

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'13 NOV 26 P4:33

SENATE

S. B. No. **1954**

RECEIVED BY: *J*

Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

This bill seeks the conversion of the Municipality of Labo into a component city to be known as the City of Labo.

The Municipality of Labo is a first class municipality of the Province of Camarines Norte, with an aggregate land area of 648.84 square kilometers which occupies more than 25% of the total land area of the Province. It is situated relatively at the center of the Province, approximately 335 kilometers south of Manila and 15 kilometers away from Daet, the capital town of the Province. It is also linked to the provinces and cities of the Bicol Region and the CALABARZON via the Maharlika Highway.

As of the National Census of Population in August 2007, the municipality has a total population of 88,087, comprising 17% of the total population of the Province.

Agriculture is the leading livelihood of the residents of the municipality which serves as the agricultural center of the province and a potential investment destination and promotion center for business. Natural resources such as gold, nickel, iron, magnetite sand, copper, lead and manganese are also abundant in the municipality. Aside from agriculture, tourism is also a good source of income for Labo.

This bill is being filed as a counterpart measure of Representative Catherine Barcelona-Reyes of the First District of Camarines Norte in the House of Representatives.

Deliberation of this bill is requested pursuant to the requirements provided for by law.


FRANCIS G. ESCUDERO



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AN ACT
CONVERTING THE MUNICIPALITY OF LABO IN THE PROVINCE OF
CAMARINES NORTE INTO A COMPONENT CITY TO BE KNOWN AS THE CITY
OF LABO

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

ARTICLE I

GENERAL PROVISIONS

1 SECTION 1. *Title.*- This Act shall be known as the "Charter of the City of Labo."
2

3 SEC. 2. *The City of Labo.*- The Municipality of Labo shall be converted into a
4 component city to be known as the City of Labo, hereinafter referred to as the City,
5 which shall comprise the present jurisdiction of the Municipality of Labo, Province of
6 Camarines Norte. Municipality of Labo is geographically located relatively at the center
7 of the Province of Camarines Norte. It is approximately 335 kilometers south of Manila
8 and 15 kilometers away from Daet, the capital town of the province. Over which it has
9 jurisdiction, bounded by the Municipalities of Paracale, Jose Panganiban, and
10 Capalonga, on the South, by the province of Quezon adjoining province of Camarines
11 Sur, on the East by the municipalities of Vinzons and San Vicente, and on the west by
12 the municipalities of Sta. Elena.
13

14 The foregoing provision shall be without prejudice to the resolution by the
15 appropriate agency or forum of existing boundary disputes or cases involving questions
16 of territorial jurisdiction between the City of Labo and the adjoining local government
17 units: Provided, however, That the territorial jurisdiction of the disputes area or areas
18 shall remain with the local government unit which has existing administrative
19 supervision over said area or areas until the final resolution of the case.
20

21 SEC. 3. *Corporate Powers of the City.*- The City constitutes a political body
22 corporate and as such is endowed with the attributes of perpetual succession and
23 possessed of the powers which pertain to a municipal corporation to be exercised in
24 conformity with the provision of this Charter. The City shall have the following
25 corporate powers:
26

- 1 a.) To have a continuous succession in its corporate name;
2
3 b.) To sue and be sued;
4
5 c.) To have and use a corporate seal;
6
7 d.) To acquire, hold and convey or personal property;
8
9 e.) To enter into any contracts and/or agreements; and
10
11 f.) To exercise such other powers, prerogatives or authority subject to the
12 limitations provided in this Act or laws.
13

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

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

26 **SEC.6. Jurisdiction of the City.-** The jurisdiction of the City of Labo, for police
27 purposes only, shall be coextensive with its territorial jurisdiction and for the purpose
28 of protecting and ensuring the purity of the water supply of the City, such as police
29 jurisdiction shall also extend over all territory within the drainage area of such water
30 supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal,
31 aqueduct or pumping station used in connection with the city water service.
32

33 The city court of the City of Labo shall have concurrent jurisdiction with the city
34 or municipal court of the adjoining municipalities or cities to try crimes and
35 misdemeanors committed within said drainage area or within said spaces of One
36 hundred meters (100m). The court first taking cognizance of such an offence shall have
37 jurisdiction to try said cases to the exclusion of the other courts. The police force of
38 several municipalities and cities concerned shall have concurrent jurisdiction with the
39 police of the City for the maintenance of good order and the enforcement of ordinances
40 throughout said zone, area or spaces shall be granted by the proper authorities of the
41 city or municipality concerned, and the fees arising there from shall accrue to the
42 treasury of the said city or municipality concerned and not to the City.
43
44
45
46
47

48 ARTICLE II

49 CITY OFFICIALS IN GENERAL

50
51
52 **SEC. 7. The Officials of the City of Labo.-** (a) There shall be in the City of Labo a
53 city mayor, a city vice mayor, Sangguniang Panlungsod members, a secretary to the

1 Sangguniang Panlungsod, a city treasurer and an assistant city treasurer, a city assessor
2 and an assistant assessor, a city accountant, a city budget officer, a city planning and
3 development coordinator, a city engineer, a city health officer, a city civil registrar, a
4 city administrator, a city legal officer, a city social welfare and development officer, a
5 city veterinarian and a city general services officer;

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

10
11 (c) There shall be established in the City a city fire station to be headed by a city
12 fire marshal, a city jail to be headed by a city jail warden and a city school
13 division to be headed by a city school superintendent;

14
15 (d) The Sangguniang Panlungsod of the City of Labo may:

16
17 (1) Maintain existing offices not mentioned in subsections (a) and (b)
18 hereof;

19
20 (2) Create such other offices as may be necessary to carry out the purposes
21 of the City; or

22
23 (3) Consolidated the functions of any office with those of another in the
24 interest of efficiency and economy.

25
26 (e) Unless otherwise provided herein, heads of departments and offices shall be
27 appointed by the city mayor with the concurrence of the majority of all members
28 of the Sangguniang Panlungsod, subject to civil service law, rules and
29 regulations. The Sangguniang Panlungsod shall act on the appointment within
30 fifteen (15) days from the day of its submission, otherwise the same shall be
31 deemed confirmed.

32 33 ARTICLE III

34 35 THE CITY MAYOR AND VICE MAYOR

36
37 **SEC. 8. *The City Mayor.***- The city mayor shall be the chief executive of the City.
38 He shall be elected at large by the qualified voters of the City. No person shall be
39 eligible for the position of city mayor unless at the time of the election: he is at least
40 twenty-three (23) years of age; an actual resident of the City for at least one year prior to
41 his election; and a qualified voter therein. He shall hold office for three years, unless
42 sooner removed, and shall receive a minimum monthly compensation corresponding to
43 salary grade thirty (30) as prescribed under Republic Act No. 6758, otherwise known as
44 the Salary Standardization Law, and the implementing guidelines issued pursuant
45 thereto.

46
47 The city mayor, as the chief executive of the city government, shall exercise such
48 powers and perform such duties and functions as provided herein:

49
50 (a) Exercise those powers expressly granted to him by law, those necessarily
51 implied therefrom, as well as powers necessary, appropriate or incidental for the
52 efficient and effective governance of the city and those which are essential to the
53 promotion of general welfare:

1
2 (1) Determine the guidelines of the city policies and be responsible to the
3 Sangguniang Panlungsod for the program of government;

4
5 (2) Direct the formulation of the city development plan with the assistance
6 of the city development council and, upon approval thereof by the
7 Sangguniang Panlungsod, implement the same;

8
9 (3) Present the program of government and propose policies and projects
10 for the consideration of the Sangguniang Panlungsod at the opening of the
11 regular session of the Sangguniang Panlungsod every calendar year and
12 as often as may be deemed necessary as the general welfare of the
13 inhabitants and the needs of the city government may require;

14
15 (4) Initiate and propose legislative measures to the Sangguniang
16 Panlungsod and, as often as may be deemed necessary provide such
17 information and data needed or requested by said sanggunian in the
18 performance of its legislative functions;

19
20 (5) Appoint all officials and employees whose appointments are not
21 otherwise provided for in this Act, as well as those he may be authorized
22 by law to appoint;

23
24 (6) Represent the City in all its business transactions and sign on its behalf
25 all bonds, obligations and contracts, and such other documents upon
26 authority of the Sangguniang Panlungsod or pursuant to law or
27 ordinance;

28
29 (7) Carry out such emergency measures as may be necessary during and
30 in the aftermath of man-made and natural disasters and calamities;

31
32 (8) Determine the time, manner and place of payment of salaries or wages
33 of the officials and employees of the City, in accordance with law or
34 ordinance;

35
36 (9) Allocate and assign office space to the City and other officials and
37 employees who, by law or ordinance, are entitled to such space in the city
38 hall and other buildings owned or leased by the city government;

