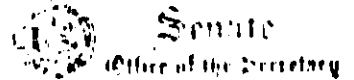



SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



15 DEC -7 P 6:07

SENATE

S. No. 3025

RECEIVED BY 

Introduced by Senator Ralph G. Recto

AN ACT
CONVERTING THE MUNICIPALITY OF STO. TOMAS IN THE PROVINCE OF
BATANGAS INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF STO.
TOMAS

Explanatory Note

This bill seeks to convert the Municipality of Sto. Tomas into a component city of the Province of Batangas to be known as the City of Sto. Tomas.

In 1666, the Dominican friars established the town of Sto. Tomas in the province of Batangas. Known in the history as the birthplace of General Miguel Malvar, who took over the leadership of the revolutionary government during the Philippine-American War when General Emilio Aguinaldo was captured in Palanan, Isabela in 1901.

It is the gateway to the provinces of Quezon, Camarines Sur, Camarines Norte and Sorsogon, where the Southern Luzon Expressway and Maharlika Highway merge. Sto. Tomas is sixty (60) kilometers from Manila and is the town that separates the provinces of Laguna and Batangas. As certified by the Land Management Bureau of the Department of Environment and Natural Resources (DENR), the Municipality of Sto. Tomas has an approximate land area of Ten Thousand Thirty-two and 3767/10000 (10, 032.3767) hectares.

In 2015, the Philippine Statistics Authority (PSA), estimated the population of the Municipality of Sto. Tomas to be anywhere from 149,000 to 159,000. It has 947 industrial establishments, which are predominantly in manufacturing and trading. The Bureau of Local Government Finance (BLGF) certified that Sto. Tomas is a first-class municipality with an average annual income of One Hundred Five Million Four Hundred Seventy-Five Thousand Four Hundred Forty-Three Pesos and 83/100 (P105,475,443.83).

Under the Local Government Code, a municipality is eligible to become a city if it has a population of at least 150,000; land area of 100 square kilometers; and income of at least P100 Million.

Applying these standards, the Municipality of Sto. Tomas can now be converted into a city after it has substantially achieved the required criteria in population, land area and income as provided by law.

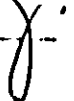
In view of the foregoing, immediate approval of this bill is earnestly sought.


RALPH G. RECTO

SENATE

'15 DEC -7 P 6 :07

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TOMAS

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. Title.— This Act shall be known as the “Charter of the City of Sto. Tomas”.

SEC. 2. The City of Sto. Tomas.— The Municipality of Sto. Tomas shall be converted into a component city to be known as the City of Sto. Tomas, herein, after referred to as the City, which shall comprise the present territory of the Municipality of Sto. Tomas, Province of Batangas.

The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of Sto. Tomas.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of any boundary dispute or case involving questions of territorial jurisdiction between the City of Sto. Tomas and the adjoining local government units: Provided, That the territorial jurisdiction of the disputed area or areas shall remain with the local government unit which has existing administrative supervision over the said area or areas until the final resolution of the case.

SEC. 3. Corporate Powers of the City.— The City constitutes a political corporate body and such is endowed with the attributes of perpetual succession and possessed with powers that pertain to a municipal corporation to be exercised in conformity with the provision of this Charter. The City shall have the following corporate powers:

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

1 (b) In addition thereto, the City Mayor may appoint a City Environment and Natural
2 Resources Officer, a City Architect, a City Information Officer, a City Cooperatives Officer, a
3 City Population Officer, a City Agriculturist, a City Business Permits and Licensing Officer, a
4 City Education Officer, a City Youth and Sports Development Officer, a City Public Safety
5 Officer, a City Tourism and Cultural Affairs Officer, a City Human Resource Development
6 Officer and a City Building Official.

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

10 (d) The City of Sto. Tomas may:

11 (1) Maintain existing offices not mentioned in subsections (a) and (b);

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

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

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

20 ARTICLE III

21 THE CITY MAYOR AND CITY VICE MAYOR

22 SEC. 8. *The City Mayor.*—

23 (a) The city mayor shall be the chief executive of the City and shall be elected at large by
24 the qualified voters of the City. No person shall be eligible for the position of city mayor unless,
25 at the time of the election, one is at least twenty-one (21) years of age, a resident of the City for at
26 least one (1) year prior to his election and a qualified voter therein. The city mayor shall hold
27 office for three (3) years, unless sooner removed, and shall receive a minimum monthly
28 compensation corresponding to Salary Grade Thirty (30) as prescribed under Republic Act No.
29 6758, otherwise known as the Salary Standardization Law, and the implementing guidelines
30 issued pursuant thereto. The city mayor, as the chief executive of the city government, shall
31 exercise such powers and perform such duties and functions as provided herein.

