

SENATE

COMMITTEE REPORT NO. 267

Submitted by the Committee on Local Government on FEB 07 2007

Re : House Bill No. 6023

Recommending its approval with amendments.

Sponsor : Senator Lim

**MR. PRESIDENT:**

The Committee on Local Government to which was referred House Bill No. 6023, introduced by Representative Almario, entitled:

**"AN ACT  
CONVERTING THE MUNICIPALITY OF MATI IN THE PROVINCE OF DAVAO  
ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF MATI"**

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 31, line 2, delete the phrase "DISQUALIFICATION AND" from the title of Article VI;
2. On the same page, delete the entire Sec. 22 starting from lines 3 to 18;
3. On the same page, amend paragraph (a) of Section 23 to read as follows:

"SEC. 22. *Permanent Vacancy in the Office 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 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 the said offices shall be filled in automatically by the other sanggunian members according to their ranking as defined herein."

4. On page 35, line 7, delete the figure "57" and the words "under Book I" and in lieu thereof insert the figure "327";
5. On page 37, line 5, change the word "may" to "SHALL";
6. On page 47 from line 25 to page 48, line 2, amend paragraph (2), to read as follows:
  - "(2) In addition to the foregoing duties and functions, the city administrator shall;
    - (I) Assist in the coordination of the work of all the officials of the city under the supervision, direction and control of the city mayor and, for this purpose, he may convene the chiefs of offices and other officials of the city;
    - (II) ESTABLISH AND MAINTAIN A SOUND PERSONNEL PROGRAM FOR THE CITY DESIGNED TO PROMOTE CAREER DEVELOPMENT AND UPHOLD THE MERIT PRINCIPLE IN THE LOCAL GOVERNMENT SERVICE; AND
    - (III) CONDUCT A CONTINUING ORGANIZATIONAL DEVELOPMENT OF THE CITY WITH THE END OF VIEW OF INSTITUTING EFFECTIVE ADMINISTRATIVE REFORMS;"
25. On page 65, line 24, delete the phrase "graduate of a four-year course" and in lieu thereof, insert the phrase "HOLDER OF A COLLEGE DEGREE"; and
26. On page 67, line 24, change the word "qualified" to "BE QUALIFIED".

Respectfully submitted:

  
ALFREDO S. LIM  
Chairman

*I suggest a policy be adopted that all capital funds*

*of provinces*  
AQUILINO Q. PIMENTEL JR.  
Minority Leader

*and Vice-Chairman*  
*which can no city be commuted to cities.*

Members:

  
RODOLFO G. BIAZON


  
COMPANERA PIA S. CAYETANO

  
FRANKLIN M. DRILON


JUAN PONCE ENRILE

  
RICHARD J. GORDON

  
MANUEL "LITO" M. LAPID

  
RAMON B. MAGSAYSAY JR.

  
RALPH G. RESTO


  
RAMON BONG REVILLA JR.  
*I adopt the suggestion of the minority leader*  
PANFILO M. LACSON


  
JINGGOY EJERCITO ESTRADA

  
M.A. MADRIGAL

  
SERGIO OSMEÑA III

Ex-Officio Members:

  
JUAN M. FLAVIER  
President Pro-Tempore

  
FRANCIS N. PANGILINAN  
Majority Leader

Hon. MANNY VILLAR  
President  
Senate of the Philippines  
Pasay City



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

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

10 The City shall have the following corporate powers:

11 (a) To have continuous succession in its corporate name;

12 (b) To sue and be sued;

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

14 (d) To acquire and convey real or personal property;

15 (e) To enter into contracts; and

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

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

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

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

13           SEC. 6. *Liability for Damages.* – Unless otherwise provided by law, the  
14 City of Mati shall be liable for injuries or damages to persons or property  
15 arising from the act or omission of any of its officers or employees while in the  
16 performance of their official functions.

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

24           The regional trial courts and the city courts of the City of Mati shall  
25 have concurrent jurisdiction with the regional trial courts and the metropolitan  
26 trial courts or city or municipal courts of the adjoining municipalities or cities  
27 to try crimes and misdemeanors committed within said drainage area or within  
28 said spaces of one hundred meters (100 m.).



1 (d) The sangguniang panlungsod of the City of Mati may:

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

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

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

8 Unless otherwise provided herein, all appointive city officials of the  
9 City shall be appointed by the city mayor with the concurrence of the majority  
10 of all sangguniang panlungsod members, subject to civil service law, rules and  
11 regulations. The sangguniang panlungsod shall act on the appointment within  
12 fifteen (15) days from the date of its submission, otherwise, the same shall be  
13 deemed confirmed.