39
40 (10) Ensure that all executive officials and employees of the City faithfully
41 discharge their duties and functions as provided by law and this Act, and
42 cause to be instituted administrative or judicial proceedings against any
43 official or employee of the City who may have committed an offence in
44 the performance of his official duties;

45
46 (11) Examine the books, records and other documents of all offices,
47 officials, agents or employees of the City and, in aid of his executive
48 powers and authority, require all national officials and employees
49 stationed in or assigned to the City to make available to him such books,
50 records and other documents in their custody except those classified by
51 law as confidential;

52
53 (12) Furnish copies of executive orders issued by him to the Office of the

1 President and the Office of the Secretary of the Interior and Local
2 Government within seventy two (72) hours after their issuance;

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

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

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

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

28
29 (17) Authorize payment for medical care, necessary transportation,
30 subsistence, hospital or medical fees of city officials and employees who
31 are injured while in the performance of their official duties and functions ,
32 subject availability of funds;

33
34 (18) Solemnize marriages, any provision of law to the contrary
35 notwithstanding;

36
37 (19) Conduct an annual palarong panlungsod which shall feature
38 traditional sports and disciplines included in national and international
39 games, in coordination with the Department of Education; and

40
41
42 (20) Submit to the provincial governor the following reports: an annual
43 report containing a summary of all matters pertinent to the management
44 administration and development of the City and all information and data
45 relative to its political, social and economic conditions; and supplemental
46 reports when unexpected events and situations arise at any time during the
47 year, particularly when man-made or natural disasters or calamities affect
48 the general welfare of the City.

49
50
51 (b) Enforce all laws and ordinances relative to the governance of the City and in
52 the exercise of its appropriate corporate powers, as well as implement all
53 approved policies, programs, projects, services and activities of the City and, in

1 addition, shall:

2
3 (1) Ensure that the acts of the City's component barangays and of its
4 officials and are within the scope of their prescribes powers, duties and
5 functions;

6
7 (2) Call conventions, conferences, seminars or meetings of elective or
8 appointive officials of the City, including national officials and employees
9 stationed in or assigned to the City, at such time and place and on such
10 subject as he may deem important for the promotion of the general
11 welfare of the local government unit and its inhabitants;

12
13 (3) Issue such executive orders for the faithful and appropriate
14 enforcement and execution of laws and ordinances;

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

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

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

30
31 (c) Initiate and maximize the generation of resources and revenues, and apply
32 the same to the implementation of development plans, programs objectives and
33 priorities, particularly those resources and revenues programmed for agro-
34 industrial development and countryside growth and progress, and relative
35 thereto, shall:

36
37 (1) Require each head of an office or department to prepare and submit an
38 estimate of appropriations for the ensuing calendar year, in accordance
39 with the provisions of Republic Act No. 7160, otherwise known as the
40 Local Government Code of 1991;

41
42 (2) Prepare and submit to the sanggunian for approval the executive and
43 supplemental budgets of the City for the ensuing calendar year in the
44 manner provided for under the Local Government Code;

45
46 (3) Ensure that all taxes and other revenues of the City are collected and
47 that city funds are applied to the payment of expenses and settlement of
48 obligations of the City, in accordance with law or ordinance;

49
50 (4) Issue licenses and permits and suspend or revoke the same for any
51 violation of the conditions upon which said licenses or permits had been
52 issued pursuant to law or ordinance;

1 (5) Issue permits without need of approval therefor for any national
2 agency for the holding of activities for any charitable or welfare purpose,
3 excluding prohibited games of chance or shows contrary to law, public
4 policy and public morals;
5

6 (6) Require owners of illegal constructed houses, buildings or other
7 structures to obtain the necessary permit, subject to such fines and
8 penalties as maybe imposed by law or ordinance, or to make necessary
9 changes in the construction of the same when said construction violates
10 any law or ordinance, or to order the demolition or removal of said house,
11 building or structures within the period prescribed by local ordinance;
12

13 (7) Adopt adequate measures to safeguard and conserve land, mineral,
14 forest, marine and other resources of the City;
15

16 (8) Provide efficient and effective property and supply management in the
17 City, and protect the funds, credits, rights and other properties of the City
18 and
19

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

26 (d) Ensure the delivery of basic services and the provision of adequate facilities
27 and in addition thereto:
28

29 (1) Ensure that the construction and repair of roads and highways funded
30 by the national government shall be, as far as practicable, carried out in a
31 spatially contiguous manner and in coordination with the construction
32 and repair of the roads and bridges of the City; and
33

34 (2) Coordinate the implementation of technical services, including public
35 works and infrastructure programs, rendered by national offices.
36

37 (e) Perform such other duties and functions and exercise such other powers as
38 provided for under Republic Act No. 7160, otherwise known as the Local
39 Government Code of 1991, and those that are prescribed by law or ordinance.
40

41 **SEC. 9. *The City Vice Mayor.***- There shall be a city vice mayor who shall be
42 elected in the same manner as the city mayor and shall, at all time of his election,
43 possess the same qualifications as the city mayors. He shall hold office for three years,
44 unless sooner removed and shall receive a monthly compensation corresponding to
45 salary grade twenty-six (26) as prescribed under the Salary Standardization Law and
46 the implementing guidelines issued pursuant thereto.
47

48 The city vice mayor shall:
49

50 (1) Be the presiding officer of the Sangguniang Panlungsod and sign all warrants
51 drawn on the city treasury for all expenditures appropriated for the operation of the
52 Sangguniang Panlungsod;
53

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

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

7
8 (4) Exercise the powers and perform the duties and functions of the city mayor in
9 cases of temporary vacancy; and

10
11 (5) Perform such other duties and functions and exercise such other powers as
12 Government Code of 1991, and those that prescribed by law or ordinance.

13 14 15 **ARTICLE IV**

16 17 **THE SANGGUNIANG PANLUNGSOD**

18
19 **SEC. 10. *Composition.***- (a) The Sangguniang Panlungsod, the legislative body of the
20 City shall be composed of the city vice mayor as presiding officer, ten (10) regular
21 sanggunian members, the president of the city chapter of the liga ng mga barangay, the
22 president of the panlungsod na pederasyon ng mga sangguniang kabataan and the
23 sectoral representatives, as members.

24
25 (b) In addition thereto, there shall be sectoral representatives: one from the women;
26 and, as shall be determined by the Sangguniang Panlungsod within ninety (90) days
27 prior to the holding of the local elections, 0118 from the agricultural or industrial
28 workers; and one from the other sectors, including the urban poor or disabled
29 persons.

30
31 (c) The regular members of the Sangguniang Panlungsod and the sectoral
32 representatives shall be elected in the manner as may be provided for the law.

33
34 **SEC. 11. *Powers, Duties, Functions and Compensation.***- (a) The Sangguniang
35 Panlungsod, as the legislative body of the City, shall enact ordinances, approve
36 resolutions and appropriate funds for the general welfare of the City and its inhabitants
37 pursuant to Section 16 of the Local Government Code and in the proper exercise of the
38 corporate powers of the City as provided for under Section 22 of the Local Government
39 Code, and shall:

40
41 (I) Approve ordinances and pass resolutions necessary for an efficient and
42 effective city government, and in this connection, shall:

43
44 (i) Review all ordinances approved by the Sangguniang Barangay and
45 executive orders issued by the punong barangay to determine whether
46 these are within the scope of the prescribed powers of the sanggunian and
47 of the punong barangay;

48
49 (ii) Maintain peace and order by enacting measures to prevent and
50 suppress lawlessness, disorder, riot, violence, rebellion or sedition and
51 impose penalties for the violation of said ordinance;

52
53 (iii) Approve ordinances imposing a fine not exceeding Five thousand

1 pesos (P5,000.00) or an imprisonment for a period not exceeding one year,
2 or both, at the discretion of the court, for violation of a city ordinance;

3
4 (iv) Adopt measures to protect the inhabitants of the City from the
5 harmful effects of man-made or natural disasters and calamities, and to
6 provide relief services and assistance for victims during and in the
7 aftermath of said disasters or calamities and in their return to productive
8 livelihood following said events;

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

19
20 (vi) Protect the environment and impose appropriate penalties for acts
21 which endanger the environment, and such other activities which result in
22 pollution acceleration or eutrophication of rivers or of ecological
23 imbalance;

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

28
29 (viii) Determine the positions and the salaries, wages, allowances and
30 other emoluments and benefits of officials and employees paid wholly or
31 mainly from city funds and provide for expenditures necessary for the
32 proper conduct of programs, projects, services and activities of the
33 government;

34
35 (ix) Authorize the payment of compensation to a qualified person not in
36 the government service who fills up a temporary-vacancy in a concurrent
37 capacity at the rate authorized by law;

38
39
40 (x) Provide a mechanism and the appropriate funds therefor to ensure the
41 safety and protection of all city government property, public documents
42 or records such as those relating to property inventory, land ownership,
43 record of births, marriages, deaths, assessments, taxation, accounts;
44 business permits and such other records and documents of public interest
45 in the offices and departments of the government;

46
47 (xi) When the finances of the city government allow, provide for
48 additional allowances and other benefits to judges, prosecutors, public
49 elementary and high school teachers, and other national government
50 officials stationed in or assigned to the City;

51
52 (xii) Provide legal assistance to barangay officials who, in the performance
53 of their official duties or on the occasion thereof, have to initiate judicial

1 proceeding or defend themselves against legal actions; and

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

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

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

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

23
24 (iii) Subject to the provisions of Book II of the Local Government Code and
25 upon the majority vote of all the members of the Sangguniang
26 Panlungsod, authorize the city mayor to negotiate and contract loans and
27 other forms of indebtedness. The application for loans or other forms of
28 indebtedness and terms and conditions thereof shall, before approval, be
29 published in a newspaper of general circulation in the City.

