

THIRTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
Third Regular Session }

7 FEB -8 P5:14

SENATE

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COMMITTEE REPORT NO. 303

RECEIVED BY: 

Submitted by the Committee on Local Government on FEB 08 2007

Re : House Bill No. 6003

Recommending its approval without amendment

Sponsor : Senator Lim

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**MR. PRESIDENT:**

The Committee on Local Government to which was referred House Bill No. 6003, introduced by Representatives Baculio, Nantes, Gullas, Cari, Figueroa, Martinez, Wachang, Amante, Salapuddin and Pichay, entitled:

**"AN ACT  
CONVERTING THE MUNICIPALITY OF EL SALVADOR IN THE PROVINCE OF  
MISAMIS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF EL  
SALVADOR"**

has considered the same and has the honor to report it back to the Senate with the recommendation that it be approved without amendment.

Respectfully submitted:

  
**ALFREDO S. LIM**  
Chairman

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

Members:

**RODOLFO G. BIAZON**

**COMPAÑERA PIA S. CAYETANO**

  
**FRANKLIN M. DRILON**  
**JUAN PONCE ENRILE**  
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**MANUEL "LITO" M. LAPID**

  
**RAMON B. MAGSAYSAY JR.**

**RALPH G. RECTO**

**RAMON BONG REVILLA JR.**

  
**JINGGOY EJERCITO ESTRADA**  
  
**M.A. MADRIGAL**  
**PANFILO M. LACSON**

**SERGIO OSMEÑA III**

Ex-Officio Members:

  
**JUAN M. FLAVIER**  
President Pro-Tempore

**FRANCIS N. PANGILINAN**  
Majority Leader

**Hon. MANNY VILLAR**  
President  
Senate of the Philippines  
Pasay City



HOUSE OF REPRESENTATIVES

H. No. 6003

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BY REPRESENTATIVES BACULIO, NANTES, GULLAS, CARI, FIGUEROA,  
MARTINEZ, WACNANG, AMANTE, SALAPUDDIN AND PICHAY, PER  
COMMITTEE REPORT NO. 2130

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AN ACT CONVERTING THE MUNICIPALITY OF EL SALVADOR IN  
THE PROVINCE OF MISAMIS ORIENTAL INTO A COMPONENT  
CITY TO BE KNOWN AS THE CITY OF EL SALVADOR

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title.* – This Act shall be known as the “Charter of the City  
of El Salvador”.

SEC. 2. *The City of El Salvador.* – The Municipality of El Salvador  
shall be converted into a component city to be known as the City of El  
Salvador, hereinafter referred to as the City, which shall comprise the present  
territory of the Municipality of El Salvador, Province of Misamis Oriental.  
The territorial jurisdiction of the City shall be within the present metes and  
bounds of the Municipality of El Salvador.

1           The foregoing provision shall be without prejudice to the resolution by  
2 the appropriate agency or forum of existing boundary disputes or cases  
3 involving questions of territorial jurisdiction between the City of El Salvador  
4 and the adjoining local government units: *Provided*, That the territorial  
5 jurisdiction of the disputed area or areas shall remain with the local  
6 government unit which has existing administrative supervision over said area  
7 or areas until the final resolution of the case.

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

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

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

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

3 SEC. 6. *Jurisdiction of the City.* – The jurisdiction of the City of El  
4 Salvador, for police purposes only, shall be coextensive with its territorial  
5 jurisdiction and for the purpose of protecting and ensuring the purity of the  
6 water supply of the City, such police jurisdiction shall also extend over all the  
7 territory within the drainage area of such water supply, or within one hundred  
8 meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station  
9 used in connection with the city water service.