### 14 ARTICLE III

#### 15 THE CITY MAYOR AND CITY VICE MAYOR

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17           (xviii) Solemnize marriages, any provision of law to the contrary  
18 notwithstanding;

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

23           (xx) Submit to the provincial governor the following reports: an  
24 annual report containing a summary of all matters pertinent to the management,  
25 administration and development of the City and all information and data  
26 relative to its political, social and economic condition; and supplemental  
27 reports when unexpected events and situations arise at any time during the

1 year, particularly when man-made and natural disasters or calamities affect the  
2 general welfare of the City;

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

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

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

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

17 (iv) Be entitled to carry the necessary firearms within his territorial  
18 jurisdiction after the procurement of necessary permit/s and/or license/s from  
19 duly constituted authorities;

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

26 (vi) Call upon the appropriate law enforcement agencies to suppress  
27 disorder, riot, lawless violence, rebellion or sedition, or apprehend violators of

1 the law when public interest so requires and the city police forces are  
2 inadequate to cope with the situation or the violators;

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

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

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

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

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

21 (v) Issue permits, not requiring approval from any national agency, for  
22 the holding of activities for any charitable or welfare purpose, excluding  
23 prohibited games of chance or shows contrary to law, public policy and public  
24 morals;

25 (vi) Require owners of illegally constructed houses, buildings or  
26 structures to obtain the necessary permits, subject to such fines and penalties as  
27 may be imposed by law or ordinance, or to make necessary changes in the

1 construction or to order the demolition or removal of said houses, buildings or  
2 structures within the period prescribed by law or ordinance;

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

5 (viii) Provide efficient and effective property and supply management  
6 in the City, and protect the funds, credits, rights and other properties of the  
7 City; and

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

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

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

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

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

26 *SEC 10. The City Vice Mayor* – (a) There shall be a city vice mayor  
27 who shall be elected in the same manner as the city mayor and shall, at the time  
28 of his election, possess the same qualifications as the city mayor. He shall hold

1 office for three years, unless sooner removed, and shall receive a minimum  
2 monthly compensation corresponding to Salary Grade Twenty-six (26) as  
3 prescribed under the Salary Standardization Law and the implementing  
4 guidelines issued pursuant thereto, and such other compensation, emoluments  
5 and allowances as may be determined by law.

6 (b) The city vice mayor shall:

7 (1) Be the presiding officer of the sangguniang panlungsod and sign all  
8 warrants drawn on the city treasury for all expenditures appropriated for the  
9 operation of the sangguniang panlungsod;

10 (2) Subject to civil service law, rules and regulations, appoint all  
11 officials and employees, including the secretary of the sangguniang  
12 panlungsod, except those whose manner of appointment is specially provided  
13 for in the Local Government Code of 1991;

14 (3) Assume the office of the city mayor for the unexpired term of the  
15 latter in the event of permanent vacancy as provided for in Section 44 of the  
16 Local Government Code of 1991;

17 (4) Exercise the powers and perform the duties and functions of the city  
18 mayor in case of temporary vacancy; and

19 (5) Perform such other duties and functions and exercise such other  
20 powers as provided for under the Local Government Code of 1991, and those  
21 that are prescribed by other relevant laws or by ordinance.

22 ARTICLE IV

23 THE SANGGUNIANG PANLUNGSOD

24 SEC. 11. *The Sangguniang Panlungsod.* – (a) The sangguniang  
25 panlungsod, the legislative body of the City, shall be composed of the city vice  
26 mayor as the presiding officer, ten (10) regular sanggunian members, the  
27 president of the city chapter of the liga ng mga barangay, the president of the  
28 panlungsod na pederasyon ng mga sangguniang kabataan, the sectoral

1 representatives and such other members as may be provided for by law. They  
2 shall hold office for three years unless sooner removed.

3 (b) In addition thereto, there shall be three sectoral representatives: one  
4 from the women; and, as shall be determined by the sangguniang panlungsod  
5 within ninety (90) days prior to the holding of the local elections, one from the  
6 agricultural or industrial workers; and one from the other sectors, including the  
7 urban poor, the indigenous cultural communities or disabled persons.

8 (c) The regular members of the sangguniang panlungsod, the sectoral  
9 representatives and other members shall be elected or appointed in the manner  
10 as may be provided for by law. The elective members of the sangguniang  
11 panlungsod shall possess the same qualifications as that of the city mayor and  
12 the city vice mayor except that candidates for said positions must be at least  
13 eighteen (18) years of age on election day.

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

19 (e) The sangguniang panlungsod shall:

20 (1) Approve ordinances and pass resolutions necessary for an efficient  
21 and effective city government and, in this connection, shall:

22 (i) Review all ordinances approved by the sangguniang barangay and  
23 executive orders issued by the punong barangay to determine whether these are  
24 within the scope of the prescribed powers of the sangguniang barangay and of  
25 the punong barangay;

26 (ii) Maintain peace and order by enacting measures to prevent and  
27 suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose  
28 penalties for the violation of said ordinances;



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

4           (iv) Adopt measures to protect the inhabitants of the City from harmful  
5 effects of man-made and natural disasters or calamities and to provide relief  
6 services and assistance to victims during and in the aftermath of said disasters  
7 or calamities and in their return to productive livelihood following said events;

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

16           (vi) Protect the environment and impose appropriate penalties for acts  
17 which endanger the environment, such as dynamite fishing and other forms of  
18 destructive fishing, illegal logging and smuggling of logs, smuggling of natural  
19 resources products and of endangered species of flora and fauna,  
20 slash-and-burn farming and such other activities which result in pollution,  
21 acceleration of eutrophication of rivers and other bodies of water, or of  
22 ecological imbalance, the fines for which shall be used exclusively for the  
23 advancement of ecological protection;

24           (vii) Subject to the provisions of the Local Government Code of 1991  
25 and other pertinent laws, determine the powers and duties of officials and  
26 employees of the City;