30
31 Once approved, the contract covering the loans or other forms of
32 indebtedness shall be furnished to any city resident requesting 8. Copy
33 thereof, upon payment of reasonable fees;

34
35 (iv) Subject to the provisions of Book II of the Local Government Code and
36 applicable laws and upon the majority vote of all the members of the
37 Sangguninag Panlungsod, enact ordinances authorizing the floating of
38 bonds or other instruments of indebtedness for the purpose of raising
39 funds to finance development projects. The authorization to float bonds or
40 other instruments of indebtedness shall be published in a newspaper of
41 general circulation in the City. Once approved, the contract covering the
42 floating of bonds or other instruments of indebtedness shall be furnished
43 to any city resident requesting a copy thereof upon payment of reasonable
44 fees;

45
46 (v) Appropriate funds for the construction and maintenance of the rental
47 of buildings for the use of the City and upon the majority vote of all the
48 members of the Sangguniang Panlungsod, authorize the city mayor to
49 lease to private parties such public buildings held in a proprietary
50 capacity, subject to existing laws, rules and regulations;

51
52 (vi) Prescribe reasonable limits and restrains on the use property within
53 the jurisdiction of the City;

1
2 (vii) Adopt a comprehensive land use for the City;
3

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

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

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

23 (xi) Subject to the provisions of Book II of the Local Government Code,
24 control fishing and related activities within the city rivers and waters;
25

26 (xii) With the concurrence of at least two-thirds (2/3) of all the members of
27 the Sangguniang Panlungsod, grants tax exemptions, incentives or relief
28 to entities engaged in community growth-inducing industries, subjects to
29 the provisions of the Local Government Code;
30

31 (xiii) Grant loans or provide grants to other local government units or to
32 national, provincial and city charitable, benevolent or educational
33 institutions: Provided, That said institutions are operated and maintained
34 within the City;
35

36 (xiv) Regulate the numbering of residential, commercial and other
37 buildings; and
38

39 (xv) Regulate the inspection, weighing and measuring of articles of
40 commerce.
41

42 (3) Subject to the provisions of Book II of the Local Government Code, enact
43 ordinances granting and authorizing the issuance of permits or licenses, upon
44 such conditions and for such purposes intended to promote the general welfare
45 of the inhabitants of the City and pursuant to this legislative authority, shall:
46

47 (i) Fix and impose reasonable fees and charges for all services rendered by
48 the city government to private persons or entities;
49

50 (ii) Regulate or fix license fees for any business of profession within the
51 City and the conditions under which the license for said business or
52 practice of profession may be revoked and enact ordinances levying taxes
53 thereon;

1
2 (iii) Provide for and set the terms and conditions under which public
3 utilities owned by the City shall be operated by the city government, and
4 prescribe the conditions under which the same may be leased to private
5 persons or entities, preferably cooperatives;
6

7 (iv) Regulate the display of and fix the license fees for signs, signboards or
8 billboards at the place or places where the profession or business
9 advertised thereby is, in whole or in part, conducted;
10

11 (v) Any law to the contrary notwithstanding, authorize and license the
12 establishment, operation and maintenance of cockpits, and regulate
13 cockfighting and commercial breeding of gamecocks: Provided, That
14 existing rights should not be prejudiced;
15

16 (vi) Subject to the guidelines prescribed by the Department of
17 Transportation and Communications, regulate the operation of tricycles
18 and grant franchises for the franchise the operation thereof within the
19 territorial jurisdiction of the City; and
20

21 (vii) Upon approval by a majority vote of all the members of the
22 Sangguniang Panlungsod, grant a franchise to any person, partnership,
23 corporate or cooperative to do business within the City; establish,
24 construct, operate and maintain ferries, wharves, markets or
25 slaughterhouses; or undertake such other activities within the City as may
26 be allowed by existing laws: Provided. That cooperatives shall be given
27 preference in the grant of such franchise.
28

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

31
32 (i) Declare, prevent or abate any nuisance;
33

34 (ii) With the concurrence of a majority of the members of the Sangguniang
35 panlungsod, a quorum being present, deny the entry of legalized
36 gambling by ordinance into any part of the City or regulate its location in
37 the City;
38

39 (iii) Require that buildings and the premises thereof and any land within
40 the City be kept and maintained in a sanitary condition; impose penalties
41 for any violation thereof; or, upon failure to comply with said
42 requirement, have the work done at the expense of the owner,
43 administrative or tenant concerned; and require the filling up of any land
44 or premises to a grade necessary for proper sanitation;
45

46 (iv) Regulate the disposal of clinical and other wastes from hospitals,
47 clinics and other similar establishments;
48

49 (v) Regulate the establishment, operation and maintenance of cafes,
50 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging
51 houses and other similar establishments, including tourist guides and
52 transports;
53

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

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

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

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

22
23 (x) Regulate the establishment, operation and maintenance of funeral
24 parlors and the burial or cremation of the dead, subject to existing laws,
25 rules and regulates.

26
27 (5) Approve ordinances which shall ensure the efficient; and effective delivery of
28 the basic services and facilities as provided for under the Local Government
29 Code and, in addition to said services and facilities, shall:

30
31 (i) Provide for the establishment, maintenance, protection and
32 conservation of tree parks and greenbelts;

33
34 (ii) Establish markets, slaughterhouses or animal corrals and authorize the
35 operation thereof by the city government; and regulate the construction
36 and operation of private markets, talipapas or other similar buildings and
37 structures;

38
39 (iii) Authorize the establishment, maintenance and operation by the city
40 government of ferries, wharves and other structures intended to
41 accelerate the productivity related to marine life in the preservation
42 thereof; (iv) Regulate the preparation and sale of meat, poultry, fish,
43 vegetables, fruits, fresh dairy, products and other foodstuffs for public
44 consumption;

45 (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks
46 and other public places and approve the construction, improvement,
47 repair and maintenance of the same; establish bus and vehicle stops and
48 terminals or regulate the use of the same by privately-owned vehicles
49 which serve the public; regulate garages and operation of conveyances for
50 hire; designate stands to be occupied by public vehicles when not in use;
51 regulate the putting up of signs, signposts, awnings and awning posts on
52 the streets; and provide for the lighting, cleaning and sprinkling of streets
53 and public places;

54 (vi) Regulate traffic on all streets and bridges, prohibit encroachments or

1 obstacles thereon and, when necessary in the interest of public welfare,
2 authorize the removal of encroachments and illegal constructions in
3 public places;

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

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

23 *

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

29 (x) Subject to the availability of funds and the existing laws,. Rules and
30 regulations establish and provide for the operation of vocational and
31 technical schools and similar post secondary institutions and, with the
32 approval of the Department of Education or the Technical Education and
33 Skills Development Authority and subject to existing law on tuition fees,
34 fix and collect reasonable tuition fees and other school charges in
35 educational institutions supported by the city government.;

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

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

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

44 (xiv) Provide for the care of disabled persons, paupers, the aged, the
45 sick, persons of unsound mind, abandoned minors, juvenile delinquents,
46 drug dependents, abused children and other youth below eighteen (18)
47 years of age; and subject to availability of funds, establish and provide
48 for the operation of centers and facilities for the said needy and
49 disadvantaged persons;
50

51 (xv) Establish and provide for the maintenance and improvement of jails
52 and detention centers, institute a sound jail management program
53 and appropriate funds for the subsistence of detainees and convicted

1 prisoners in the City;

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

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

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

14 (b) The members of the Sangguniang Panlungsod of the City of Labo shall receive a
15 minimum monthly compensation corresponding to salary grade twenty-five (25),
16 as prescribed under the Salary Standardization Law and the implementing guidelines
17 issued pursuant thereto.