10 The city court of the City of El Salvador shall have concurrent  
11 jurisdiction with the city or municipal court of the adjoining municipalities or  
12 cities to try crimes and misdemeanors committed within said drainage area or  
13 within said spaces of one hundred meters (100 m.). The court first taking  
14 cognizance of such an offense shall have jurisdiction to try said cases to the  
15 exclusion of others. The police forces of the several municipalities and cities  
16 concerned shall have concurrent jurisdiction with the police of the City for the  
17 maintenance of good order and the enforcement of ordinances throughout said  
18 zone, area or spaces. But any license that may be issued within said zone, area  
19 or spaces shall be granted by the proper authorities of the city or municipality  
20 concerned, and the fees arising therefrom shall accrue to the treasury of the  
21 said city or municipality concerned and not to the City.

## 22 ARTICLE II

### 23 CITY OFFICIALS IN GENERAL

24 SEC. 7. *The Officials of the City of El Salvador.* – (a) There shall be in  
25 the City of El Salvador: a city mayor, a city vice mayor, sangguniang  
26 panlungsod members, a secretary to the sangguniang panlungsod, a city  
27 treasurer and an assistant city treasurer, a city assessor and an assistant city  
28 assessor, a city accountant, a city budget officer, a city planning and

1 development coordinator, a city engineer, a city health officer, a city civil  
2 registrar, a city administrator, a city legal officer, a city social welfare and  
3 development officer, a city veterinarian and a city general services officer;

4 (b) In addition thereto, the city mayor may appoint a city environment  
5 and natural resources officer, a city architect, a city information officer, a city  
6 cooperatives officer, a city population officer and a city agriculturist;

7 (c) There shall be established in the City a city fire station to be headed  
8 by a city fire marshal, a city jail to be headed by a city jail warden and a city  
9 schools division to be headed by a city schools division superintendent;

10 (d) The City of El Salvador may:

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

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

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

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

### 23 ARTICLE III

#### 24 THE CITY MAYOR AND THE CITY VICE MAYOR

25 SEC. 8. *The City Mayor.* – (a) The city mayor shall be the chief  
26 executive of the City. He shall be elected at large by the qualified voters of the  
27 City. No person shall be eligible for the position of city mayor unless, at the  
28 time of the election, he is at least twenty-one (21) years of age, an actual

1 resident of the City of El Salvador for at least one year prior to his election and  
2 a qualified voter therein. He shall hold office for three years, unless sooner  
3 removed, and shall receive a minimum monthly compensation corresponding  
4 to Salary Grade Thirty (30) as prescribed under the Republic Act No. 6758,  
5 otherwise known as the Salary Standardization Law and the implementing  
6 guidelines issued pursuant thereto.

7 The city mayor, as the chief executive of the city government, shall  
8 exercise such powers and perform such duties and functions as provided  
9 herein.

10 (b) For efficient, effective and economical governance, the purpose of  
11 which is the *general welfare of the city and its inhabitants*, the city mayor shall:

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

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

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

21 (iii) Present the program of government and propose policies and  
22 projects for the consideration of the sangguniang panlungsod at the opening of  
23 the regular session of the sangguniang panlungsod every calendar year and as  
24 often as may be deemed necessary as the general welfare of the inhabitants and  
25 the needs of the city government may require;

26 (iv) Initiate and propose legislative measures to the sangguniang  
27 panlungsod and, as often as may be deemed necessary, provide such

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

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

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

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

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

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

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

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

27 (xii) Furnish copies of executive orders issued by him to the Office of  
28 the President and the Office of the Secretary of the Department of the Interior



1 and Local Government (DILG) within seventy-two (72) hours after the  
2 issuance;

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

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

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

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

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

27 (xviii) Solemnize marriages, any provision of law to the contrary  
28 notwithstanding;

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

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

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

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

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

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

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

27 (v) Act as the deputized representative of the National Police  
28 Commission, formulate the peace and order plan of the City and, upon its

1 approval, implement the same; and as such, exercise the general and  
2 operational control and supervision over the police forces in the City in  
3 accordance with Republic Act No. 6975, otherwise known as the Philippine  
4 National Police Law; and

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

9 (3) Initiate and maximize the generation of resources and revenues,  
10 and apply the same to the implementation of development plans, program  
11 objectives and priorities, particularly those resources and revenues  
12 programmed for agro-industrial development and countryside growth and  
13 progress and, relative thereto, shall:

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

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

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

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

27 (v) Issue permits without need of approval therefor from any national  
28 agency, for the holding of activities for any charitable or welfare purpose,

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

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

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

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

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

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

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

25 (ii) Coordinate the implementation of technical services, including  
26 public works and infrastructure programs, rendered by national offices.