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

34 (1) Exercise those powers expressly granted to him by law, those necessarily implied there
35 from, as well as powers necessary, appropriate or incidental for the efficient and effective
36 governance of the City, and those which are essential to the promotion of the general welfare:

37 (i) Determine the guidelines of city policies and be responsible to the Sangguniang
38 Panlungsod for the program of government;

- 1 (ii) Direct the formulation of the city development plan, with the assistance of the city
2 development council and, upon approval thereof by the Sangguniang Panlungsod, implement the
3 same;
- 4 (iii) Present the program of government and propose policies and projects for the
5 consideration of the Sangguniang Panlungsod at the opening of the regular session of the
6 Sangguniang Panlungsod every calendar year and as often as may be deemed necessary as the
7 general welfare of the inhabitants and the needs of the city government may require;
- 8 (iv) Initiate and propose legislative measures to the Sangguniang Panlungsod and, as often
9 as may be deemed necessary, provide such information and data needed or requested by said
10 Sanggunian in the performance of its legislative functions;
- 11 (v) Appoint all officials and employees whose appointments are not otherwise provided
12 for in this Act, as well as those he may be authorized by law to appoint;
- 13 (vi) Represent the City in all its business transactions and sign on its behalf all bonds,
14 contracts and obligations, and such other documents upon the authority of the Sangguniang
15 Panlungsod or pursuant to law or ordinance;
- 16 (vii) Carry out such emergency measures as may be necessary during and in the after math
17 of man-made and natural disasters and calamities;
- 18 (viii) Determine the time, manner and place of payment of salaries or wages of the
19 officials and employees of the City, in accordance with law or ordinance;
- 20 (ix) Allocate and assign office space to the City and other officials and employees who, by
21 law or ordinance, are entitled to such space in the office and other buildings owned or leased by
22 the city government;
- 23 (x) Ensure that all executive officials and employees of the City faithfully discharge their
24 duties and functions as provided for by law and the Local Government Code of 1991, and cause
25 to be instituted administrative or judicial proceedings against any official or employee of the City
26 who may have committed an offense in the performance of his official duties;
- 27 (xi) Examine the books, records and other documents of all offices, officials, agents or
28 employees of the City and, in aid of executive powers and authority, require all national officials
29 and employees stationed in or assigned to the City to make available to him such books, records
30 and other documents in their custody, except those classified by law as confidential;
- 31 (xii) Furnish copies of executive orders issued to the Office of The President and the
32 Office of the Secretary of the DILG within seventy-two (72) hours after their issuance;
- 33 (xiii) Visit component barangays of the City at least once every six (6) months to deepen
34 his understanding of the problems and conditions, listen and give appropriate counsel to local
35 officials and inhabitants of general laws and ordinances which especially concern them, and
36 otherwise conduct visits and inspections to ensure that the governance of the City will improve
37 the quality of life of the inhabitants;

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

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

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

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

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

16 (xix) Conduct an annual Palarong Panlungsod which shall feature traditional sports and
17 disciplines included in national and international games, in coordination with the Department of
18 Education (DepED); and

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

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

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

30 (ii) Call conventions, conferences, seminars or meetings of elective and appointive
31 officials of the City, including national officials and employees stationed in or assigned to the
32 City, at such time and place and on such subject as may be deemed important for the promotion of
33 the general welfare of the local government unit and its inhabitants;

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

36 (iv) Be entitled to carry the necessary firearms within the territorial jurisdiction;

37 (v) Act as the deputized representative of the National Police Commission, formulate the
38 peace and order plan of the City and, upon its approval, implement the same, and as such,

1 exercise general and operational control and supervision over police forces in the City in
2 accordance with Republic Act No. 6975, otherwise known as the "Department of the Interior and
3 Local Government Act of 1990"; and

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

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

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

15 (ii) Prepare and submit to the Sanggunian for approval the executive and supplemental
16 budgets of the City for the ensuing calendar year in the manner provided for under the Local
17 Government Code of 1991;

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

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

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

26 (vi) Require owners of illegally constructed houses, buildings or other structures to obtain
27 the necessary permits, subject to such fines and penalties as may be imposed by law or ordinance,
28 or to make necessary changes in the construction of the same when said construction violates any
29 law or ordinance, or to order the demolition or removal of said house, building or structure within
30 the period prescribed by law or ordinance;

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

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

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

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

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

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

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

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

11 **SEC. 9. *The City Vice Mayor.* –**

12 (a) There shall be a city vice mayor who shall be elected in the same manner as the city
13 mayor and shall, at the time of the election, possess the same qualifications as the city mayor. The
14 city vice mayor shall hold office for three (3) years, unless sooner removed, and shall receive a
15 monthly compensation corresponding to Salary Grade Twenty-six (26) as prescribed under the
16 Salary Standardization Law and the implementing guidelines issued pursuant thereto.