18 ARTICLE V

19 PROCESS OF LEGISLATION

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

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

24 1) The organization of the Sanggunian and the election of its officers as
25 well as the creation of standing committees which shall include, but
26 shall not be limited to, the committees on appropriations, revenues,
27 engineering and public works, education and health, women and
28 family, human rights, youth and sports development, environmental
29 protection, peace and order and traffic, and cooperatives; the general
30 jurisdiction of each committee; and the election of the chairman and
31 members of each committee;

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

33 3) The legislative process;

34 4) The parliamentary procedures which include the conduct of
35 members during sessions;

36 5) The discipline of members for disorderly behavior and absences
37 without justifiable cause for four consecutive sessions for which they
38 may be censured, reprimanded or excluded from the session,
39 suspended for not more than sixty (60) days or expelled; Provided, That
40 the penalty of suspension or expulsion shall require the concurrence of at
41 least two-thirds (2/3) vote of all the Sanggunian members: Provided,
42 further, That the member convicted by final judgment to imprisonment of
43 at least one year for any crime involving moral turpitude shall be
44 automatically expelled from Sanggunian; and
45

46 (6) Such other rules as the Sanggunian may adopt.

47 SEC. 13. *Full Disclosure of Financial and Business Interests of Sangguniang*
48 *Panlungsod Members.*- (a) Every Sangguniang Panlungsod member shall, upon

1 assumption to office, make a full disclosure of his business and financial interests. He
2 shall also disclose any business, financial professional relationship or any relation by
3 affinity or consanguinity within the fourth civil degree, which he may have with any
4 person; firm or entity affected by any ordinance or resolution under consideration by
5 the Sanggunian of which he is a member, which relationship may result in conflict of
6 interests. Such relationship shall include:

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

9 2) Contracts or agreements with any person or entity which the
10 ordinance or resolution under consideration may affect.

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

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

21 1) Disclosure shall be made before the member participates in the
22 deliberations on the ordinance or resolution under consideration:
23 Provided, That if the member did not participate during the deliberations,
24 the disclosure shall be made before voting on the ordinance or resolution
25 on second and third readings; and

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

29 **SEC. 14. Sessions.** - (a) On the first day of the session immediately following the
30 election of its members, the Sangguniang Panlungsod shall, by resolution, fix the day,
31 time and place of its sessions. The minimum number of regular sessions shall be
32 once a week for the Sangguniang Panlungsod.

33
34 b) When the public interest so demands, special sessions may be called by the city
35 mayor or by a majority of the members of the Sanggunian.

36 c) All Sanggunian sessions shall be open to the public unless a closed-door
37 session is ordered by an affirmative vote of a majority of the members present,
38 there being a quorum, in the public interest or for reasons of security, decency or
39 morality. No two sessions, regular or special, may be held in a single day.

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

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

46 (e) The Sangguniang Panlungsod shall keep a journal and a record of its
47 proceedings which may be published upon resolution of the majority of its
48 members.

49 **SEC. 15. Quorum.** - (a) A majority of all the members of the Sanggunian who
50 have been elected and qualified shall constitute a quorum to transact official

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

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

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

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

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

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

28 (b) The city mayor shall have the power to veto any particular item or
29 items of an appropriations ordinance, an ordinance or resolution adopting a
30 local development plan, any public investment program, or an ordinance
31 directing the payment of money or creating liability. In such case, the veto
32 shall not affect the item or items which are not objected to.

33 The vetoed item or items shall not take effect unless the Sangguniang
34 Panlungsod overrides the veto in the manner herein provided; otherwise, the
35 item or items in the appropriations ordinance of the previous year
36 corresponding to those vetoed, if any, shall be deemed enacted.

37 (c) The city mayor may veto an ordinance or resolution only once. The
38 Sanggunian may override the veto of the city mayor by two-thirds (2/3) vote of
39 all its members, thereby making the ordinance effective even without the
40 approval of the city mayor.

41 **SEC. 18. Review of City Ordinances by the Sangguniang Panlalawigan.** - (a)
42 Within three days after approval, the secretary to the Sangguniang Panlungsod shall
43 forward to the Sangguniang Panlalawigan for review, copies of approved ordinances
44 and the resolutions approving the local development plans and public investment
45 programs formulated by the local development councils.

46 (b) Within thirty (30) days after receipt of copies of such ordinances and
47 resolutions, the Sangguniang Panlalawigan shall examine the documents or
48 transmit them to the provincial attorney or the provincial prosecutor for
49 prompt examination. The provincial attorney or the provincial prosecutor shall,
50 within a period of ten (10) days from receipt of the documents, inform the
51 Sangguniang Panlalawigan in writing of his comments or recommendations,
52 which may be considered by the Sangguniang Panlalawigan in making its
53 decision.

54 (c) If the Sangguniang Panlalawigan finds that such an ordinance or resolution is

1 beyond the power conferred upon the Sangguniang Panlungsod concerned,
2 it shall declare such ordinance or resolution invalid in whole or in part. The
3 Sangguniang Panlalawigan shall enter its action in the minutes and shall advise
4 the corresponding city authorities of the action it has taken.

5
6 (d) If no action has been taken by the Sangguniang Panlalawigan within thirty
7 (30) days after submission of such an ordinance or resolution, the same shall be
8 presumed consistent with law and therefore valid.

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

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

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

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

27 **SEC. 21. Effectivity of Ordinances or Resolutions.** - (a) Unless otherwise stated
28 in the ordinance or the resolution approving the local development plan and public
29 investment program, the same shall take effect after ten (10) days from the date a copy
30 thereof is posted in a bulletin board at the entrance of the City Hall of Labo, and in
31 at least two other conspicuous places in the City of Labo not later than five (5) days
32 after approval thereof.

33 (b) The secretary to the Sangguniang Panlungsod shall cause the posting of an
34 ordinance or resolution in the bulletin board at the entrance of the city hall in
35 at least two conspicuous places not later than five days after approval thereof.

36 The text of the ordinance or resolution shall be disseminated and posted in
37 Filipino or English and the secretary of the Sangguniang Panlungsod shall
38 record such fact in a book kept for the purpose, stating the dates of approval
39 and posting.

40 (c) The main features of the ordinance or resolution duly enacted or adopted
41 shall, in addition to being posted, be published once in a local newspaper of
42 general circulation within the City: Provided, That in the absence thereof the
43 ordinance or resolution shall be published in any newspaper of general
44 circulation: Provided, further, That the gist of all ordinances with penal sanctions
45 shall also be published in a newspaper of general circulation.

46
47 **ARTICLE VI**

48 **DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS**

49
50 **SEC. 22. Disqualifications of Elective Public City Officials.** - The following

1 persons are disqualified from running for any elective position in the City:

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

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

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

8 d) Those with dual citizenship;

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

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

13 g) The insane or feeble-minded.

14
15 **SEC. 23. *Permanent Vacancy in the Offices of the City Mayor and City Vice Mayor.***

16 (a) If a permanent vacancy occurs in the office of the city mayor, the city vice
17 mayor concerned shall become the city mayor. If a permanent vacancy occurs
18 in the office of the city vice mayor, the highest ranking Sangguniang
19 Panlungsod member or, in case of his permanent incapacity, the second highest
20 ranking Sangguniang Panlungsod member shall become the city vice mayor. If
21 permanent vacancies occur in both the offices of the city mayor and the city vice
22 mayor, the first and second highest ranking Sangguniang Panlungsod members,
23 Of in care of permanent incapacity of one or both of them, the next highest
24 ranking Sangguniang Panlungsod member or members shall become the city
25 mayor and city vice mayor, respectively. Subsequent vacancies in said offices
26 shall be filled automatically by the other sanggunian members according to their
27 ranking as defined herein.

28 b) A tie between or among the highest ranking Sangguniang Panlungsod
29 members shall be resolved by drawing of lots.

30 c) The successors as defined herein shall serve only the unexpired terms
31 of their predecessors.

32 For purposes of this Act, a permanent vacancy arises when an elective local
33 official fills a higher vacant office, refuses to assume office, fails to qualify, dies,
34 is removed from office, voluntarily resigns or is otherwise permanently
35 incapacitated to discharge the functions of his office, for purposes of succession
36 as provided in this Act, ranking in the sanggunian shall be determined on the
37 basis of the proportion of votes obtained by each winning candidate to the total
38 number of registered voters in the City in the immediately preceding local
39 election.