1 (5) 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 (b) During his incumbency, the city mayor shall hold office in the city  
5 hall.

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

13 (b) The city vice mayor shall:

14 (1) Be the presiding officer of the sangguniang panlungsod and sign  
15 all warrants drawn on the city treasury for all expenditures appropriated for the  
16 operation of the sangguniang panlungsod;

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

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

22 (4) Exercise the powers and perform the duties and functions of the  
23 city mayor in case of temporary vacancy; 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.

## ARTICLE IV

## THE SANGGUNIANG PANLUNGSOD

1  
2  
3       SEC. 10. *Composition.* – (a) The sangguniang panlungsod, the  
4 legislative body of the City, shall be composed of the city vice mayor as the  
5 presiding officer, the regular sanggunian members, the president of the city  
6 chapter of the liga ng mga barangay, the president of the panlungsod na  
7 pederasyon ng mga sangguniang kabataan and the sectoral representatives, as  
8 members.

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

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

17       SEC. 11. *Powers, Duties, Functions and Compensation.* – (a) The  
18 sangguniang panlungsod, as the legislative body of the City, shall enact  
19 ordinances, approve resolutions and appropriate funds for the general welfare  
20 of the City and its inhabitants pursuant to Section 16 of the Local Government  
21 Code and in the proper exercise of the corporate powers of the City as  
22 provided for under Section 22 of the Local Government Code, and shall:

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

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

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

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

7 (iv) Adopt measures to protect the inhabitants of the City from the  
8 *harmful effects of man-made or natural disasters and calamities*, and to provide  
9 relief services and assistance for victims during and in the aftermath of said  
10 disasters or calamities and in their return to productive livelihood following  
11 said events;

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

20 (vi) Protect the environment. To this end, it may set aside at least ten  
21 percent (10%) of its development funds for the purpose of maintaining and  
22 enhancing ecological balance of the City. It may also impose appropriate  
23 penalties for acts which endanger the environment, such as dynamite fishing  
24 and other forms of destructive fishing, illegal logging, smuggling of logs,  
25 smuggling of natural resources products and of endangered species of flora  
26 and fauna, slash-and-burn farming and such other activities which result in  
27 pollution, acceleration of eutrophication of rivers and lakes or of ecological  
28 imbalance;

1           (vii) Subject to the provisions of the Local Government Code and  
2 pertinent laws, determine the powers and duties of officials and employees of  
3 the City;

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

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

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

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

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

24           (xiii) Provide for group insurance or additional insurance coverage for  
25 all barangay officials, including members of barangay tanod brigades and other  
26 service units, with public or private insurance companies, when the finances of  
27 the city government allow said coverage.



1           (2) Generate and maximize the use of resources and revenues for the  
2 development/ plans, program objectives and priorities of the City, with  
3 particular attention to agro-industrial development and city-wide growth and  
4 progress and, relative thereto, shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27           (vi) Subject to the guidelines prescribed by the Department of  
28 Transportation and Communications, regulate the operation of tricycles and

1 grant franchises for the operation thereof within the territorial jurisdiction of  
2 the City; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (ii) Establish markets, slaughterhouses or animal corrals and authorize  
28 the operation thereof by the city government; and regulate the construction and

1 operation of private markets, talipapas or other similar buildings and  
2 structures;