27           (viii) Consistent with the Salary Standardization Law, determine the  
28 positions and the salaries, wages, allowances and other emoluments and

1 benefits of officials and employees paid wholly or mainly from city funds and  
2 provide for expenditures necessary for the proper conduct of programs,  
3 projects, services and activities of the city government;

4 (ix) Authorize the payment of compensation to a qualified person not in  
5 the government service who fills in a temporary vacancy or grant honorarium  
6 to any qualified official or employee designated to fill in a temporary vacancy  
7 in a concurrent capacity at the rate authorized by law;

8 (x) Provide a mechanism and the appropriate funds therefor to ensure  
9 the safety and the protection of all city government properties, public  
10 documents or records such as those relating to property inventory, land  
11 ownership, records of births, marriages, deaths, assessments, taxation,  
12 accounts, business permits and such other records and documents of public  
13 interest in the offices and departments of the city government;

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

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

21 (xiii) Provide for group insurance or additional insurance coverage  
22 for all barangay officials, including members of barangay tanod brigades and  
23 other service units, with public or private insurance companies;

24 (2) Generate and maximize the use of resources and revenues for the  
25 development plans, program objectives and priorities of the City, with  
26 particular attention to agro-industrial development, city-wide growth and  
27 progress and the provision of basic services, and relative thereto, the  
28 sangguniang panlungsod shall:

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

5 (ii) Subject to the provisions of Book II of the Local Government Code  
6 of 1991 and applicable laws and, upon the majority vote of all the members of  
7 the sangguniang panlungsod, enact ordinances levying taxes, fees and charges,  
8 prescribing the rates thereof for general and specific purposes, and granting tax  
9 exemptions, incentives or reliefs;

10 (iii) Subject to the provisions of Book II of the Local Government  
11 Code of 1991 and applicable laws and, upon the majority vote of all the  
12 members of the sangguniang panlungsod, authorize the city mayor to negotiate  
13 and contract loans and other forms of indebtedness. The application for loans  
14 or other forms of indebtedness and the terms and conditions thereof shall,  
15 before approval, be published in a newspaper of general circulation in the City.  
16 Once approved, the contract covering the loans or other forms of indebtedness  
17 shall be furnished to any city resident requesting a copy thereof, upon payment  
18 of reasonable fees;

19 (iv) Subject to the provisions of Book II of the Local Government  
20 Code of 1991 and applicable laws and, upon the majority vote of all the  
21 members of the sangguniang panlungsod, enact ordinances authorizing the  
22 floating of bonds or other instruments of indebtedness for the purpose of  
23 raising funds to finance development projects. The authorization to float bonds  
24 or other instruments of indebtedness shall be published in a newspaper of  
25 general circulation in the City. Once approved, the contract covering the  
26 floating of bonds or other instruments of indebtedness, shall be furnished to  
27 any city resident requesting a copy thereof upon payment of reasonable fees;

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

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

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

11 (viii) Reclassify lands within the jurisdiction of the City, subject to the  
12 pertinent provisions of the Local Government Code of 1991;

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

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

25 (xi) Subject to the provisions of Book II of the Local Government  
26 Code of 1991, grant the exclusive privilege of constructing fish corrals or fish  
27 pens, or the taking or catching of bangus fry, prawn fry or kawag-kawag, or fry  
28 of any species of fish within the city waters;

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

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

9           (xiv) *Regulate the numbering of residential, commercial and other*  
10 *buildings; and*

11           (xv) *Regulate the inspection, weighing and measuring of articles of*  
12 *commerce;*

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

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

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

24           (iii) *Provide for and set the conditions under which public utilities*  
25 *owned by the City shall be operated by the city government and prescribe the*  
26 *conditions under which the same may be leased to private persons or entities,*  
27 *preferably cooperatives;*

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

4 (v) Authorize and license the establishment, operation and  
5 maintenance of cockpits, regulate cockfightings and the commercial breeding  
6 of gamecocks: *Provided*, That existing rights should not be prejudiced;

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

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

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

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

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

26 (iii) Require that buildings and the premises thereof and any land  
27 within the City be kept and maintained in a sanitary condition; impose  
28 penalties for any violation thereof; or, upon failure to comply with the

1 requirement, have the work done at the expense of the owner, administrator or  
2 tenant concerned; and require the filling up of any land or premises to a grade  
3 necessary for proper sanitation;

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

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

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

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

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

22 (ix) Provide for the impounding of stray animals; regulate the keeping  
23 of animals in homes or as part of a business, and the slaughter, sale or  
24 disposition of the same; and adopt measures to prevent and penalize cruelty to  
25 animals, subject to existing laws, rules and regulations; and

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

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

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

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

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

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

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

25           (vi) Regulate traffic on all streets and bridges, prohibit encroachments  
26 or obstacles thereon and, when necessary in the interest of public welfare,  
27 authorize the removal of encroachments and illegal constructions in public  
28 places;



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

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

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

24          (x) Subject to the availability of funds and the existing laws, rules and  
25    regulations, establish or maintain and/or provide for the operation of a city  
26    college, vocational and technical schools and similar post-secondary  
27    institutions and, with the approval of the DepEd, the Commission on Higher  
28    Education or the Technical Education and Skills Development Authority, as

