THE APPOINTIVE OFFICIALS OF THE CITY:

#### 12 THEIR QUALIFICATIONS, POWERS AND DUTIES

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

16 (b) No person shall be appointed secretary to the sangguniang  
17 panlungsod unless he is a citizen of the Philippines, a resident of the City of  
18 Bogo, of good moral character, a holder of a master's degree preferably in law,  
19 commerce or public administration from a recognized college or university,  
20 and a first grade civil service eligible or its equivalent.

21 (c) The secretary of the sangguniang panlungsod shall receive such  
22 compensation, emoluments and allowances as may be determined by law.

23 (d) The secretary to the sangguniang panlungsod shall take charge of  
24 the office of the sangguniang panlungsod, and shall:

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

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

4           (3) Forward to the city mayor, for approval, copies of ordinances  
5 enacted by the sangguniang panlungsod duly certified by the presiding officer,  
6 in the manner as provided for under the Local Government Code of 1991;

7           (4) Forward to the sangguniang panlalawigan copies of duly approved  
8 ordinances in the manner provided in Sections 56 and 57 under Book 1 of the  
9 Local Government Code of 1991;

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

13          (6) Record in a book kept for the purpose, all ordinances and  
14 resolutions enacted or adopted by the sangguniang panlungsod, with the dates  
15 of passage and publication thereof;

16          (7) Keep his office and all nonconfidential records therein open to the  
17 public during usual business hours;

18          (8) Translate into the dialect used by the majority of the inhabitants,  
19 all ordinances and resolutions immediately after their approval, and cause the  
20 publication of the same together with the original version in the manner  
21 provided under the Local Government Code of 1991;

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

24          } (10) Exercise such other powers and perform such other duties and  
25 functions as may be prescribed by law or ordinance relative to his position.  
26

1           Sec. 27. The City Treasurer. - (a) The city treasurer shall be  
2 appointed by the Secretary of Finance from a list of at least three ranking  
3 eligible recommendees of the city mayor, subject to civil service law, rules and  
4 regulations.

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

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

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

16           (e) The city treasurer shall take charge of the city treasury office, and  
17 shall:

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

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

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

26           (4) Inspect private commercial and industrial establishments within the  
27 jurisdiction of the City in relation to the implementation of tax ordinances,  
28 pursuant to the provisions of the Local Government Code of 1991;

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

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

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

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

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

18 (d) The assistant city treasurer shall assist the city treasurer and  
19 perform such other duties as the latter may assign him. He shall have authority  
20 to administer oaths concerning notices and notifications to those delinquent in  
21 the payment of the real property tax and concerning official matters relating to  
22 the accounts of the city treasurer or otherwise arising from the offices of the  
23 city treasurer and the city assessor.

24 SEC. 29. *The City Assessor.* – (a) The city assessor must be a citizen of  
25 the Philippines, a resident of the City of Bogo, of good moral character, a  
26 holder of a college degree preferably in civil or mechanical engineering,  
27 commerce or any other related course from a recognized college or university,  
28 and a first grade civil service eligible or its equivalent. He must have acquired



1 experience in real property assessment work or in any related field for at least  
2 five years immediately preceding the date of his appointment.

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

5 (c) The city assessor shall take charge of the city assessor's office, and  
6 shall:

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

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

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

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

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

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

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

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

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

1           (10) Submit every semester a report of all assessments, cancellations  
2 and modifications of assessments, to the city mayor and the sangguniang  
3 panlungsod:

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

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

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

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

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

25           SEC. 31. *The City Accountant.* – (a) The city accountant must be a  
26 citizen of the Philippines, a resident of the City of Bogo, of good moral  
27 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 liquidation 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;

1 (12) Prepare journals and the analysis of obligations and maintain and  
2 keep all records and reports related thereto; and

3 (13) 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. 32 *The City Budget Officer.* – (a) The city budget officer must be  
8 a citizen of the Philippines, a resident of the City of Bogo, of good moral  
9 character, a holder of a college degree preferably in accounting, economics,  
10 public administration or any related course from a recognized college or  
11 university, and a first grade civil service eligible or its equivalent. He must  
12 have acquired experience in government budgeting or in any related field for at  
13 least five years preceding the date of his appointment.