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

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

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

18 (vi) Regulate traffic on all streets and bridges, prohibit encroachments  
19 or obstacles thereon and, when necessary in the interest of public welfare,  
20 authorize the removal of encroachments and illegal constructions in public  
21 places;

22 (vii) Subject to existing laws, establish and provide for the  
23 maintenance, repair and operation of an efficient waterworks system to supply  
24 water for the inhabitants and to purify the source of the water supply; regulate  
25 the construction, maintenance, repair and use of hydrants, pumps, cisterns and  
26 reservoirs; protect the purity and quantity of the water supply of the City and,  
27 for this purpose, extend the coverage of appropriate ordinances over all  
28 territory within the drainage area of said water supply and within one hundred

1 meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping station or  
2 watershed used in connection with the water service; and regulate the  
3 consumption, use or wastage of water and fix and collect charges therefor;

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

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

17 (x) Subject to the availability of funds and the existing laws, rules and  
18 regulations, establish and provide for the operation of vocational and technical  
19 schools and similar post secondary institutions and, with the approval of the  
20 DepEd and subject to existing laws on tuition fees, fix and collect reasonable  
21 tuition fees and other school charges in educational institutions supported by  
22 the city government;

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

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

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

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

9 (xv) Establish and provide for the maintenance and improvement of  
10 jails and detention centers, institute a sound jail management program and  
11 appropriate funds for the subsistence of detainees and convicted prisoners in  
12 the City;

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

17 (xvii) Establish a city council for the elderly and senior citizens which  
18 shall formulate policies and adopt measures mutually beneficial to the elderly  
19 and to the community; provide incentives for nongovernmental agencies and  
20 entities and, subject to the availability of funds, appropriate funds to support  
21 programs and projects for the benefit of the elderly;

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

25 (b) The members of the sangguniang panlungsod of the City of El  
26 Salvador shall receive a minimum monthly compensation corresponding to  
27 Salary Grade Twenty-five (25) as prescribed under the Salary Standardization  
28 Law and the implementing guidelines issued pursuant thereto.



## ARTICLE V

## PROCESS OF LEGISLATION

1  
2  
3       SEC. 12. *Internal Rules of Procedure.* – (a) On the first regular session  
4 following the election of its members and within ninety (90) days thereafter,  
5 the sangguniang panlungsod shall adopt or update its existing rules of  
6 procedure.

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

8       (1) The organization of the sanggunian and the election of its officers  
9 as well as the creation of standing committees which shall include, but shall  
10 not be limited to, the committees on appropriations, revenues, engineering and  
11 public works, education and health, women and family, human rights, youth  
12 and sports development, environmental protection, peace and order and traffic,  
13 and cooperatives; the general jurisdiction of each committee; and the election  
14 of the chairman and members of each committee;

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

16       (3) The legislative process;

17       (4) The parliamentary procedures which include the conduct of  
18 members during sessions;

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

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

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

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

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

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

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

25           (1) Disclosure shall be made before the member participates in the  
26 deliberations on the ordinance or resolution under consideration: *Provided,*  
27 That if the member did not participate during the deliberations, the disclosure

1 shall be made before voting on the ordinance or resolution on second and third  
2 readings; and

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

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

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

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

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

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

24 (e) The sangguniang panlungsod shall keep a journal and record of its  
25 proceedings, which may be published upon resolution of the majority of its  
26 members.

27 SEC. 15. *Quorum.* – (a) A majority of all the members of the  
28 sanggunian who have been elected and qualified shall constitute a quorum to

1 transact official business. Should a question of quorum be raised during a  
2 session, the presiding officer shall immediately proceed to call the roll of the  
3 members and thereafter announce the results.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 SEC. 20. *Enforcement of Disapproved Ordinances or Resolutions.* –  
24 Any attempt to enforce any ordinance or any resolution approving the local  
25 development plan and the public investment program after the disapproval  
26 thereof shall be sufficient ground for the suspension or dismissal of the official  
27 or employee concerned.