1 the case may be, and subject to existing laws on tuition fees, fix and collect  
2 reasonable tuition fees and other school charges in educational institutions  
3 supported by the city government;

4 (xi) Ensure the physical maintenance of educational institutions under  
5 the operational control of the City and the provision of books and other capital  
6 equipment for the same;

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

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

11 (xiv) Provide for an efficient and effective system of solid waste and  
12 garbage collection and prohibit littering and the placing or throwing of  
13 garbage, refuse and other filth and wastes; and, for this purpose, provide for  
14 incentive schemes for industries engaged in the recycling of waste and  
15 garbage;

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

22 (xvi) Establish and provide for the maintenance and improvement of  
23 jails and detention centers, institute a sound jail management program,  
24 including a continuing education and training program for jail personnel  
25 assigned or detailed in jails and detention centers within the jurisdiction of the  
26 City, and the provision of separate detention centers for women and minors;

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

1 nongovernmental organizations and, subject to the availability of funds,  
2 appropriate funds for the 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 nongovernmental 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; and

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

11 ARTICLE V

12 PROCESS OF LEGISLATION

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

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

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

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

24 (3) The legislative process;

25 (4) The parliamentary procedures which include the conduct of  
26 members during sessions;

27 (5) The discipline of members for disorderly behavior and absences  
28 without justifiable cause for four consecutive sessions for which they may be

1 censured, reprimanded or excluded from the session, suspended for not more  
2 than sixty (60) days or expelled: *Provided*, That the penalty of suspension or  
3 expulsion shall require the concurrence of at least two-thirds (2/3) vote of all  
4 the sanggunian members: *Provided, further*, That a member convicted by final  
5 judgment to imprisonment of at least one year for any crime involving moral  
6 turpitude shall be automatically expelled from the sanggunian; and

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

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

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

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

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

27 (b) The disclosure required under this Act shall be made in writing and  
28 submitted to the secretary of the sanggunian or the secretary of the committee

1 of which he is a member. The disclosure shall, in all cases, form part of the  
2 record of the proceedings and shall be made in the following manner:

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

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

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

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

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

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

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

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

3 SEC. 15. *Quorum.* – (a) A majority of all the members of the  
4 sanggunian who have been elected and qualified shall constitute a quorum to  
5 transact official business. Should a question of quorum be raised during a  
6 session, the presiding officer shall immediately proceed to call the roll of the  
7 members and thereafter announce the result.

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

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

19 SEC. 16. *Approval of Ordinances.* – (a) Every ordinance enacted by the  
20 sangguniang panlungsod shall be presented to the city mayor. If the city mayor  
21 approves the same, he shall affix his signature on each and every page thereof,  
22 otherwise, he shall veto it and return the same with his objections to the  
23 sanggunian, which may proceed to reconsider the same. The sanggunian may  
24 override the veto of the city mayor by two-thirds (2/3) vote of all its members,  
25 thereby making the ordinance or resolution effective for all legal intents and  
26 purposes.

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

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

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

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

19 SEC. 18. *Review of City Ordinances by the Sangguniang*  
20 *Panlalawigan.* – (a) Within three days after approval, the secretary to  
21 the sangguniang panlungsod shall forward to the sangguniang panlalawigan for  
22 review copies of approved ordinances and resolutions approving the local  
23 development plans and the public investment programs formulated by the local  
24 development council.

25 (b) Within thirty (30) days after receipt of copies of such ordinances  
26 and resolutions, the sangguniang panlalawigan shall examine the documents or  
27 transmit them to the provincial attorney or the provincial prosecutor for prompt  
28 examination. The provincial attorney or the provincial prosecutor shall, within

1 a period of ten (10) days from receipt of the documents, inform the  
2 sangguniang panlalawigan in writing of his comments or recommendations,  
3 which may be considered by the sangguniang panlalawigan in making its  
4 decision.

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

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

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

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

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

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



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

4 SEC. 21. *Effectivity of Ordinances or Resolutions.* – (a) Unless  
5 otherwise stated in the ordinance or the resolution approving the local  
6 development plan and the public investment program, the same shall take  
7 effect after ten (10) days from the date a copy thereof is posted in a bulletin  
8 board at the entrance of the City Hall of Mati and in at least two other  
9 conspicuous places in the City of Mati.

10 (b) The secretary of the sangguniang panlungsod shall cause the  
11 posting of an ordinance or resolution in the bulletin board at the entrance of the  
12 city hall and in at least two conspicuous places in the City of Mati not later  
13 than five days after approval thereof. The text of the ordinance or the  
14 resolution shall be disseminated and posted in Filipino or English and in the  
15 language or dialect understood by majority of the people in the City and the  
16 secretary of the sangguniang panlungsod shall record such fact in a book kept  
17 for the purpose, stating the dates of approval and posting.

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

## ARTICLE VI

## DISQUALIFICATION AND SUCCESSION FOR ELECTIVE CITY OFFICIALS

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

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

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

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

(d) Those with dual citizenship;

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

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

(g) The insane or feeble-minded.

SEC. 23. *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 vice mayor, as the case may be. Subsequent vacancies in the said offices shall be filled in automatically by the other sanggunian members according to their ranking as defined herein.