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

16 (c) The city budget officer shall take charge of the city budget office,  
17 and shall:

18 (1) Prepare forms, orders and circulars embodying instructions on  
19 budgetary and appropriation matters for the signature of the city mayor;

20 (2) Review and consolidate the budget proposals of different  
21 departments and offices of the City;

22 (3) Assist the city mayor in the preparation of the budget and during  
23 budget hearings;

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

26 (5) Submit periodic budgetary reports to the Department of Budget and  
27 Management (DBM);

1 (6) Coordinate with the city treasurer, the city accountant and the city  
2 planning and development coordinator for the purpose of budgeting;

3 (7) Assist the sangguniang panlungsod in reviewing the approved  
4 budgets of component local government units.

5 (8) Coordinate with the city planning and development coordinator in  
6 the formulation of the development plan of the City; and

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

11 SEC. 33. *The City Planning and Development Coordinator.* – (a) The  
12 city planning and development coordinator must be a citizen of the Philippines,  
13 a resident of the City of Bogu, of good moral character, a holder of a college  
14 degree preferably in urban planning, development studies, economics, public  
15 administration or any related course from a recognized college or university, a  
16 first grade civil service eligible or its equivalent. He must have acquired  
17 experience in development planning or in any related field for at least five  
18 years immediately preceding the date of his appointment.

19 (b) The city planning and development coordinator shall receive such  
20 compensation, emoluments and allowances as may be determined by law.

21 (c) The city planning and development coordinator shall take charge of  
22 the city planning and development coordinating office, and shall:

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

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

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

1 (4) Monitor and evaluate the implementation of the different  
2 development programs, projects and activities in the City in accordance with  
3 the approved development plan;

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

6 (6) Analyze the income and expenditure patterns, and formulate and  
7 recommend fiscal plans and policies for consideration of the finance committee  
8 of the City as provided for under the Local Government Code of 1991:

9 (7) Promote people's participation in development planning within the  
10 City;

11 (8) Exercise supervision and control over the secretariat of the local  
12 development council; and

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

17 SEC. 34. *The City Engineer.* – (a) *The city engineer must be a citizen*  
18 *of the Philippines, a resident of the City of Bogo, of good moral character and*  
19 *a licensed civil engineer. He must have acquired experience in the practice of*  
20 *his profession for at least five years immediately preceding the date of his*  
21 *appointment.*

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

24 (c) *The city engineer shall take charge of the city engineering office,*  
25 *and shall:*

26 (1) *Initiate, review and recommend changes in policies and objectives,*  
27 *plans and programs, techniques, procedures and practices in infrastructure and*  
28 *development and public works in general of the City;*

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

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

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

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

13           SEC. 35. *The City Health Officer.* – (a) The city health officer must be  
14 a citizen of the Philippines, a resident of the City of Bogó, of good moral  
15 character and a licensed medical practitioner. He must have acquired  
16 experience in the practice of his profession for at least five years immediately  
17 preceding the date of his appointment.

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

20           (c) The city health officer shall take charge of the office of the city  
21 health services, and shall:

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

27           (2) Formulate measures for the consideration of the sangguniang  
28 panlungsod and provide technical assistance and support to the city mayor in

1 carrying out activities to ensure the delivery of basic services and the  
2 provisions of adequate facilities relative to health services provided under  
3 Section 17 of the Local Government Code of 1991;

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

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

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

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

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

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

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

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

25 (vii) Conduct health information campaigns and render health  
26 intelligence services; and

27 (viii) Coordinate with other government agencies and nongovernment  
28 organizations involved in the promotion and delivery of health services.