40 **SEC. 24. *Permanent Vacancies in the Sanggunian.*** - Permanent vacancies in
41 the Sangguniang Panlungsod where automatic succession as provided above does
42 not apply shall be filled by appointments in the following manner:

43 a) The President, through the Executive Secretary, shall make the
44 aforesaid appointments;

45 b) Only the nominee of the political party under which the sanggunian
46 member concerned had been elected shall be appointed in the manner herein
47 provided. The appointee shall come from the political party as that of the

1 sanggunian member who caused the vacancy and shall serve the unexpired
2 term of the vacant office. In the appointment herein mentioned, a nomination
3 and a certificate of membership of the appointee from the highest official of the
4 political party concerned are conditions *sine qua non*, and any appointment
5 without such nomination and certification shall be null and *void ab initio* and
6 shall be a ground for administrative action against the official responsible
7 therefor;

8 c) In case the permanent vacancy is caused by a sanggunian member who does
9 not belong to any political party, the city mayor shall, upon
10 recommendation of the Sangguniang Panlungsod, appoint a qualified person
11 to fill the vacancy; and

12 d) In case of vacancy in the representation of the youth and the barangay in
13 the Sangguniang Panlungsod, said vacancy shall be filled automatically by the
14 official next in rank of the organization concerned.

15: **SEC. 25. Temporary Vacancy in the Office of the City Mayor.** - (a) When the city mayor
16 is temporarily incapacitated to perform his duties for physical or legal reasons such as,
17 but not limited to, leave of absence, travel abroad and suspension from office, the city
18 vice mayor or the highest ranking Sangguniang Panlungsod member shall
19 automatically exercise the powers and perform the duties and functions of the city
20 mayor, except the power to appoint, suspend or dismiss employees which can only be
21 exercised if the period of temporary incapacity exceeds thirty (30) working days.

22 (b) Said temporary incapacity shall terminate upon submission to the
23 Sangguniang Panlungsod of a written declaration by the city mayor that he has
24 reported back to office. In case where the temporary incapacity is due to legal
25 cause, the city mayor shall also submit necessary documents showing the said
26 legal causes no longer exist.

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

33 d) In the event, however, that the city mayor fails or refuses to issue such
34 authorization, the city vice mayor or the highest ranking Sangguniang
35 Panlungsod member, as the case maybe, shall have the right to assume the
36 powers, duties and functions of the said office on the fourth day of absence of
37 the city mayor, subject to the limitations provided in subsection (c) hereof,

38 e) Except as provided above, the city mayor shall, in no case, authorize any
39 local official to assume the powers, duties and functions of the office other than
40 the city vice mayor or the highest ranking member of the Sangguniang
41 Panlungsod, as the case may be.

44 ARTICLE VII

45 THE APPOINTIVE OFFICIALS OF THE CITY

46 **SEC. 26. The Secretary of the Sangguniang Panlungsod.** - (a) There shall be a secretary
47 to the Sangguniang Panlungsod who shall be a career official with the rank and salary
48 equal to a head of a department or office.

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

6 c) The secretary to the Sangguniang Panlungsod shall take charge of the
7 office of the Sangguniang Panlungsod and shall:
8

9 1) Attend meetings of the Sangguniang Panlungsod and keep a
10 journal of its proceedings;

11 2) Keep the seal of the City and affix the same with his signature to all
12 ordinances, resolutions and other official acts of the Sangguniang
13 Panlungsod and present the same to the presiding officer for his
14 signature;

15 3) Forward to the city mayor, for approval, copies of ordinances
16 enacted by the Sangguniang Panlungsod and duly certified by the
17 presiding officer;

18
19 4) Forward to the Department of Budget and Management (DBM)
20 copies of the appropriation ordinances passed by the Sangguniang
21 Panlungsod as provided for under Section 326, Book II of the Local
22 Government Code;

23 5) Forward to the Sangguniang Panlalawigan copies of duly approved
24 ordinances in the manner provided in Sections 56 and 57 under Book I
25 of the Local Government Code;

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

29 7) Record in a book kept for the purpose, all ordinances and resolutions enacted
30 or adopted by the Sangguniang Panlungsod, with the dates of passage and
31 publication thereof;

32 8) Keep his office and all non-confidential records therein open to the public
33 during usual business hours;

34 9) Translate into the dialect used by the majority of the inhabitants all
35 ordinances and resolutions immediately after their approval, and cause the
36 publication of the same together with the original version in the manner
37 provided under the Local Government Code;

38 10) Take custody of the local archives and, where applicable, the local library and
39 annually account for the same; and

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

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

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

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

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

8 e) The city treasurer shall take charge of the city treasurer's office, and shall:

9 1) Advise the city mayor, the Sangguniang Panlungsod and other local
10 government and national officials concerned regarding disposition of local
11 government funds and on such other matters relative to public finance;

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

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

16 4) Inspect private commercial and industrial establishments within the
17 jurisdiction of the City in relation to the implementation of tax ordinances
18 pursuant to the provisions of the Local Government Code;

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

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

24 **SEC. 28. The Assistant City Treasurer.** - (a) The assistant city treasurer shall be
25 appointed 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 regulations.

27 b) No person shall be appointed assistant city treasurer unless he is a citizen of
28 the Philippines, a resident of the City of Labo, of good moral character, a holder of a
29 college degree preferably in commerce, public administration or law from a
30 recognized college or university, and a first grade civil service eligible or its
31 equivalent. He must have acquired at least five years experience in treasury or
32 accounting.

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

35 d) The assistant city treasurer shall assist the city treasurer and perform such other
36 duties as the latter may assign him. He shall have authority to administer oaths
37 concerning notices and notifications to those delinquent in the payment of the real
38 property tax and concerning official matters relating to the accounts of the city
39 treasurer or otherwise arising from the offices of the city treasurer and the city
40 assessor.

41 **SEC. 29. The City Assessor.** - (a) The city assessor must be a citizen of the
42 Philippines, a resident of the City of Labo, of good moral character, a holder of a
43 college degree preferably in civil or mechanical engineering, commerce or any other
44 related course from a recognized college or university, and a first grade civil service
45 eligible or its equivalent. He must have acquired experience in real property
46 assessment work or in any related field for at least five years immediately preceding
47 the date of his appointment.

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

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

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

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

9 3) Establish a systematic method of real property assessment;

10 4) Install and maintain a real property identification and accounting systems;

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

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

16 7) Exercise the functions of appraisal and assessment primarily for
17 taxation purposes of all real properties in the City;

18 8) Prepare a schedule of the fair market value of the different classes of
19 real properties in accordance with the provisions of the Local Government
20 Code;

21 9) Issue, upon request of any interested party, certified copies of assessment
22 records of real properties on all other records relative to its assessment, upon
23 payment of a service charge or fee to the city treasurer;

24 10) Submit every semester a report of all assessments, as well as cancellations
25 and modifications of assessments, to the city mayor and the Sangguniang
26 Panlungsod; and

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

31 **SEC. 30. *The Assistant City Assessor.*** - (a) The assistant city assessor must be a
32 citizen of the Philippines, a resident of the City of Labo, of good moral character, a
33 holder of a college degree preferably in civil or mechanical engineering, commerce
34 or any related course from a recognized college or university, and a first grade civil
35 service eligible or its equivalent. He must have acquired experience in assessment or
36 in any related field for at least three years immediately preceding the date of his
37 appointment.

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

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

43 **SEC. 31. *The City Accountant-*** (a) The city accountant must be a citizen of
44 the Philippines, a resident of the City of Labo, of good moral character and a certified
45 public accountant. He must have acquired experience in the treasury or accounting
46 service for at least five years immediately preceding the date of his appointment.

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

3
4 (c) The city accountant shall take charge of both the office of the accounting and
5 internal audit services, and shall:

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

7 2) Prepare and submit financial statements to the city mayor and to
8 the Sangguniang Panlungsod;

9 3) Appraise the Sangguniang Panlungsod and other officials on the
10 financial condition and operations of the City;

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

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

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

17 7) Prepare statements of journal vouchers and liquidation of the same and
18 other adjustments related thereto;

19 8) Post individual disbursements to the subsidiary ledger and index cards;

20 9) Maintain individual ledgers for officials and employees of the City
21 pertaining to payrolls and deductions;

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

24 11) Account for all issued requests for obligations and maintain and keep all
25 records and reports related thereto;

26 12) Prepare journals and the analysis of obligations and maintain and keep
27 all records and reports related thereto;

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

32 **SEC. 32. The City Budget Officer.** - (a) The city budget officer must be a
33 citizen of the Philippines, a resident of the City of Labo, of good moral
34 character, a holder of a college degree preferably in accounting, economics,
35 public administration or any related course from a recognized college or
36 university, and a first grade civil service eligible or its equivalent. He must have
37 acquired experience in government budgeting or in any related field for at least
38 five years immediately preceding the date of his appointment.