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (d) In the event, however, that the city mayor fails or refuses to issue  
28 such authorization, the city vice mayor or the highest ranking sangguniang

1 panlungsod member, as the case may be, shall have the right to assume the  
2 powers, duties and functions of the said office on the fourth (4<sup>th</sup>) day of  
3 absence of the city mayor, subject to the limitations provided for in subsection  
4 (c) hereof.

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

#### 9 ARTICLE VII

#### 10 THE APPOINTIVE OFFICIALS OF THE CITY: 11 THEIR QUALIFICATIONS, POWERS AND DUTIES

12 SEC. 26. *The Secretary to the Sangguniang Panlungsod.* – (a) There  
13 shall be a secretary to the sangguniang panlungsod who shall be a career  
14 official with the rank and salary equal to a head of a department or office who  
15 shall be appointed by the city mayor with the concurrence of the majority of all  
16 the sangguniang panlungsod members, subject to civil service law, rules and  
17 regulations.

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

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

25 (d) The secretary to the sangguniang panlungsod shall take charge of  
26 the office of the sangguniang panlungsod and shall:

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

1           (2) Keep the seal of the City and affix the same with his signature to all  
2 ordinances, resolutions and other official acts of the sangguniang panlungsod  
3 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           (4) Forward to the sangguniang panlalawigan copies of duly approved  
7 ordinances in the manner provided for in Sections 56 and 57 under Book I of  
8 the Local Government Code of 1991;

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

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

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

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

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

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

26           SEC. 27. *The City Treasurer.* – (a) The city treasurer shall be appointed  
27 by the Secretary of Finance from a list of at least three ranking eligible

1 recommendees of the city mayor, subject to civil service law, rules and  
2 regulations.

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

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

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

14 (e) The city treasurer shall take charge of the city treasury office and  
15 shall:

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

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

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

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

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

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

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

8           (b) No person shall be appointed assistant city treasurer unless he is a  
9 citizen of the Philippines, a resident of the City, 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 at least three years  
13 experience in treasury or accounting.

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

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

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



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

3 (c) The city assessor shall take charge of the city assessor's office and  
4 shall:

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

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

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

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

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

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

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

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

23 (9) Issue, upon the request of any interested party, certified copies of  
24 assessment upon payment of a service charge or fee to the city treasurer;

25 (10) Submit every semester a report of all assessments as well as  
26 cancellations and modifications of assessments to the city mayor and the  
27 sangguniang panlungsod; and

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

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

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

13           (c) The assistant city assessor shall assist the city assessor and perform  
14 such other duties as the latter may assign to him. He shall have authority to  
15 administer oaths on all declarations of real properties for purposes of  
16 assessment

17           SEC. 31. *The City Accountant.* – (a) The city accountant must be a  
18 citizen of the Philippines, a resident of the City, of good moral character and a  
19 certified public accountant. He must have acquired experience in the treasury  
20 or accounting service for at least five years immediately preceding the date of  
21 his appointment.

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

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

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

27           (2) Prepare and submit financial statements to the city mayor and to the  
28 sangguniang panlungsod;

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

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

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

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

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

11 (8) Post individual disbursements to subsidiary ledgers and index  
12 cards;

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

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

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

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

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

24 SEC. 32. *The City Budget Officer.* – (a) The city budget officer must be  
25 a citizen of the Philippines, a resident of the City, of good moral character, a  
26 holder of a college degree preferably in accounting, economics, public  
27 administration or any 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 government budgeting or in any related field for at least five  
2 years immediately preceding the date of his appointment.

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

5 (c) The city budget officer shall take charge of the city budget office and  
6 shall:

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

9 (2) Review and consolidate the budget proposals of different  
10 departments and offices of the City;

11 (3) Assist the city mayor in the preparation of the proposed legislation  
12 and submit comments and recommendations thereon;

13 (4) Study and evaluate budgetary implementation of proposed  
14 legislation and submit comments and recommendations thereon;

15 (5) Submit periodic budgetary reports to the Department of Budget and  
16 Management;

17 (6) Coordinate with the city treasurer, the city accountant and the city  
18 planning and development officer for the purpose of budgeting;

19 (7) Assist the sangguniang panlungsod in reviewing the approved  
20 budgets of component barangays;

21 (8) Coordinate with the city planning and development officer in the  
22 formulation of the development plan of the City; and

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

26 SEC 33. *The City Planning and Development Officer* – (a) The city  
27 planning and development officer must be a citizen of the Philippines, a  
28 resident of the City, of good moral character, a holder of a college degree

1 preferably in urban planning, development studies, economics, public  
2 administration or in any related course from a recognized college or university  
3 and a first grade civil service eligible or its equivalent. He must have acquired  
4 experience in development planning or in any related field for at least five  
5 years immediately preceding the date of his appointment

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

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

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

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

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

16 (4) Monitor and evaluate the implementation of the different  
17 development programs, projects and activities in the City in accordance with  
18 the approved development plan;

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

21 (6) Analyze the income and expenditure patterns, and formulate and  
22 recommend fiscal plans and policies for the consideration of the finance  
23 committee of the City as provided for under the Local Government Code of  
24 1991;

25 (7) Promote people's participation in development planning within the  
26 City,

27 (8) Exercise supervision and control over the secretariat of the local  
28 development council; and