1 (5) Be in the frontline of the delivery of health services, particularly,  
2 during and in the aftermath of man-made and natural disasters or calamities;  
3 and

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (vii) Coordinate with the National Statistics Office in conducting  
17 educational campaigns for vital registration and assist in the preparation of  
18 demographic and other statistics for the City of Bogo; and

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

23 SEC. 37. *The City Administrator* – (a) The city administrator must be a  
24 citizen of the Philippines, a resident of the City of Bogo, of good moral  
25 character, a holder of a college degree preferably in public administration, law  
26 or any other related course from a recognized college or university, and a first  
27 grade civil service eligible or its equivalent. He must have acquired

1 experience in management and administrative work for at least five years  
2 immediately preceding the date of his appointment.

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

5 (c) The city administrator shall take charge of the city administrator's  
6 office, and shall:

7 (1) Develop plans and strategies and upon approval thereof by the city  
8 mayor, implement the same particularly those which have to do with the  
9 management and administration-related programs and projects which the city  
10 mayor is empowered to implement and which the sangguniang panlungsod is  
11 empowered to provide for under the Local Government Code of 1991;

12 (2) In addition to the foregoing duties and functions, the city  
13 administrator shall:

14 (i) Assist in the coordination of the work of all the officials of the City  
15 under the supervision, direction and control of the city mayor and for the  
16 purpose, he may convene the chiefs of offices and other officials of the City;

17 (ii) Establish and maintain a sound personnel program for the City  
18 designed to promote career development and uphold the merit principle in the  
19 local government service;

20 (iii) Conduct a continuing organizational development of the City with  
21 the end in view of instituting effective administrative reforms; and

22 (iv) 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 (4) Recommend to the sangguniang panlungsod and advise the city  
26 mayor on all matters relative to the management and administration of the City;

27 and

1           (5) 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           S.C. 38. *The City Legal Officer.* – (a) The city legal officer must be a  
6 citizen of the Philippines, a resident of the City of Bogó, of good moral  
7 character, and a member of the Philippine Bar. He must have practiced his  
8 profession for at least five years immediately preceding the date of his  
9 appointment.

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

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

14           (d) The city legal officer, the chief legal council of the City, shall take  
15 charge of the office of the city legal service, and shall:

16           (1) Formulate measures for the consideration of the sangguniang  
17 panlungsod and provide legal assistance and support to the city mayor in  
18 carrying out the delivery of basic services and the provisions of adequate  
19 facilities:

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

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

27           (i) Represent the City in all civil actions and special proceedings  
28 wherein the City or any official thereof, in his official capacity, is a party:

1 *Provided*, That, in actions or proceedings where the City is a party adverse to  
2 the provincial government or to another component city or municipality, a  
3 special legal officer may be employed to represent the adverse party;

4 (ii) When required by the city mayor or the sanggunian, draft  
5 ordinance, contracts, bonds, leases and other instruments, involving any  
6 interests of the City and provide comments and recommendations on any  
7 instruments already drawn;

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

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

13 (v) When directed by the city mayor or the sanggunian, initiate or  
14 prosecute, in the interest of the City, any civil action on any bond, leases or  
15 other contract upon any breach or violation thereof; and

16 (vi) Review and submit recommendations on ordinances approved and  
17 executive orders issued by component units;

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

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

23 (6) Perform such other duties and functions and exercise such other  
24 powers as provided for under Republic Act No. 7160, otherwise known as the  
25 Local Government Code of 1991, and those that are prescribed by law of  
26 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

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

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

9 (c) *The city social welfare and development officer shall take charge of*  
10 *the office of the social welfare and development, and shall:*

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

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

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

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

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

1            *Sec. 40. The City Veterinarian.* – (a) The city veterinarian must be a  
2 citizen of the Philippines, a resident of the *City of Bogo*, of good moral  
3 character, and a licensed doctor of veterinary medicine. He must have  
4 practiced his profession for at least three years immediately preceding the date  
5 of his appointment.