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

41 c) The city budget officer shall take charge of the city budget office, and shall:
42

- 1) Prepare forms, orders and circulars embodying instructions on budgetary and appropriation matters for the signature of the city mayor;
- 2) Review and consolidate the budget proposals of different departments and offices of the City;
- 3) Assist the city mayor in the preparation of the budget and during budget hearings;
- 4) Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon;
- 5) Submit periodic budgetary reports to the Department of Budget and Management;
- 6) Coordinate with the city treasurer, the city accountant and the city urban planning and development officer for the purpose of budgeting;
- 7) Assist the Sangguniang Panlungsod in reviewing the approved budgets of component barangays;
- 8) Coordinate with the city urban planning and development officer in the formulation of the development plan of the City; and
- 9) Perform such other duties and functions and exercise such other powers as provided for under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and those that are prescribed by law or ordinance.

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

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

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

- 1) Formulate integrated economic, social, physical and other development plans and policies for consideration of the City;
- 2) Conduct continuing studies, researches and training programs necessary to evolve plans and programs for implementation;
- 3) Integrate and coordinate all sectoral plans and studies undertaken by the different functional groups or agencies;
- 4) Monitor and evaluate the implementation of the different development programs, projects and activities in the City in accordance with the approved development plan;
- 5) Prepare comprehensive plans and other development planning documents for the consideration of the local development council;

1 6) Analyze the income and expenditure patterns, and formulate and
2 recommend 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 the City;

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

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

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

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

17 (c) The city Engineer shall take charge of the city engineering office, and shall;

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

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

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

27 4) Provide engineering services to the City, including investigation and
28 survey, engineering designs, feasibility studies and project management; and

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

33 **SEC. 35. *The City Health Officer.*** - (a) The city health officer must be a citizen
34 of the Philippines, a resident of the City of Labo, of good moral character and a
35 licensed medical practitioner. He must have acquired experience in the practice of his
36 profession for at least five years immediately preceding the date of his appointment.
37

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

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

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

1 (2) Formulate measures for the consideration of the Sangguniang Panlungsod
2 and provide technical assistance and support to the city mayor in carrying out
3 activities to ensure the delivery of basic services and provision of adequate
4 facilities relative to health services provided for under Section 17 of the Local
5 Government Code;

6 (3) Develop plans and strategies and, upon approval thereof by the city
7 mayor, implement the same, particularly those which have to do with health
8 programs and projects which the city mayor is empowered to
9 implement and which the Sangguniang Panlungsod is empowered to
10 provide under the Local Government Code;

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

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

14 (ii) Advise the city mayor and the Sangguniang Panlungsod on matters
15 pertaining to health;

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

18 (iv) Recommend to the Sangguniang Panlungsod, through the Local
19 Health Board, the passage of such ordinances as he may deem necessary
20 for the preservation of public health;

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

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

28 (vii) Conduct health information campaigns and render health
29 intelligence services; and

30 (viii) Coordinate with other government agencies and nongovernmental
31 organizations involved in the promotion and delivery of health services.

32 5) Be in the frontline of the delivery of health services, particularly during and
33 in the aftermath of man-made and natural disasters and calamities; and

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

38 **SEC. 36. The City Civil Registrar.** - (a) The city civil registrar must be a citizen
39 of the Philippines, a resident of the City of Labo, of good moral character, a holder of
40 a college degree from a recognized college or university, and a first grade civil
41 service eligible or its equivalent. He must have acquired experience in civil registry
42 work for at least five years immediately preceding the date of his appointment.

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

45 c) The city civil registrar shall be responsible for the civil registration program in the
46 City of Labo, pursuant to the Civil Registry Law, the Civil Code and other pertinent
47 laws, rules and regulations issued to implement them.

1 d) The city civil registrar shall take charge of the office of the city civil registry, and
2 shall:

3 (1) Develop plans and strategies and, upon approval thereof by the city mayor,
4 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) In addition to the foregoing duties and functions, the civil registrar shall:

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

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

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

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

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

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

25 (vii) Coordinate with the National Statistics Office in conducting
26 educational campaigns for vital registration and assist in the preparation
27 of demographic and other statistics for the City of Labo.
28

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

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

38 b) The term of the city administrator is coterminous with that of his appointing
39 authority.

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

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

43
44 (1) Develop plans and strategies and, upon approval thereof by the city
45 mayor, implement the same, particularly those which have to do with the

1 management and administration-related programs and projects which the city
2 mayor is empowered to implement and which the Sangguniang Panlungsod
3 is empowered to provide for under the Local Government Code;

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

6 (i) Assist in the coordination of the work of all the officials of the City of
7 Labo, under the supervision, direction and control of the city mayor,
8 and for this purpose, he may convene the chiefs of offices and other
9 officials of the City;

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

13 (iii) Conduct a continuing organizational development of the City of
14 Labo with the end in view of instituting effective administrative reforms.

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

18 (4) Recommend to the Sangguniang Panlungsod and advise the city mayor on
19 all matters relative to the management and administration of the City; and

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

23 **SEC. 38. The City Legal Officer.** - (a) The city legal officer must be a citizen
24 of the Philippines, a resident of the City of Labo, of good moral character and a
25 member of the Philippine Bar. He must have practiced his profession for at least five
26 years immediately preceding the date of his appointment. The term of the city legal
27 officer shall be coterminous with that of his appointing authority.

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

30 c) The city legal officer, the chief legal counsel of the City, shall take charge of the
31 office of the city legal service, and shall:

32 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
33 and provide legal assistance and support to the city mayor in carrying out the
34 delivery of basic services and the provision of adequate facilities;

35
36 2) Develop plans and strategies and, upon approval thereof by the city
37 mayor, implement the same, particularly those which have to do with programs
38 and projects related to legal services which the city mayor is empowered to
39 implement and which the Sangguniang Panlungsod is empowered to
40 provide for under the Local Government Code;

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

42 (i) Represent the City of Labo in all civil actions and special
43 proceedings wherein the City or any of its official, in his official
44 capacity, is a party: Provided, That in actions or proceedings where the
45 City is a party adverse to the provincial government or to another
46 component city or municipality, a special legal officer may be employed
47 to represent the adverse party;

48 (ii) When required by the city mayor, or Sangguniang Panlungsod, draft
49 ordinances, contracts, bonds, leases and other instruments, involving

1 any interest of the City and provide comments and recommendations
2 on any instrument already drawn;

3 (iii) Render his opinion in writing on any question of law when
4 requested to do so by the city mayor or Sangguniang Panlungsod;

5 (iv) Investigate or cause to be investigated any city official or employee
6 for administrative neglect or misconduct in office, and recommend
7 appropriate action to the city mayor or Sangguniang Panlungsod, as the
8 case may be;

9 (v) Investigate or cause to be investigated any person, firm or
10 corporation holding any franchise or exercising any public privilege for
11 failure to comply with any term or condition in the grant of such
12 franchise or privilege, and recommend appropriate action to the city
13 mayor or Sangguniang Panlungsod, as the case may be;

14 (vi) When directed by the city mayor, or Sangguniang Panlungsod,
15 initiate and prosecute in the interest of the City of Labo any civil action
16 on any bond, lease or other contract upon any breach or violation thereof;
17 and

18 (vii) Review and submit recommendations on ordinances approved
19 and executive orders issued by component barangays.

20 4) Recommend measures to the Sangguniang Panlungsod and advise the
21 city mayor on an matters related to upholding the rule of law;

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

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

29
30 **SEC. 39. *The City Social Welfare and Development Office.*** - (a) The city social
31 welfare and development officer must be citizen of the Philippines, a resident of the
32 City of Labo, of good moral character, a duly licensed social worker or a holder of
33 a college degree preferably in sociology or any other related course from a
34 recognized college or university, and a first grade civil service eligible or its
35 equivalent. He must have acquired experience in the practice of social work for at
36 least five years immediately preceding the date of his appointment.

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

39 (c) The city social welfare and development officer shall take charge of the office of the
40 social welfare and development, and shall:

41 1) Formulate measures for the approval of the Sangguniang Panlungsod and
42 provide technical assistance and support to the city mayor in carrying out
43 measures to ensure the delivery of basic services and the provision of
44 adequate facilities relative to social welfare and development services;

45 2) Develop plans and strategies and, upon approval thereof by the city mayor,
46 implement the same, particularly those which have to do with social
47 welfare programs and projects which the city mayor is empowered to implement
48 and which the Sangguniang Panlungsod is empowered to provide for
49 under the Local Government Code;

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

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

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

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

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

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

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

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

27 5) Recommend to the Sangguniang Panlungsod and advise the city mayor on
28 all other matters related to social welfare and development services which will
29 improve the livelihood and living conditions of the inhabitants; and

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

34 **SEC. 40. The City Veterinarian.** - (a) The city veterinarian must be a citizen
35 of the Philippines, a resident of the City of Labo, of good moral character and a
36 licensed doctor of veterinary medicine. He must have practiced his profession for
37 at least three years immediately preceding the date of his appointment.