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

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

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

11           (c) The city engineer shall take charge of the city engineering office  
12 and shall;

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

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

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

21           (4) Provide engineering services to the City, including investigations  
22 and surveys, engineering designs, feasibility studies and project management;  
23 and

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

27           SEC. 35. *The City Health Officer.* – (a) The city health officer must be  
28 a citizen of the Philippines, a resident of the City, of good moral character and

1 a licensed medical practitioner. He must have acquired experience in the  
2 practice of his profession for at least five years immediately preceding the date  
3 of his appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

1 (vii) Coordinate with the National Statistics Office in conducting  
2 educational campaigns for vital registration and assist in the preparation of  
3 demographic and other statistics for the City of Mati; and

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

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

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

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

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

20 (1) 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 management and administration-related programs and projects which the city  
23 mayor is empowered to implement and which the sangguniang panlungsod is  
24 empowered to provide for under the Local Government Code of 1991;

25 (2) In addition to the foregoing duties and functions, the city  
26 administrator shall assist in the coordination of the work of all the officials of  
27 the City under the supervision, direction and control of the city mayor and, for

1 this purpose, he may convene the chiefs of offices and other officials of the  
2 City;

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

6 (4) Recommend to the sangguniang panlungsod and advise the city  
7 mayor on all matters relative to the management and administration of the City;  
8 and

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

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

16 (b) The term of the city legal officer shall be coterminous with that of  
17 his appointing authority.

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

20 (d) The city legal officer, the chief legal counsel of the City, shall take  
21 charge of the office of the city legal service and shall:

22 (1) Formulate measures for the consideration of the sangguniang  
23 panlungsod and provide legal assistance and support to the city mayor in  
24 carrying out the delivery of basic services and the provision of adequate  
25 facilities;

26 (2) Develop plans and strategies and, upon approval thereof by the city  
27 mayor, implement the same, particularly those which have to do with the  
28 programs and projects related to legal services which the city mayor is

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

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

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

10 (ii) When required by the city mayor or the sanggunian, draft  
11 ordinances, contracts, bonds, leases and other instruments involving any  
12 instrument already drawn;

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

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

18 (v) Investigate or cause to be investigated any person, firm or  
19 corporation holding any franchise or exercising any public privilege for failure  
20 to comply with any term or condition in the grant of such franchise or  
21 privilege, and recommending appropriate action to the city mayor or  
22 sangguniang panlungsod, as the case may be;

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

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

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

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

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

9 SEC. 39. *The City Social Welfare and Development Officer.* – (a) The  
10 city social welfare and development officer must be a citizen of the  
11 Philippines, a resident of the City, of good moral character, a duly licensed  
12 social worker or a holder of a college degree preferably in sociology or in any  
13 other related course from a recognized college or university and a first grade  
14 civil service eligible or its equivalent. He must have acquired experience in the  
15 practice of social work for at least five years immediately preceding the date of  
16 his appointment.

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

19 (c) The city social welfare and development officer shall take charge of  
20 the office of the social welfare and development and shall;

21 (1) Formulate measures for the approval 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 provision  
24 of adequate facilities relative to social welfare and development services;

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

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

3 (3) In addition to the foregoing duties and functions, the city social  
4 welfare and development officer shall:

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

8 (ii) Provide relief and appropriate crisis intervention for victims of  
9 abuse and exploitation and recommend appropriate measures to deter further  
10 abuse and exploitation;

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

13 (iv) Facilitate the implementation of welfare programs for the  
14 differently-abled, the elderly and victims of drug addiction, the rehabilitation  
15 of prisoners and parolees, the prevention of juvenile delinquency and such  
16 other activities which would eliminate or minimize the ill-effects of poverty;

17 (v) Initiate and support youth welfare programs that will enhance the  
18 role of the youth in nation-building; and

19 (vi) Coordinate with government agencies and nongovernmental  
20 organizations which have, for their purpose, the promotion and protection of  
21 all the needy, the disadvantaged, the underprivileged or impoverished groups  
22 or individuals, particularly those identified to be vulnerable and high-risk to  
23 exploitation, abuse and neglect;

24 (4) Be in the frontline of delivery of services particularly those which  
25 have to do with immediate relief and assistance during and in the aftermath of  
26 man-made and natural disasters or calamities;

27 (5) Recommend to the sangguniang panlungsod and advise the city  
28 mayor on all other matters related to social welfare and development services

1 which will improve the livelihood and the living conditions of the inhabitants;  
2 and

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

6 SEC. 40. *The City Veterinarian.* – (a) The city veterinarian must be a  
7 citizen of the Philippines, a resident of the City, of good moral character and a  
8 licensed doctor of veterinary medicine. He must have practiced his profession  
9 for at least three years immediately preceding the date of his appointment.