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

8            (c) The city veterinarian shall take charge of the office of veterinary  
9 services, and shall:

10           (1) Formulate measures for consideration of the sangguniang  
11 panlungsod and provide technical assistance and support to the city mayor in  
12 carrying out measures to ensure the delivery of basic services and the  
13 provisions of adequate 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  
16 veterinary-related activities which the city mayor is empowered to implement  
17 and which the sangguniang panlungsod is empowered to provide;

18           (3) In addition to foregoing duties and functions, the city veterinarian  
19 shall:

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

22           (ii) Regulate the keeping of domestic animals;

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

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

27           (v) Take the necessary measures to eradicate, prevent or cure all forms  
28 of animal diseases.

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

6           (5) Recommend to the sangguniang panlungsod and advise the city  
7 mayor on all matters relative to veterinary services which will increase the  
8 number and improve the quality of livestock, poultry and other domestic  
9 animals used for work or human consumption; 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. 41. *The City General Services Officer.* – (a) The city general  
15 services officer must be a citizen of the Philippines, a resident of the City of  
16 Bogo, of good moral character, a holder of the college degree in public  
17 administration, business administration and management from a recognized  
18 college or university, and a first grade civil service eligible or its equivalent.  
19 He must have acquired experience in general services, including management  
20 of supply, solid waste disposal and general sanitation for at least five years  
21 immediately preceding the date of his appointment.

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

24           (c) The city general services officer shall take charge of the office of  
25 the general services, and shall:

26           (1) Formulate measures for the consideration of the sangguniang  
27 panlungsod and provide technical assistance and support to the city mayor in  
28 carrying out measures to ensure the delivery of basic services and the



1 provisions of adequate facilities which require general services expertise and  
2 technical support services;

3 (2) Develop plans and strategies and, upon approval thereof by the  
4 city mayor, implement the same, particularly those which have to do with the  
5 general services supportive of the welfare of the inhabitants of the City which  
6 the city mayor is empowered to implement and which the sangguniang  
7 panlungsod is empowered to provide for under the Local Government Code of  
8 1991;

9 In addition to the foregoing duties and functions, the city general  
10 services officer shall:

11 (i) Take custody of and be accountable for all properties, real and  
12 personal, owned by the City, and those granted to it in the form of donation,  
13 *reparation, assistance and counterpart of joint projects,*

14 (ii) With the approval of the city mayor, assign building or land to  
15 local officials or other public officials, who by law, are entitled to such space:

16 (iii) Recommend to the city mayor the reasonable rental rates for local  
17 government properties, whether real or personal, which will be leased to public  
18 or private entities by the city government,

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

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

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

26 (vii) Perform archival and record management with respect to records  
27 of offices and departments of the City; and

1 (vii) Perform all other functions pertaining to supply and property  
2 management heretofore performed by the local government treasurer and  
3 enforce policies on records creation, maintenance and disposal;

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

8 (5) Recommend to the sangguniang panlungsod and advise the city  
9 mayor on all matters relative to general services; 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. 42. *The City Agriculturist.* – (a) The city agriculturist must be a  
15 citizen of the Philippines, a resident of the City of Bogo, of good moral  
16 character, a holder of a college degree preferably in agriculture or any other  
17 related course from a recognized college or university, and a first grade civil  
18 service eligible or its equivalent. He must have practiced his profession in  
19 agriculture or acquired the experience in a related field for at least five years  
20 immediately preceding the date of his appointment.

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

23 (c) The city agriculturist shall take charge of the office for the  
24 agricultural services, and shall.