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

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

41 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
42 and provide technical assistance and support to the city mayor in carrying
43 out measures to ensure the delivery of basic services and the provision of
44 adequate facilities;

45 (2) Develop plans and strategies and, upon approval thereof by the city Mayor,
46 implement the same, particularly those which have to do with veterinary-
47 related activities which the city mayor is empowered to implement and
48 which the Sangguniang Panlungsod is empowered to provide for under the
49 Local Government Code;

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

2 (i) Advise the city mayor on an matters pertaining to the slaughter of
3 animals for human consumption and the regulation of slaughter houses;

4
5 (ii) Regulate the keeping of domestic animals;

6 (iii) Regulate and inspect poultry, milk and dairy products for
7 public consumption;

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

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

12 4) Be in the frontline of veterinary-related activities, such as the outbreak of
13 highly contagious and deadly diseases and in situations resulting in the depletion
14 of animals for work and for human consumption, particularly those arising
15 from and in the aftermath of man-made and natural disasters and calamities;

16 5) Recommend to the Sangguniang Panlungsod and advise the city mayor on
17 all other matters relative to veterinary services which will increase the
18 number and improve the quality of livestock, poultry and other domestic
19 animals used for work or for human consumption; and

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

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

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

33 c) The city general services officer shall take charge of the office of the general
34 services, and shall:

35
36 1) Formulate measures for the consideration of the Sangguniang Panlungsod
37 and provide technical assistance and support to the city mayor in carrying out
38 measures to ensure the, delivery of basic services and the provision of adequate
39 facilities which require general services expertise and technical support services;

40 2) Develop plans and strategies and, upon approval thereof by the city
41 mayor, implement the same, particularly those which have to do with the
42 general services supportive a the welfare of the inhabitants of the City
43 which the city mayor is empowered to implement and which the Sanggunian
44 Panlungsod is empowered to provide for under the Local Government Code;

45 3) In addition to the foregoing duties and functions, the city general services
46 officer shall:

1 (i) Take custody of and be accountable for all properties, real or
2 personal owned by the City and those granted to it in the form
3 of donation, repartation, assistance and counterpart of joint
4 projects;

5
6 (ii) With the approval of the city mayor, assign building or land space
7 to city officials and other public officials who, by law, are entitled to such
8 space;

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

12 (iv) Recommend to the city mayor reasonable rental rates of private
13 properties which may be leased for the official use of the city
14 government;

15 (v) Maintain and supervise janitorial, security, government public
16 buildings and other real property, whether owned or leased by the city
17 government;

18 (vi) Collate and disseminate information regarding prices, shipping
19 and other costs of supplies and other items commonly used by the city
20 government;

21 (vii) Perform archival and record management with respect to records
22 of offices and departments of the city government; and

23 (viii) Perform all other functions pertaining to supply and property
24 management and enforce policies on records creation, maintenance and
25 disposal.

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

30 5) Recommend to the Sangguniang Panlungsod and advise the city mayor on
31 all other matters relative to general services; and

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

36 **SEC. 42. The City Environment and Natural Resources Officer.** – (a) the
37 City environment and natural resources officer must be a citizen of the Philippines, a
38 resident of the City of Labo, of good moral character, a holder of a college degree
39 preferably in environment, forestry, agriculture or any other related course from a
40 recognized college or university, and a first grade civil service eligible or its
41 equivalent. He must have acquired experience in environment and natural resources
42 management, conservation and utilization work for at least five years immediately
43 preceding the date of his appointment.
44

45 a) The city environment and natural resources officer shall receive such
46 compensation, emoluments and allowances as may be determined by law.

47 b) The city, environment and natural resources officer shall take charge of the office of
48 the environment and natural resources, and shall:

1 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
2 and provide assistance and support to the City Mayor in carrying out measures
3 to ensure the delivery of basic services and the provision of adequate facilities
4 relative to environment and natural resources services as provided for under
5 Section 17 of the Local Government Code;

6 2) Develop plans and strategies and, upon approval thereof by the city
7 mayor, implement the same, particularly those which have to do with the
8 environment and natural resources programs and projects which the city
9 mayor is empowered to implement and which the Sanggunian Panlungsod is
10 empowered to provide for under the Local Government Code;

11 3) In addition to the foregoing duties and functions, the city environment and
12 natural resources officer shall:

13 (i) Establish, maintain, protect and preserve communal forests,
14 watersheds, tree parks, mangroves, greenbelts and similar forest projects
15 and commercial forests, like industrial tree farms and agro-forestry
16 projects;
17

18 (ii) Provide extension services to the beneficiaries of forest development
19 projects and technical, financial and infrastructure assistance;

20 (iii) Manage and maintain seed banks and produce seedlings for forest
21 and tree parks;
22

23 (iv) Render assistance for natural resources-related conservation and
24 utilization activities consistent with ecological balance.

25 (v) Promote the small-scale mining and utilization of mineral resources
26 particularly mining of gold; and

27 (vi) Coordinate with government agencies and nongovernmental
28 organizations in the implementation of measures to prevent and control
29 land, air and water pollution with the assistance of the Department of
30 Environment and Natural Resources.

31 4) Be in the frontline of the delivery of services concerning the environment
32 and natural resources, particularly in the renewal and rehabilitation of the
33 environment during, and in the aftermath of man-made and natural disasters
34 and calamities;

35 5) Recommend measures to the Sangguniang Panlungsod and advise the
36 city mayor on all matters relative to the protection, conservation, maximum
37 utilization, application of appropriate technology and other matters related to
38 the environment and natural resources; and

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

43 **SEC. 43. The City Architect.** - (a) The city architect must be a citizen of the
44 Philippines, a resident of the City of Labo, of good moral character and a duly licensed
45 architect. He must have practiced his profession for at least five years immediately
46 preceding the date of his appointment.

47 b) The city architect shall receive such compensation, emoluments and allowances as
48 be determined by law.

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

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

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

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

13 (i) Prepare and recommend for consideration of the Sangguniang
14 Panlungsod the architectural plan and design for the City or a part
15 thereof, including the renewal of slums and blighted areas, land
16 reclamation activities, the greening of land and appropriate planning of
17 marine and foreshore areas;

18 (ii) Review and recommended for appropriate action of the
19 Sangguniang Panlungsod or City Mayor, the architectural plan and
20 design submitted by government and non-government entities or
21 individuals, particularly those undeveloped, underdeveloped and
22 poorly-designed areas; and

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

27 (4) Be in the frontline of the delivery of services involving architectural
28 planning and design, particularly those related to the redesigning of spatial
29 distribution of basic facilities and physical structures during and in the
30 aftermath of man-made and natural disaster and calamities;

31 5) Recommend to the Sangguniang Panlungsod and advise the city mayor on
32 all matters relative to architectural planning and design as it relates to
33 the total socioeconomic development of the City; and

34 6) Perform such other duties and functions and exercise such other powers
35 as provided for under Republic Act No. 7160, otherwise known as the
36 Local Government Code of 1991, and those that are prescribed by law and
37 ordinance.

38 **SEC. 44. *The City Information and Community Relations Officer.*** - (a) The
39 city information and community relations officer must be a citizen of the Philippines, a
40 resident of the City of Labo, of good moral character, a holder of a college degree
41 preferably in journalism, mass communication or any related course from a
42 recognized college or university, and a first grade civil service eligible or its
43 equivalent. He must have experience in writing articles and research papers or writing
44 for print, television, broadcast and other forms of mass media for at least five years
45 immediately preceding the date of his appointment.

46 (b) The city information- and community relations officer shall receive such
47 compensation, emoluments and allowances as may be determined by law.

48
49 (c) The city information and community relations officer shall take charge of the

1 city information and community relations office, and shall:

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

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

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

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

16 (ii) Furnish information and data on the City to government agencies
17 or offices as may be required by law of ordinance and non-governmental
18 organizations to be furnished to said agencies, and-organizations: and

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

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

27 5) Recommend to the Sangguniang Panlungsod and advise the city mayor on
28 all matters relative to public information and research data as it relates to
29 the total socioeconomic development of the City; and
30
31

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

35 **SEC. 45. The City Cooperatives Officer, -** (a) The city cooperatives officer
36 must be a citizen of the Philippines, a resident of the City of Labo, of good moral
37 character, a holder of a college degree preferably in business administration with
38 special training on cooperatives or any related course from a recognized college or
39 university, and a first grade civil service eligible or its equivalent. He must have
40 experience in cooperatives organization and management for at least five years
41 immediately preceding the date of his appointment.

42 (b) The city cooperative officer shall receive such compensation emoluments and
43 allowances as may be determined by law.