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

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

14 (1) Formulate measures for the consideration of the sangguniang  
15 panlungsod and provide technical assistance and support to the city mayor in  
16 carrying out measures to ensure the delivery of basic services and the provision  
17 of adequate facilities;

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 the  
20 *veterinary-related activities* which the city mayor is empowered to implement  
21 and which the sangguniang panlungsod is empowered to provide for under the  
22 Local Government Code of 1991;

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

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

27 (ii) Regulate the keeping of domestic animals;

1 (iii) Regulate and inspect poultry, milk and dairy products for public  
2 consumption;

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

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

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

12 (5) Recommend to the sangguniang panlungsod and advise the city  
13 mayor on all matters relative to veterinary services which will increase the  
14 number and improve the quality of livestock, poultry and other domestic  
15 animals used for work or for human consumption; and

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

19 SEC. 41. *The City General Services Officer.* – (a) The city general  
20 services officer must be a citizen of the Philippines, a resident of the City, of  
21 good moral character, a holder of a college degree in public administration,  
22 business administration or management from a recognized college or university  
23 and a first grade civil service eligible or its equivalent. He must have acquired  
24 experience in general services, including the management of supply, solid  
25 waste disposal and general sanitation for at least five years immediately  
26 preceding the date of his appointment.

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



1 (c) The city general services officer shall take charge of the office of  
2 the general services and shall:

3 (1) Formulate measures for the consideration of the sangguniang  
4 panlungsod and provide technical assistance and support to the city mayor in  
5 carrying out measures to ensure the delivery of basic services and the provision  
6 of adequate facilities which require general services expertise and technical  
7 support services;

8 (2) Develop plans and strategies and, upon approval thereof by the city  
9 mayor, implement the same, particularly those which have to do with the  
10 general services supportive of the welfare of the inhabitants of the City which  
11 the city mayor is empowered to implement and which the sangguniang  
12 panlungsod is empowered to provide for under the Local Government Code of  
13 1991;

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

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

19 (ii) With the approval of the city mayor, assign building or land space  
20 to local officials or other public officials who, by law, are entitled to space;

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

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

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

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

3           (vii) Perform archival and record management with respect to records  
4 of offices and developments of the City; and

5           (viii) Perform all other functions pertaining to supply and property  
6 management and enforce policies on records creation, maintenance and  
7 disposal;

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

12           (5) Recommend to the sangguniang panlungsod and advise the city  
13 mayor on all matters relative to general services; and

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

17           SEC. 42. *The City Agriculturist.* – (a) The city agriculturist must be a  
18 citizen of the Philippines, a resident of the City, of good moral character, a  
19 holder of a college degree preferably in agriculture or in any other related  
20 course from a recognized college or university and a first grade civil service  
21 eligible or its equivalent. He must have practiced his profession in agriculture  
22 or acquired the experience for at least five years immediately preceding the  
23 date of his appointment.

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

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

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

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

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

12 (i) Ensure that maximum assistance and access to resources in the  
13 production, processing and marketing of agricultural and aquaculture and  
14 marine products are extended to farmers, fishermen and local entrepreneurs;

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

20 (iii) Assist the city mayor in the establishment and extension services  
21 of demonstration farms on aquaculture and marine products;

22 (iv) Enforce rules and regulations relating to agriculture and  
23 aquaculture; and

24 (v) Coordinate with government agencies and nongovernmental  
25 organizations which promote agricultural productivity through appropriate  
26 technology compatible with environmental integrity;

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

4 (5) Recommend to the sangguniang panlungsod and advise the city  
5 mayor on all other matters related to agriculture and aquaculture which will  
6 improve the livelihood and the living conditions of the inhabitants; and

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

10 SEC. 43. *The City Environment and Natural Resources Officer* – (a)  
11 The city environment and natural resources officer must be a citizen of the  
12 Philippines, a resident of the City, of good moral character, a holder of a  
13 college degree preferably in environment, forestry, agriculture or in any other  
14 related course from a recognized college or university and a first grade civil  
15 service eligible or its equivalent. He must have acquired experience in  
16 environment and natural resources management, conservation and utilization  
17 work for at least five years immediately preceding the date of his appointment.

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

20 (c) The city environment and natural resources officer shall take charge  
21 of the office of the environment and natural resources and shall:

22 (1) Formulate measures for the consideration of the sangguniang  
23 panlungsod and provide assistance and support to the city mayor in carrying  
24 out measures to ensure the delivery of basic services and the provision of  
25 adequate facilities relative to environment and natural resources services as  
26 provided for under Section 17 of the Local Government Code of 1991;

27 (2) Develop plans and strategies and, upon approval thereof by the city  
28 mayor, implement the same, particularly those which have to do with the

1 environment and natural resources programs and projects which the city mayor  
2 is empowered to implement and which the sangguniang panlungsod is  
3 empowered to provide for under the Local Government Code of 1991;

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

6 (i) Establish, maintain, protect and preserve communal forests,  
7 watersheds, tree parks, mangroves, greenbelts, commercial forests and similar  
8 forest projects, like industrial tree farms and agro-forestry projects;

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

12 (iii) Manage and maintain seedbanks and produce seedlings for forest  
13 and tree parks;

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

16 (v) Coordinate with government agencies and nongovernmental  
17 organizations in the implementation of measures to prevent and control land,  
18 air and water pollution, with the assistance of the Department of Environment  
19 and Natural Resources;

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

24 (5) Recommend to the sangguniang panlungsod and advise the city  
25 mayor on all matters relative to protection, conservation, maximum utilization,  
26 application of appropriate technology and other matters related to the  
27 environment and natural resources; and

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

4           SEC. 44. *The City Architect.* – (a) The city architect must be a citizen  
5 of the Philippines, a resident of the City, of good moral character and a duly  
6 licensed architect. He must have practiced his profession for at least five years  
7 immediately preceding the date of his appointment.