25 (1) Formulate measures for the approval of the sangguniang  
26 panlungsod and provide technical assistance and support to the city mayor in  
27 carrying out measures to ensure the delivery of basic services and the  
28 provisions of adequate facilities relative to agricultural services;

1           (2) *Develop plans and strategies and, upon approval thereof by the city*  
2 *mayor, implement the same, particularly those which have to do with*  
3 *agricultural programs and projects which the city mayor is empowered to*  
4 *implement and which the sangguniang panlungsod is empowered to provide;*

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

7           (i) *Ensure that maximum assistance and access to resources in the*  
8 *production, processing and marketing of agricultural and aquacultural and*  
9 *marine products are extended to farmers, fisherfolk and local entrepreneurs;*

10          (ii) *Conduct or cause to be conducted location-specific agricultural*  
11 *researches and assist in making available the appropriate technology arising*  
12 *out of and disseminating information on basic research on crops, prevention*  
13 *and control of plant disease and pests, and other agricultural matters which will*  
14 *maximize productivity;*

15          (iii) *Assist the city mayor in the establishment and extension services of*  
16 *demonstration farms or aquaculture or marine products,*

17          (iv) *Enforce rules and regulations relating to agriculture and*  
18 *aquaculture: and*

19          (v) *Coordinate with government agencies and nongovernment*  
20 *organizations which promote agricultural productivity through appropriate*  
21 *technology compatible with environmental integrity;*

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

25          (5) *Recommend to the sangguniang panlungsod and advise the city*  
26 *mayor on all other matters related to agriculture which will improve the*  
27 *livelihood and living conditions of the inhabitants; and*

1           (6) 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           St.C. 43. *The City Cooperatives Officer* - (a) The city cooperatives  
6 officer must be a citizen of the Philippines, a resident of the City of Bogó, of  
7 good moral character, a holder of a college degree preferably in business  
8 administration with special training on cooperatives or any related course from  
9 a recognized college or university, and a first grade civil service eligible or its  
10 equivalent. He must have acquired experience in cooperatives development  
11 for at least five years immediately preceding the date of his appointment.

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

14           (c) The city cooperatives officer shall take charge of the office for the  
15 development of cooperatives, and shall:

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

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 the  
23 integration of cooperative principles and methods in programs which the city  
24 mayor is empowered to implement and which the sangguniang panlungsod is  
25 empowered to provide for under the Local Government Code of 1991;

26           (3) In addition to the foregoing duties and functions, the city  
27 cooperatives officer shall:

28           (i) Assist the organization of cooperatives;

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

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

8           (4) *Be in the frontline of cooperative organization, rehabilitation or*  
9 *viability enhancements, particularly during the aftermath of man-made or*  
10 *natural disasters and calamities, and aid in their survival and, if necessary,*  
11 *subsequent rehabilitation;*

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

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

20           SEC. 44. *The City Environment and Natural Resources Officer.* – (a)  
21 *The city environment and natural resources officer must be a citizen of the*  
22 *Philippines, a resident of the City of Bogó, of good moral character, a holder*  
23 *of a college degree preferably in forestry, environment, agriculture or any other*  
24 *related course from a recognized college or university, and a first grade civil*  
25 *service eligible or its equivalent. He must have acquired experience in the*  
26 *environment and natural resources management, conservation and utilization*  
27 *work for at least five years immediately preceding the date of his appointment.*

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

3           (c) The city environment and natural resources officer shall take charge  
4 of the office of environment and natural resources, and shall:

5           (1) Formulate measures for the consideration of the sangguniang  
6 panlungsod and provide assistance and support to the city mayor in carrying  
7 out measures to ensure the delivery of basic services and the provisions of  
8 adequate facilities relative to environment and natural resources services as  
9 provided for under Section 17 of the Local Government Code of 1991;

10          (2) Develop plans and strategies and, upon approval thereof by the city  
11 mayor, implement the same, particularly those which have to do with  
12 environment and natural resources programs and projects which the city mayor  
13 is empowered to implement and which the sangguniang panlungsod is  
14 empowered to provide under the Local Government Code of 1991;

15          (3) In addition to the foregoing duties and functions, the city  
16 environment and natural resources officer shall:

17           (i) Establish, maintain, protect and preserve communal forests,  
18 watersheds, tree parks, mangroves, greenbelts, commercial forests and similar  
19 forests projects like industrial tree farms and agro-forestry projects;