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

46 1) Formulate measures for the consideration of the Sangguniang Panlungsod
47 and provide technical assistance and support to the city mayor in carrying out
48 measures to ensure the delivery of basic services and the provision of
49 facilities through the development of cooperatives, and in providing access to
50 such services and facilities;

1 2) Develop plans and strategies and, upon approval thereof by the city
2 mayor, implement the same, particularly those which have to do with 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 for under the Local Government Code;

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

8 (i) Assist in the organization of cooperatives;

9 (ii) Provide technical and other forms of assistance to existing
10 cooperatives to enhance their viability as an economic enterprise and
11 social organization; and

12 (iii) Assist cooperatives in establishing linkages with government
13 agencies and non-government organizations involved in the promotion
14 and integration of the concept of cooperatives in the livelihood of the
15 people and other community activities.

16 (4) Be in the frontline of cooperative organization, rehabilitation or
17 viability enhancement, particularly during and in the aftermath of man-made
18 and natural disasters and calamities, to aid in their survival and, if necessary,
19 subsequent rehabilitation;

20 (5) Recommend to the Sangguniang Panlungsod and advise the city
21 mayor on all other matters relative to cooperatives development and viability
22 enhancement which will improve the livelihood and quality of life of the
23 inhabitants; and
24

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

29
30 **SEC. 46. The City Population Officer.** - (a) The city population officer must be a
31 citizen of the Philippines, a resident of the City of Labo, of good moral character, a
32 holder of a college degree preferably with specialized training in population
33 development from a recognized college or university and a first grade civil service
34 eligible or its equivalent. Must have experience in the implementation of programs
35 population development or responsible parenthood for at least five years
36 immediately preceding the date of his appointment.

37
38 b) The city population officer shall receive such compensation, emoluments and
39 allowances as may be determined by law.

40 c) The city population officer shall take charge of the office on population
41 development, and shall:

42 1) Formulate measures for the consideration of the Sangguniang Panlungsod
43 and provide technical assistance and support to the city mayor in carrying out
44 measures to ensure the delivery of basic services and the provision of
45 adequate facilities relative to the integration of the population development
46 principles and in providing access to said services and facilities;

47 2) Develop plans and strategies and, upon approval thereof by the city
48 mayor, implement the same, particularly those which have to do with the
49 integration of population development principles and methods in programs
50 and projects which the city mayor is empowered to implement and which the

1 Sangguniang Panlungsod is empowered to provide for under the Local
2 Government Code;

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

5 (i) Assist the City Mayor in the development of the constitutional
6 provisions relative to population development and the promotion of
7 responsible parenthood;

8 (ii) Establish and maintain an updated data bank for program
9 operations, development planning and an educational program to
10 ensure the people's participation in and understanding of population
11 development; and

12 (iii) Implement appropriate training programs responsive to the
13 cultural heritage of the inhabitants, and

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

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

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

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

28 (1) Formulate measures for the approval of the Sangguniang Panglungsod and
29 provide technical assistance and support to the city mayor in carrying out
30 measures to ensure the delivery of basic services and the provision of
31 adequate facilities relative to agricultural services;

32 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
33 implement the same, particularly those which have to do with agricultural
34 programs and projects which the city mayor is empowered to implement and
35 which the Sangguniang Panlungsod is empowered to provide for under the
36 Local Government

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

38 (i) Ensure that maximum assistance and access to resources in the
39 production, processing and marketing of agricultural and aqua-cultural
40 and marine products are extended to farmers, fishermen and local
41 entrepreneurs;

42 (ii) Conduct or cause to be conducted location-specific agricultural
43 researches and assist in making available the appropriate technology
44 arising out of and disseminating information on basic research on crops,
45 prevention and control of plant diseases and pests, and other
46 agricultural matters which will maximize productivity;
47

- 1 (iii) Assist the city mayor in the establishment and extension services of
2 demonstration farms or aquaculture and marine products;
- 3 (iv) Enforce rules and regulations relating to agriculture and aquaculture;
4 and
- 5 (v) Coordinate with government agencies and nongovernmental
6 organizations which promote agricultural productivity through
7 appropriate technology compatible with environmental integrity.
- 8 4) Be in the frontline of the delivery of basic agricultural services, particularly
9 those needed for the survival of the inhabitants during and in the aftermath of
10 man-made and natural disasters and calamities;
- 11 5) Recommend to the Sangguniang Panlungsod and advise the city mayor on
12 all other matters related to agriculture and aquaculture which will improve the
13 livelihood and living conditions of the inhabitants; and
- 14 6) Perform such other duties and functions and exercise such other powers
15 as provided for under Republic Act No. 7160, otherwise known as the
16 Local Government Code of 1991, and those that are prescribed by law or
17 ordinance.

18

19

ARTICLE VIII

20

THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE, 21 THE CITY SCHOOL DIVISION AND THE CITY PROSECUTION 22 SERVICE

23

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

28

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

32

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

38

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

44

SEC. 50. *The City School Division.* - (a) There shall be established and maintained by
45 the Department of Education (DepEd) a city school division of the City of Labo whose
46 area of jurisdiction will cover all the school districts within the City; and

47

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

1
2 **SEC. 51. The City Prosecution Service.** - (a) There shall be established in the City
3 a prosecution service to be headed b: a city prosecutor and such number of assistant
4 prosecutors, a. may be necessary, who shall be organizationally part of the
5 Department of Justice (DOJ), and under the supervision and control of the Secretary
6 of Justice and whose qualification manner of appointment, rank, salary and benefits
7 shall be governed by existing laws covering prosecutors in the DOJ.

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

12 c) The Secretary of Justice shall always assure the adequacy and quality of
13 prosecution service in the City and for this purpose, shall, in the absence or lack
14 or *insufficiency in number of city assistant prosecutors* as provided herein above,
15 designate from among the assistant provincial prosecutors a sufficient number to
16 perform and discharge the functions of the city prosecution service as provided herein
17 above.

18 19 **ARTICLE IX**

20 **TRANSITORY AND FINAL PROVISIONS**

21 **SEC. 52. Municipal Ordinances Existing at the Time of the Approval of this**
22 *Act.* - All municipal ordinances of the Municipality of Labo existing at the time of the
23 approval of this Act shall continue to be in force within the City of Labo until the
24 Sangguniang Panlungsod ordinance shall provide otherwise.

25 **SEC. 53. Plebiscite.** - The City of Labo shall acquire corporate existence
26 upon the ratification of its creation by a majority of the votes cast by the qualified
27 voters in a plebiscite to be conducted in the present Municipality of Labo within
28 sixty (60) days from the approval of this Act. The expenses for such plebiscite shall be
29 borne by the Municipality of Labo. The Commission on Elections shall conduct and
30 supervise such plebiscite.

31
32 **SEC. 54. Officials of the City of Labo.** - The present elective officials of the
33 Municipality of Labo shall continue to exercise their powers and functions until such
34 time that a new election is held and the duly elected officials shall have already
35 qualified and assumed their offices. The appointive officials and employees of the
36 Municipality of Labo shall likewise continue exercising their functions and duties
37 and they shall be automatically absorbed by the City

38
39 **SEC. 55 Succession Clause.** - The City of Labo shall succeed to all the assets,
40 properties, liabilities and of obligations of the Municipality of Labo

41 **SEC. 56. Election of Provincial Governor and Sangguniang Panlalawigan**
42 **Members of the Province of Camarines Norte.** - The qualified voters of the City of
43 Labo shall qualify to vote and run for any elective position in the elections for
44 provincial governor, provincial vice governor, Sangguniang Panlalawigan members
45 and other elective offices for the Province of Camarines None.

46 **SEC. 57. Jurisdiction of the Province of Camarines Norte.** - The City of
47 Labo shall, unless otherwise provided by law, continue to be under the jurisdiction
48 of the Province of Camarines Norte

49 **SEC. 58. Suspension of Increase in Rates of Local Taxes.** - No increase in the

1 rates of local taxes shall be imposed by the City within the period of five years from
2 its acquisition of corporate existence.

3 **SEC. 59. Representative District.** - Until otherwise provided by law, the City
4 of Labo shall continue to be a part of the First Congressional District of the Province
5 of Camarines Norte.

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

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

13 **SEC. 62. Separability Clause.**- if, for any reasons, any part or provision of this
14 Charter shall be held unconstitutional, invalid or inconsistent with the Republic Act
15 No. 7160, otherwise known as the Local Government Code of 1991, other parts or
16 provisions hereof which are not affected thereby shall continue to be in full force and
17 effect. Moreover, in cases where this Charter is silent or unclear, the pertinent
18 provisions of the Local Government Code shall govern, if so provided therein.

19 **SEC. 63. Effectivity.** - This Act shall take effect upon its publication in at
20 least two newspapers of general and local circulations.

21 *Approved,*

22

23

24

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26