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

10          (c) The city architect shall take charge of the office of the architectural  
11 planning and design and shall:

12           (1) Formulate measures for the consideration of the sangguniang  
13 panlungsod and provide technical assistance and support to the city mayor in  
14 carrying out measures to ensure the delivery of basic services and the provision  
15 of adequate facilities relative to architectural planning and design;

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

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

23           (i) Prepare and recommend, for consideration of the sanggunian, the  
24 architectural plan and design for the City or a part thereof, including the  
25 renewal of slums and blighted areas, land reclamation activities, the greening  
26 of land and the appropriate planning of marine and foreshore areas;

27           (ii) Review and recommend, for appropriate action of the sanggunian  
28 or the mayor as the case may be, the architectural plans and designs submitted

1 by government and nongovernment entities or individuals particularly those for  
2 undeveloped, underdeveloped and poorly-designed areas; and

3 (iii) Coordinate with government, nongovernment entities and  
4 individuals involved in the aesthetics and the maximum utilization of the land  
5 and water within the jurisdiction of the City, compatible with environmental  
6 integrity and ecological balance;

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

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

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

17 SEC. 45. *The City Information Officer* – (a) The city information  
18 officer must be a citizen of the Philippines, a resident of the City, of good  
19 moral character, a holder of a college degree preferably in journalism or mass  
20 communication or any related course from a recognized college or university  
21 and a first grade civil service eligible or its equivalent. He must have acquired  
22 experience in writing articles and research papers or writing for print,  
23 television, broadcast and other forms of mass media for at least five years  
24 immediately preceding the date of his appointment.

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

27 (c) The city information officer shall take charge of the office on public  
28 information and shall:

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

6 (2) Develop plans and strategies and, upon approval thereof by the city  
7 mayor, implement the same, particularly those which have to do with public  
8 information and research data to support programs and projects which the city  
9 mayor is empowered to implement and which the sangguniang panlungsod is  
10 empowered to provide for under the Local Government Code of 1991;

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

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

15 (ii) Furnish information and data on the City to government agencies  
16 or offices as may be required by law or ordinance and nongovernmental  
17 organizations to be furnished to said agencies and organization; and

18 (iii) Maintain effective liaison with the various sectors of the  
19 community on matters and issues that affect the livelihood and the quality of  
20 life of the inhabitants and encourage support for programs of the local and  
21 national governments;

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

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



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

4           SEC. 46. *The City Cooperatives Officer.* – (a) The city cooperatives  
5 officer must be a citizen of the Philippines, a resident of the City, of good  
6 moral character, a holder of a college degree preferably in business  
7 administration with special training on cooperatives or in any related course  
8 from a recognized college or university and a first grade civil service eligible  
9 or its equivalent. He must have acquired experience in cooperatives  
10 development for at least five years immediately preceding the date of his  
11 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 the 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 provision  
19 of facilities through the development of cooperatives and in providing access  
20 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 cooperatives principles and methods in programs and projects  
24 which the city mayor is empowered to implement and which the sangguniang  
25 panlungsod is empowered to provide for under the Local Government Code of  
26 1991;

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

1 (i) Assist in the organization of cooperatives;

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

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

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

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

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

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

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

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

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

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 the  
12 integration of population development principles and methods in programs and  
13 projects which the city mayor is empowered to implement and which the  
14 sangguniang panlungsod is empowered to provide for under the Local  
15 Government Code of 1991;

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

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

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

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

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

## ARTICLE VIII

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

## THE CITY SCHOOLS DIVISION AND THE CITY PROSECUTION SERVICE

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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, fire fighting  
6 facilities and equipment, subject to the standards, rules and regulations that  
7 may be promulgated by the DILG. The City shall provide the necessary land or  
8 *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 the Philippine  
11 National Police law.

12       (c) The city fire station shall be responsible for the provision of various  
13 emergency services such as the rescue and evacuation of injured people at fire-  
14 related incidents and, in general, fire prevention and suppression measures to  
15 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 secure, clean and adequately equipped jail for the  
18 custody and safekeeping of prisoners, any fugitive from justice or person  
19 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 the human rights of these prisoners are respected and  
28 protected, and their spiritual and physical well-being are properly and promptly

1 attended to. Likewise, the City shall ensure that proper separate detention  
2 centers for juveniles and women are provided for.

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

6 (b) The city schools 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 Service.* – (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 the  
22 quality of prosecution service in the City and, for this purpose shall, in the  
23 absence or lack or insufficiency in number of 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.

## ARTICLE IX

## TRANSITORY AND FINAL PROVISIONS

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

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

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

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

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

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

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.* – Until otherwise provided by law,  
8 the City of Mati shall continue to be a part of the Second Congressional  
9 District of the Province of Davao Oriental.

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 Mati 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 Mati  
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 provision of this Charter shall be held unconstitutional, invalid or  
19 inconsistent with the Local Government Code of 1991, the 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 Mati  
27 and any of the adjoining local government units even after the effectivity of  
28 this Act.

1           SEC. 64. *Repealing Clause.* – All laws, decrees, rules and regulations  
2 or parts thereof which are inconsistent with the provisions of this Act are  
3 hereby 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 circulation.

Approved,

**O**