20           (ii) Provide extension services to beneficiaries of forest development  
21 projects and render assistance for natural resources related conservation and  
22 utilization activities consistent with ecological balance;

23           (iii) Promote small-scale mining and utilization of mineral resources,  
24 particularly mining of gold; and

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

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

5 (5) Recommend to the *sangguniang panlungsod* and advise the city  
6 mayor on all matters relative to the protection of, conservation, maximum  
7 utilization, application of appropriate technology and other matters related to  
8 the environment and natural resources; and

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

13 SEC. 45. *The City Architect.* – (a) The city architect must be a citizen  
14 of the Philippines, a resident of the City of Bogo, of good moral character and  
15 a duly licensed architect. He must have practiced his profession for at least  
16 five years immediately preceding the date of his appointment.

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

19 (c) The city architect shall take charge of the office on architectural  
20 planning and design, and shall:

21 (1) Formulate measures for the consideration of the *sangguniang*  
22 *panlungsod* and provide technical assistance and support to the city mayor in  
23 carrying out measures to ensure the delivery of basic services and the  
24 provisions of adequate facilities relative to architectural planning and design;

25 (2) Develop plans and strategies and, upon approval thereof by the city  
26 mayor, implement the same, particularly those which have to do with  
27 architectural planning and design programs and projects which the city mayor

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

3 (3) In addition to foregoing duties and functions, the city architect  
4 shall:

5 (i) Prepare and recommend for reconsideration of the sangguniang  
6 panlungsod the architectural plan and design for the City or part thereof,  
7 including the renewal of slums and blighted areas, land reclamation activities,  
8 the greening of land, and appropriate planning of marine and foreshore areas;

9 (ii) Review and recommend for appropriate action of the sangguniang  
10 panlungsod or the city mayor as the case may be, the architectural plans and  
11 designs submitted by the governmental and nongovernmental entities or  
12 individuals, particularly those for undeveloped, underdeveloped and poorly  
13 designed areas; and

14 (iii) Coordinate with government, nongovernment entities and  
15 individuals involved in aesthetics and maximum utilization of the land and  
16 water within the jurisdiction of the City, compatible with environmental  
17 integrity and ecological balance;

18 (4) Be in the frontline of the delivery of services involving architectural  
19 planning and design, particularly those related to the redesigning of spatial  
20 distribution of basic facilities and physical structures during and in the  
21 aftermath of man-made and natural disasters and calamities;

22 (5) Recommend to the sangguniang panlungsod and advise the city  
23 mayor on all matters relative to architectural planning and design as it relates  
24 to the total socioeconomic development of the City; and

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



1           SEC. 46. *The City Information Officer.* – (a) The city information  
2 officer must be a citizen of the Philippines, a resident of the City of Bogó, of  
3 good moral character, a holder of a college degree preferably in journalism,  
4 mass communication or any related course from a recognized college or  
5 university, and a first grade civil service eligible or its equivalent. He must  
6 have acquired experience in writing articles, research papers, or writing for  
7 print, television or broadcast media for at least three years immediately  
8 preceding the date of his appointment.

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

11           (c) The city information officer shall take charge of the office on public  
12 information, and shall:

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

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

23           (3) In addition to foregoing duties and functions, the city information  
24 officer shall:

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

1           (ii) Furnish information and data on the City to government agencies or  
2 offices as may be required by law or ordinance, and nongovernmental  
3 organizations to be furnished to said agencies and organizations; and

4           (iii) Maintain effective liaison with various sectors of the community on  
5 matters and issues that affect the livelihood and the quality of life of the  
6 inhabitants and encourage support for programs of the local and national  
7 government.