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

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

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

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

## ARTICLE VI

## DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS

1  
2           DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS  
3           SEC. 22. *Disqualifications of Elective Public City Officials.* – The  
4 following persons are disqualified from running for any elective position in the  
5 City:

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

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

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

12          (d) Those with dual citizenship;

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

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

18          (g) The insane or feeble-minded.

19           SEC. 23. *Permanent Vacancy in the Offices of the City Mayor and the*  
20 *City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the city  
21 mayor, the city vice mayor concerned shall become the city mayor. If a  
22 permanent vacancy occurs in the office of the city vice mayor, the highest  
23 ranking sangguniang panlungsod member or, in case of his permanent  
24 incapacity, the second highest ranking sangguniang panlungsod member shall  
25 become the city mayor or the city vice mayor, as the case may be. Subsequent  
26 vacancies in the said offices shall be filled automatically by the other  
27 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 (d) For purposes of this Act, a permanent vacancy arises when an  
6 elective local official fills a higher vacant office, refuses to assume office, fails  
7 to 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 in this Act, ranking in the  
10 sanggunian shall be determined on the basis of the proportion of votes  
11 obtained by each winning candidate to the total number of registered voters in  
12 the City in the immediately preceding local election.

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

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

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

5 (d) In case of vacancy in the representation of the youth and the  
6 barangay in the sangguniang panlungsod, said vacancy shall be filled  
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 or the highest ranking  
12 sangguniang panlungsod member shall automatically exercise the powers and  
13 perform the duties and functions of the city mayor, except the power to  
14 appoint, suspend or dismiss employees which can only be exercised if the  
15 period of temporary incapacity exceeds thirty (30) working 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 causes no longer exist.

21 (c) When the city mayor is traveling within the country but outside  
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 day of absence of  
3 the city mayor, subject to the limitations provided for in subsection (c) hereof.

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

## 8 ARTICLE VII

### 9 THE APPOINTIVE OFFICIALS OF THE CITY

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

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

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

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

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

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

1           (4) Forward to the Department of Budget and Management (DBM)  
2 copies of the appropriation ordinances passed by the sangguniang panlungsod  
3 as provided for under Section 326, Book II of the Local Government Code;

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

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

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

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

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

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

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

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

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

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

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

12 (e) The city treasurer shall take charge of the city finance department,  
13 and shall:

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

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

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

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

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

26 (6) Perform such other duties and functions and exercise such other  
27 powers as provided for under Republic Act No. 7160, otherwise known as the

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

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

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

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

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

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

1           (b) The city assessor shall receive such compensation, emoluments  
2 and 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  
8 objectives, plans and programs, techniques, procedures and practices in the  
9 evaluation and assessment of real properties for taxation purposes;

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

11          (4) Install and maintain a 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  
17 whether all real properties within the City are properly listed in the assessment  
18 rolls;

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

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

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

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

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

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

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

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

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

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



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

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

4           (2) Prepare and submit financial statements to the city mayor and to  
5 the sangguniang panlungsod;

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

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

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

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

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

16          (8) Post individual disbursements to the subsidiary ledger and index  
17 cards;

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

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

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

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

26          (13) Perform such other duties and functions and exercise such other  
27 powers as provided for under Republic Act No. 7160, otherwise known as the

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

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

10 (b) The city budget officer shall take charge of the city budget  
11 department and shall:

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

14 (2) Review and consolidate the budget proposals of different  
15 departments and offices of the City;

16 (3) Assist the city mayor in the preparation of the budget and during  
17 budget hearings;

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

20 (5) Submit periodic budgetary reports to the Department of Budget  
21 and Management;

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

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

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

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

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

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

15           (c) The city planning development officer shall take charge of the city  
16 planning and development coordinating office, and shall:

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

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

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

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

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

1 (6) Analyze the income and expenditure patterns and formulates and  
2 recommends fiscal plans and policies for consideration of the finance  
3 committee of the sangguniang panlungsod;

4 (7) Promote people's participation in development planning within  
5 the City;

6 (8) Exercise supervision and control over the secretariat of the local  
7 development council; and

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

12 SEC. 34. *The City Engineer.* – (a) The city engineer must be a citizen  
13 of the Philippines, a resident of the City of El Salvador, of good moral  
14 character and a licensed civil engineer. He must have acquired experience in  
15 the practice of his profession for at least five years immediately preceding the  
16 date of his appointment.