17 (b) The city vice mayor shall:

18 (1) Be the presiding officer of the Sangguniang Panlungsod and sign all warrants drawn on
19 the city treasury for all expenditures appropriated for the operation of the Sangguniang
20 Panlungsod;

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

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

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

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

30 **ARTICLE IV**

31 **THE SANGGUNIANG PANLUNGSOD**

32 **SEC. 10. *Composition.*–**

33 (a) The Sangguniang Panlungsod, the legislative body of the City, shall be composed of
34 the City Vice-Mayor as the presiding officer, the ten (10) regular Sanggunian members, the
35 president of the city chapter of the Ligang mga Barangay, the president of the Panlungsod na
36 Pederasyon ng mga Sangguniang Kabataan and the sectoral representatives, as members.

37 (b) In addition thereto, there shall be three (3) sectoral representatives: one (1) from the
38 women sector; and, as shall be determined by the Sangguniang Panlungsod within ninety (90)

1 days prior to the holding of the local elections, one (1) from the agricultural or industrial workers
2 sector; and one (1) from the other sectors, including senior citizens, urban poor or disabled
3 persons.

4 (c) The regular members of the Sangguniang Panlungsod and sectoral representatives shall
5 be elected in the manner as may be provided by law.

6 **SEC. 11. Powers, Duties, Functions and Compensation.—**

7 (a) The Sangguniang Panlungsod, as the legislative body of the City, shall enact
8 ordinances, approve resolutions and appropriate funds for the general welfare of the City and its
9 inhabitants pursuant to Section 16 of the Local Government Code of 1991 and in the proper
10 exercise of the corporate powers of the City as provided for under Section 22 of the Local
11 Government Code of 1991, and shall:

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

14 (i) Review all ordinances approved by the Sangguniang Barangay and executive orders
15 issued by the Punong Barangay to determine whether these are within the scope of the prescribed
16 powers of the Sangguniang Barangay and of the Punong Barangay;

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

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

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

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

34 (vi) Protect the environment and, to this end, it may set aside at least ten percent (10%) of
35 its development funds for the purpose of maintaining and enhancing the ecological balance of the
36 City. It may also impose appropriate penalties for acts which endanger the environment, such as
37 illegal logging, smuggling of logs, smuggling of natural resources products and of endangered

1 species of flora and fauna, slash-and-burn farming and such other activities which result in
2 pollution, acceleration of siltation of rivers and lakes or of ecological imbalance;

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

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

9 (ix) Authorize the payment of compensation to a qualified person not in the government
10 service who fills in a temporary vacancy or grant honoraria to any qualified official or employee
11 designated to fill in a temporary vacancy in a concurrent capacity at the rate authorized by law;

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

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

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

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

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

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

32 (ii) Subject to the provisions of Book II of the Local Government Code of 1991 and
33 applicable laws and, upon the majority vote of all the members of the Sangguniang Panlungsod,
34 enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and
35 specific purposes and granting tax exemptions, incentives or reliefs;

36 (iii) Subject to the provisions of Book II of the Local Government Code of 1991 and upon
37 the majority vote of all the members of the Sangguniang Panlungsod, authorize the city mayor to
38 negotiate and contract loans and other forms of indebtedness;

1 (iv) Subject to the provisions of Book II of the Local Government Code of 1991 and
2 applicable laws and, upon the majority vote of all the members of the Sangguniang Panglungsod,
3 enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the
4 purpose of raising funds to finance development projects;

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

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

11 (vii) Adopt a comprehensive land-use plan for the City and ensure coordination with the
12 approved provincial comprehensive land-use plan;

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

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

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

25 (xi) With the concurrence of at least two-thirds (2/3) vote of all the members of the
26 Sangguniang Panlungsod, grant tax exemptions, incentives or reliefs to entities engaged in
27 community growth-inducing industries, subject to the provisions of the Local Government Code
28 of 1991;

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

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

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

34 (3) Subject to the provisions of Book II of the Local Government Code of 1991, enact
35 ordinances granting franchises and authorizing the issuance of permits or licenses, upon such
36 conditions and for such purposes intended to promote the general welfare of the inhabitants of the
37 City and, pursuant to this legislative authority, shall:

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

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

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

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

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

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

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

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

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

26 (ii) Require that buildings and the premises thereof and any land within the City be kept
27 and maintained in a sanitary condition; impose penalties for any violation thereof; or upon failure
28 to comply with the said requirement, have the work done at the expense of the owner,
29 administrator or tenant concerned; and require the filling up of any land or premises to a grade
30 necessary for proper sanitation;

31 (iii) Regulate the disposal of clinical and other wastes from hospitals, clinics and other
32 similar establishments;

33 (iv) Regulate the establishment, operation and maintenance of restaurants, beer houses,
34 hotels, motels, inns, pension houses, lodging houses and other similar establishments, including
35 tourist guides and transports;

36 (v) Regulate the sale, giving away or dispensing of any intoxicating malt, vino, mixed or
37 fermented liquors at any retail outlets;

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

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

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

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

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

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

21 (ii) Establish markets, slaughter houses or animal corrals and authorize the operation
22 thereof by the city government; and regulate the construction and operation of private markets,
23 talipapas or other similar buildings and structures;

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

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

29 (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public
30 places and approve the construction, improvement, repair and maintenance of the same; establish
31 bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles
32 which serve the public; regulate garages and the operation of conveyances for hire; designate
33 stands to be occupied by public vehicles when not in use; regulate the putting up of signs, sign
34 posts, awnings and awning posts on the streets; and provide for the lighting, cleaning and
35 sprinkling of streets and public places;

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

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

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

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

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

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

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

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

31 (xiv) Provide for the care of persons with disabilities (PWD), paupers, the aged, the sick,
32 persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused
33 children and the youth below eighteen (18) years of age, and subject to the availability of funds,
34 establish and provide for the operation of centers and facilities for the said needy and
35 disadvantaged persons;

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

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

4 (xvii) Establish a city council for the elderly and senior citizens which shall formulate
5 policies and adopt measures mutually beneficial to the elderly and to the community; provide
6 incentives for non-government agencies and entities and, subject to the availability of funds,
7 appropriate funds to support programs and projects for the benefit of the elderly;

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

10 (b) The members of the Sangguniang Panlungsod of the City of Sto. Tomas shall receive a
11 minimum monthly compensation corresponding to Salary Grade Twenty-five (25) as prescribed
12 under the Salary Standardization Law and the implementing guidelines issued pursuant thereto.

13 ARTICLE V

14 PROCESS OF LEGISLATION

15 SEC. 12. *Internal Rules of Procedure.*—

16 (a) On the first regular session following the election of its members and within ninety
17 (90) days thereafter, the Sangguniang Panlungsod shall adopt or update its existing rules of
18 procedure.

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

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

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

27 (3) The legislative process;

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

29 (5) The discipline of members for disorderly behavior and absences without justifiable
30 cause for four (4) consecutive sessions for which they may be censured, reprimanded or excluded
31 from the session, suspended for not more than sixty (60) days or expelled: Provided, That the
32 penalty of suspension or expulsion shall require the concurrence of at least two-thirds (2/3) vote
33 of all the Sanggunian members: Provided, further, That the member convicted by final judgment
34 to imprisonment of at least one (1) year for any crime involving moral turpitude shall be
35 automatically expelled from the Sanggunian; and

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

37 SEC. 13. *Full Disclosure of Financial and Business Interests of Sangguniang Panlungsod*
38 *Members.*—

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

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

9 (2) Contracts or agreements with any person or entity which the ordinance or resolution
10 under consideration may affect. In the absence of a specific constitutional or statutory provision
11 applicable to this situation, "conflict of interest" refers, in general, to one where it may be
12 reasonably deduced that a member of a Sanggunian may not act in the public interest due to some
13 private, pecuniary or other personal considerations that may tend to affect his judgment to the
14 prejudice of the service or the public.

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

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

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

26 **SEC. 14. Sessions.**—

27 (a) On the first day of the session immediately following the election of its members, the
28 Sangguniang Panlungsod shall, by resolution, fix the day, time and place of its sessions. The
29 minimum number of regular sessions shall be once a week for the Sangguniang Panlungsod and
30 twice a month for the Sangguniang Barangay.

31 (b) When the public interest so demands, special sessions may be called by the City
32 Mayor or by a majority of the members of the Sanggunian.

33 (c) All Sanggunian sessions shall be open to the public unless a closed-door session is
34 ordered by an affirmative vote of the majority of the members present, there being a quorum, in
35 the public interest or for reasons of security, decency or morality. No two (2) sessions, regular or
36 special, may be held in a single day.