8           (4) Be in the frontline in providing information during and in the  
9 aftermath of man-made or natural disasters and calamities, with special  
10 attention to the victims thereof, to help minimize injuries and casualties during  
11 and after the emergency, and to accelerate relief and rehabilitation;

12           (5) Recommend to the sangguniang panlungsod and advise the city  
13 mayor on all matters relative to public information and research data as it  
14 relates to the total socioeconomic development of the City; and

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

19           SEC. 47. *The City Population Officer.* - (a) The city population  
20 officer must be a citizen of the Philippines, a resident of the City of Bogo, of  
21 good moral character, a holder of a college degree preferably with specialized  
22 training in population development from a recognized college or university,  
23 and a first grade civil service eligible or its equivalent. He must have acquired  
24 experience in the implementation of programs on population development or  
25 responsible parenthood for at least five years immediately preceding the date  
26 of his appointment.

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

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

3           (1) Formulate measures for the consideration of the sangguniang ,  
4 panlungsod and provide technical assistance and support to the city mayor in  
5 carrying out measures to ensure the delivery of basic services and the  
6 provisions of adequate facilities relative to the integration of the population  
7 development and principles and in providing access to said services and  
8 facilities;

9           (2) Develop plans and strategies and, upon approval thereof by the city  
10 mayor, implement the same, particularly those which have to do with the  
11 integration of population development principles and methods in program and  
12 projects which the city mayor is empowered to implement and which the  
13 sangguniang panlungsod is empowered to provide; and

14           (3) In addition to foregoing duties and functions, the city population  
15 officer shall:

16           (i) Assist the city mayor in the implementation of the constitutional  
17 provisions relative to population development and the promotion of  
18 responsible parenthood;

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

23           (iii) Implement appropriate population training programs responsive to  
24 the cultural heritage of the inhabitants; and

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

## ARTICLE VIII

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

1  
2  
3  
4       SEC. 48. *The City Fire Station Service.* – (a) There shall be established  
5 in the City at least one fire station with adequate personnel, firefighting  
6 facilities and equipment, subject to the standards, rules and regulations that  
7 may be promulgated by the Department of the Interior and Local Government  
8 (DILG). The City shall provide the necessary land or site of the station.

9       (b) The city fire station service shall be headed by a city fire marshal  
10 whose qualifications shall be as those provided for under Republic Act No.  
11 6975, otherwise known as the Philippine National Police Law.

12       (c) The city fire station shall be responsible for the provision of various  
13 emergency services such as rescue and evacuation of injured people at fire-  
14 related incidents and, in general, all fire prevention and suppression measures  
15 to secure the safety of life and property of the citizenry.

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

23       (b) The city jail service shall be headed by a city jail warden who must  
24 be a graduate of a four-year course in psychology, psychiatry, sociology,  
25 nursing, social work or criminology who shall assist in the immediate  
26 rehabilitation of individuals or detention of prisoners. Great care must be  
27 exercised so that human rights of these prisoners are respected and protected,

1 and their physical and spiritual well-being are properly and promptly attended  
2 to.

3       SEC. 50. *The City School Division.* – (a) The DepEd shall establish and  
4 maintain a city school division of the City of Bogo whose area of jurisdiction  
5 will cover all the school districts within the City.

6       (b) The city school division shall be headed by a division  
7 superintendent who must possess the necessary qualifications required by the  
8 DepEd.

9       SEC. 51. *The City Prosecution Office.* – (a) There shall be established  
10 in the City a prosecution service to be headed by a city prosecutor and such  
11 number of assistant prosecutors as may be necessary, who shall be  
12 organizationally part of the Department of Justice (DOJ), and under the  
13 supervision and control of the Secretary of Justice and whose qualifications,  
14 manner of appointment, rank, salary and benefits shall be governed by existing  
15 laws covering prosecutors in the DOJ.

16       (b) The city prosecutor shall handle the criminal prosecution in the  
17 municipal trial courts in the City as well as in the regional trial courts for  
18 criminal cases originating in the territory of the City, and shall render to or for  
19 the City such services as are required by law, ordinance or regulation of the  
20 DOJ.

21       (c) The Secretary of Justice shall always assure the adequacy and  
22 quality of prosecution service in the City and for this purpose, shall, in the  
23 absence or lack or insufficiency in number of the city assistant prosecutors as  
24 provided hereinabove, designate from among the assistant provincial  
25 prosecutors a sufficient number to perform and discharge the functions of the  
26 city prosecution service as provided hereinabove.