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

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

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

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

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

1           (4) Provide engineering services to the City, including investigation  
2 and survey, engineering designs, feasibility studies and project management;  
3 and

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

8           SEC. 35. *The City Health Officer.* – (a) The city health officer must be  
9 a citizen of the Philippines, a resident of the City of El Salvador, of good  
10 moral character and a licensed medical practitioner. He must have acquired  
11 experience in the practice of his profession for at least five years immediately  
12 preceding the date of his appointment.

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

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

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

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

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

1 health programs and projects which the city mayor is empowered to implement  
2 and which the sangguniang panlungsod is empowered to provide for under the  
3 Local Government Code; and

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

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

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

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

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

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

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

20 (vii) Conduct health information campaigns and render health  
21 intelligence services;

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

24 (ix) Be in the frontline of the delivery of health services, particularly  
25 during and in the aftermath of man-made and natural disasters and calamities;  
26 and

27 (5) Perform such other duties and functions and exercise such other  
28 powers as provided for under Republic Act No. 7160, otherwise known as the

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

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

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

11 (c) The city civil registrar shall be responsible for the civil  
12 registration program in the City of El Salvador, pursuant to the Civil Registry  
13 Law, the Civil Code and other pertinent laws, rules and regulations issued  
14 implement them.

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

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

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

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

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

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

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

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

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

12 (vii) Coordinate with the National Statistics Office in conducting  
13 educational campaigns for vital registration and assist in the preparation of  
14 demographic and other statistics for the City of El Salvador.

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

18 *SEC. 37. The City Administrator.* - (a) The city administrator must be  
19 a citizen of the Philippines, a resident of the City of El Salvador, of good  
20 moral character, a holder of a college degree preferably in public  
21 administration, law or any other related course from a recognized college or  
22 university, and a first grade civil service eligible or its equivalent. He must  
23 have acquired experience in management and administrative work for at least  
24 five years immediately preceding the date of his appointment.

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

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



1 (d) The city administrator shall take charge of the city administrator's  
2 office, and shall:

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

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

11 (3) Recommend to the sangguniang panlungsod and advise the city  
12 mayor on all matters relative to the management and administration of the  
13 City; and

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

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

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

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

26 (1) Formulate measures for the consideration of the sangguniang  
27 panlungsod and provide legal assistance and support to the city mayor in

1 carrying out the delivery of basic services and the provision of adequate  
2 facilities;

3 (2) Develop plans and strategies and, upon approval thereof by the  
4 city mayor, implement the same, particularly those which have to do with the  
5 programs and projects related to legal services which the city mayor is  
6 empowered to implement and which the sangguniang panlungsod is  
7 empowered to provide;

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

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

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

16 SEC. 39. *The City Social Welfare and Development Officer.* – (a) The  
17 city social welfare and development officer must be a citizen of the  
18 Philippines, a resident of the City of El Salvador, of good moral character, a  
19 duly licensed social worker or a holder of a college degree preferably in  
20 sociology or any other 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 the practice of social work for at least five years immediately  
23 preceding the date of his appointment.

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

26 (c) The city social welfare and development officer shall take charge  
27 of the office of the social welfare and development, 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  
4 provision of adequate facilities relative to social welfare and development  
5 services;

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

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

13 (4) Recommend to the sangguniang panlungsod and advise the city  
14 mayor on all other matters related to social welfare and development services  
15 which will improve the livelihood and the living conditions of the inhabitants  
16 and

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

20 SEC. 40. *The City Veterinarian.* – (a) The city veterinarian must be a  
21 citizen of the Philippines, a resident of the City of El Salvador, of good moral  
22 character and a licensed doctor of veterinary medicine. He must have  
23 practiced his profession for at least three years immediately preceding the date  
24 of his appointment.

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

27 (c) The city veterinarian shall take charge of the office of veterinary  
28 services 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 carrying out measures to ensure the delivery of basic services and the  
4 provision of adequate facilities;

5 (2) Develop plans and strategies and, upon approval thereof by the  
6 city mayor, implement the same, particularly those which have to do with  
7 veterinary-related activities which the city mayor is empowered to implement  
8 and which the sangguniang panlungsod is empowered to provide;

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

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

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

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

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

3 (c) The city general services officer shall take charge of the office of  
4 the general services, 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  
8 provision of adequate facilities which require general services expertise and  
9 technical support services;

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

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

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

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

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

27 SEC. 42. *The City Environment and Natural Resources Officer.* – (a)  
28 The city environment and natural resources officer must be a citizen of the

1 Philippines, a resident of the City of El Salvador, of good moral character, a  
2 holder of a college degree preferably in environment, forestry, agriculture or  
3 any other related course from a recognized college or university, and a first  
4 grade civil service eligible or its equivalent. He must have acquired  
5 experience in the environment and natural resources management,  
6 conservation and utilization work for at least five years immediately preceding  
7 the date of his appointment.

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

10 (2) The city environment and natural resources officer shall take  
11 charge of the environment service department, and shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17           (c) The city information officer shall take charge of the city  
18 information and community relations department, and shall:

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

24           (2) Develop plans and strategies and, upon approval thereof by the  
25 city mayor, implement the same, particularly those which have to do with  
26 public information and research data to support programs and projects which  
27 the city mayor is empowered to implement and which the sangguniang  
28 panlungsod is empowered to provide;



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

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

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

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

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

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

23 (i) Formulate measures for consideration of the sangguniang  
24 panlungsod and provide technical assistance and support to the city mayor in  
25 carrying out measures to ensure the delivery of basic services and the  
26 provision of facilities through the development of cooperatives and in  
27 providing access to such services and facilities;

1           (2) Develop plans and strategies and, upon approval thereof by the  
2 city mayor, implement the same, particularly those which have to do with the  
3 integration of cooperatives principles and methods in programs which the city  
4 mayor is empowered to implement and which the sangguniang panlungsod is  
5 empowered to provide;

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

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

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

17          SEC. 46. *The City Population Officer* – (a) The city population officer  
18 must be a citizen of the Philippines, a resident of the City of El Salvador, of  
19 good moral character, a holder of a college degree preferably with specialized  
20 training in population development from a recognized college or university,  
21 and a first grade civil service eligible or its equivalent. He must have  
22 experience in the implementation of programs or population development or  
23 responsible parenthood for at least five years immediately preceding the date  
24 of his appointment.

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

27          (c) The city population officer shall take charge of the office of the  
28 population development, 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 carrying out measures to ensure the delivery of basic services and the  
4 provision of adequate facilities relative to the integration of population  
5 development principles and in providing access to said services and facilities;

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

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

14 SEC. 47. *The City Agriculturist.* – (a) The city agriculturist must be a  
15 citizen of the Philippines, a resident of the City of El Salvador, of good moral  
16 character, a holder of a college degree in agriculture or any other related  
17 course from a recognized college or university, and a first grade civil service  
18 *eligible or its equivalent. He must have practiced his profession in agriculture*  
19 *or acquired the experience in a related field for at least five years immediately*  
20 *preceding the date of his appointment.*

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

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

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

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

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

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

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

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

17          (iv) Enforce rules and regulations relating to agriculture and aqua-  
18 culture; and

19          (e) Coordinate with government agencies and nongovernmental  
20 organizations which promote agricultural productivity through appropriate  
21 technology compatible with environmental integrity.