27

## ARTICLE IX

## TRANSITORY AND FINAL PROVISIONS

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2  
3       SEC. 52. *Municipal Ordinances Existing at the Time of the Approval of*  
4 *this Act.* – All municipal ordinances of the Municipality of Bogo existing at  
5 the time of the approval of this Act shall continue to be in full force within the  
6 City of Bogo until the sangguniang panlungsod shall provide otherwise.

7       SEC. 53. *Plebiscite.* – The City of Bogo shall acquire corporate  
8 existence upon the ratification of its creation by the majority of votes cast by  
9 the qualified voters in a plebiscite to be conducted in the present Municipality  
10 of Bogo within thirty (30) days from the approval of this Act. The expenses  
11 for such plebiscite shall be borne by the Municipality of Bogo. The  
12 Commission on Elections shall conduct and supervise such plebiscite.

13       SEC. 54. *Officials of the City of Bogo.* – The present elective officials  
14 of the Municipality of Bogo shall continue to exercise their powers and  
15 functions until such time that a new election is held and the duly-elected  
16 officials shall have already qualified and assumed their offices. The appointive  
17 officials and employees of the Municipality of Bogo shall likewise continue  
18 exercising their functions and duties and they shall be automatically absorbed  
19 by the City Government of the City of Bogo.

20       SEC. 55. *Succession Clause.* – The City of Bogo shall succeed to all  
21 the assets, properties, liabilities and obligations of the Municipality of Bogo.

22       SEC. 56. *Election of Provincial Governor and Sangguniang*  
23 *Panlalawigan Members of the Province of Cebu.* – The qualified voters of the  
24 City of Bogo shall qualify to vote and run for any elective position in the  
25 election for provincial governor, provincial vice governor, sangguniang  
26 panlalawigan members and other elective offices for the Province of Cebu.

1           SEC. 57. *Jurisdiction of the Province of Cebu.* – The City of Bogo  
2 shall, unless otherwise provided by law, continue to be under the jurisdiction  
3 of the Province of Cebu.

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

7           SEC. 59. *Representative District* -- Unless otherwise provided by law,  
8 the City of Bogo shall continue to be a part of the Fourth Congressional  
9 District of the Province of Cebu.

10          SEC. 60. *Applicability of Laws.* – The provisions of Republic Act No.  
11 7160, otherwise known as the *Local Government Code of 1991*, and such laws  
12 as are applicable to component cities shall govern the City of Bogo insofar as  
13 they are not inconsistent with the provisions of this Act.

14          SEC. 61. *Exemption from Republic Act No. 9009.* – The City of Bogo  
15 shall be exempted from the income requirement prescribed under Republic Act  
16 No. 9009.

17          SEC. 62. *Separability Clause.* – If, for any reason or reasons, any part  
18 or provisions of this Charter shall be held unconstitutional, invalid or  
19 inconsistent with the *Local Government Code of 1991*, other parts or  
20 provisions hereof which are not affected thereby shall continue to be in full  
21 force and effect. Moreover, in cases where this Charter is silent or unclear, the  
22 pertinent provisions of the *Local Government Code* shall govern, if so  
23 provided therein.

24          SEC. 63. *Reservation.* – Nothing herein contained shall preclude the  
25 determination by the appropriate agency or forum of boundary disputes or  
26 cases involving questions of territorial jurisdiction between the City of Bogo  
27 and any of the adjoining government units even after the effectivity of this Act.

1           SEC. 64. *Repealing Clause.*— All laws, decrees, rules and regulations  
2 or parts thereof inconsistent with the provisions of this Act are hereby  
3 repealed, amended or modified accordingly.

4           SEC. 65. *Effectivity.* - This Act shall take effect fifteen (15) days after  
5 its complete publication in at least two newspapers of general and local  
6 circulations.

Approved,