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

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

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

4 ARTICLE VIII

5 THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE,  
6 THE CITY SCHOOLS DIVISION AND THE CITY PROSECUTION SERVICE

7 SEC. 48. *The City Fire Station Service.* – There shall be established in  
8 the City at least one fire station with adequate personnel, fire fighting facilities  
9 and equipment, subject to the standards, rules and regulations that may be  
10 promulgated by the Department of the Interior and Local Government. The  
11 City shall provide the necessary land or site of the station.

12 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, all fire prevention and suppression measures  
15 to secure the safety of life and property of the citizenry.

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

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

1 SEC. 50. *The City Schools Division.* –(a) There shall be established and  
2 maintained by the DepEd a city schools division of the City of El Salvador  
3 whose area of jurisdiction will cover all the school districts within the City.

4 (b) The city schools division shall be headed by a division  
5 superintendent who must possess the necessary qualifications required by the  
6 DepEd.

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

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

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

25 ARTICLE IX

26 TRANSITORY AND FINAL PROVISIONS

27 SEC. 52. *Municipal Ordinances Existing at the Time of the Approval of*  
28 *this Act.* – All municipal ordinances of the Municipality of El Salvador

1 existing at the time of the approval of this Act shall continue to be in force  
2 within the City of El Salvador until the sangguniang panlungsod ordinance  
3 shall provide otherwise.

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

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

17       SEC. 55. *Succession Clause.* – The City of El Salvador shall succeed to  
18 all the assets, properties, liabilities and obligations of the Municipality of El  
19 Salvador.

20       SEC. 56. *Election of Provincial Governor and Sangguniang*  
21 *Panlalawigan Members of the Province of Misamis Oriental.* – The qualified  
22 voters of the City of El Salvador shall be qualified to vote and run for any  
23 elective position in the elections for provincial governor, provincial vice  
24 governor, sangguniang panlalawigan members and other elective offices for  
25 the Province of Misamis Oriental.

26       SEC. 57. *Jurisdiction of the Province of Misamis Oriental.* – The City  
27 of El Salvador shall, unless otherwise provided by law, continue to be under  
28 the jurisdiction of the Province of Misamis Oriental.

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

4           SEC. 59. *Representative District*. – Until otherwise provided by law,  
5 the City of El Salvador shall continue to be a part of the Second Congressional  
6 District of the Province of Misamis Oriental.

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

10           SEC. 61. *Reservation*. – Nothing herein contained shall preclude the  
11 determination by the appropriate agency or forum of boundary disputes or  
12 cases involving questions of territorial jurisdiction between the City of El  
13 Salvador and any of the adjoining local government units even after the  
14 effectivity of this Act.

15           SEC. 62. *Applicability of Laws*. – The provisions of Republic Act No.  
16 7160, otherwise known as the *Local Government Code of 1991*, and other laws  
17 pertaining to the Province of Misamis Oriental and such laws as are applicable  
18 to cities shall govern the City of El Salvador insofar as they are not  
19 inconsistent with the provisions of this Act.

20           SEC. 63. *Exemption from Republic Act No 9009*. – The City of El  
21 Salvador shall be exempted from the income requirement prescribed under  
22 Republic Act No. 9009.

23           SEC. 64. *Separability Clause*. – If, for any reason or reasons, any part  
24 or provision of this Charter shall be held unconstitutional, invalid or  
25 inconsistent with the *Local Government Code of 1991*, other parts or  
26 provisions hereof which are not affected thereby shall continue to be in full  
27 force and effect. Moreover, in cases where this Charter is silent or unclear, the



1 pertinent provisions of the Local Government Code shall govern, if so  
2 provided therein.

3           S.C. 65. *Effectivity.* – This Act shall take effect fifteen (15) days after  
4 its complete publication in at least two newspapers of general and local  
5 circulation.

          Approved,