37 (d) In the case of special sessions of the Sanggunian, a written notice to the members shall
38 be served personally at the members' usual place of residence at least twenty-four (24) hours

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

4 (c) The Sangguniang Panlungsod shall keep a journal and a record of its proceedings,
5 which may be published upon resolution of the majority of its members.

6 **SEC. 15. *Quorum.* –**

7 (a) A majority of all the members of the Sanggunian who have been elected and qualified
8 shall constitute a quorum to transact official business. Should a question of quorum be raised
9 during a session, the presiding officer shall immediately proceed to call the roll of the members
10 and there after announce the result.

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

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

20 **SEC. 16. *Approval of Ordinances.* –**

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

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

29 **SEC. 17. *Veto Power of the City Mayor.* –**

30 (a) The city mayor may veto any ordinance of the Sangguniang Panlungsod on the ground
31 that it is ultra-vires or prejudicial to the public welfare, stating the reasons thereof in writing.

32 (b) The city mayor shall have the power to veto any particular item or items of an
33 appropriations ordinance, an ordinance or resolution adopting a local development plan, any
34 public investment program or an ordinance directing the payment of money or creating liability.
35 In such case, the vetoed item or items shall not affect the item or items which are not objected to.
36 The vetoed item or items shall not take effect unless the Sangguniang Panlungsod over rides the
37 veto in the manner herein provided; otherwise, the item or items in the appropriations ordinance
38 of the previous year corresponding to those vetoed, if any, shall be deemed enacted.

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

4 **SEC. 18. Review of City Ordinances by the Sangguniang Panlalawigan.**—

5 (a) Within three (3) days after approval, the secretary to the Sangguniang Panlungsod shall
6 forward to the Sangguniang Panlalawigan for review, copies of approved ordinances and the
7 resolutions approving the local development plans and the public investment programs formulated
8 by the local development councils.

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

15 (c) If the Sangguniang Panlalawigan finds that such an ordinance or resolution is beyond
16 the power conferred upon the Sangguniang Panlungsod concerned, it shall declare such ordinance
17 or resolution invalid in whole or in part. The Sangguniang Panlalawigan shall enter its action in
18 the minutes and shall advise the corresponding city authorities of the action it has taken.

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

22 **SEC. 19. Review of Barangay Ordinances by the Sangguniang Panlungsod.** —

23 (a) Within ten (10) days after its enactment, the Sangguniang Barangay shall furnish
24 copies of all barangay ordinances to the Sangguniang Panlungsod for review as to whether the
25 ordinances are consistent with law or city ordinances.

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

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

33 **SEC. 20. Enforcement of Disapproved Ordinances or Resolutions.** —Any attempt to
34 enforce any ordinance or any resolution approving the local development plan and the public
35 investment program after disapproval thereof, shall be sufficient ground for the suspension or
36 dismissal of the official or employee concerned.

37 **SEC. 21. Effectivity of Ordinances or Resolutions.**—

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

6 (b) The secretary of the Sangguniang Panlungsod shall cause the posting of an ordinance
7 or resolution in the bulletin board at the entrance of the city hall and in at least two (2)
8 conspicuous places in the City of Sto. Tomas not later than five (5) days after approval thereof.
9 The text of the ordinance or resolution shall be disseminated and posted in Filipino or English,
10 and the secretary of the Sangguniang Panlungsod shall record such fact in a book kept for the
11 purpose, stating the dates of approval and posting.

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

17 ARTICLE VI

18 DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS

19 **SEC. 22. Disqualification of Elective Public City Officials.**— The following persons are
20 disqualified from running for any elective position in the City:

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

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

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

27 (d) Those with dual citizenship;

28 (e) Fugitives from justice in criminal or non-political cases here and abroad;

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

32 (g) The insane or feeble-minded.

33 **SEC. 23. Permanent Vacancy in the Offices of the City Mayor and the City Vice Mayor.**—

34 (a) If a permanent vacancy occurs in the office of the city mayor, the city vice mayor
35 concerned shall become the city mayor. If a permanent vacancy occurs in the office of the city
36 vice mayor, the highest ranking Sangguniang Panlungsod member or, in case of his permanent in
37 capacity, the second highest ranking Sangguniang Panlungsod member becomes the city mayor or

1 the city vice mayor, as the case may be. Subsequent vacancies in the said offices shall be filled
2 automatically by the other Sanggunian members according to their ranking as defined herein.

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

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

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

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

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

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

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

26 (c) In case the permanent vacancy is caused by a Sanggunian member who does not
27 belong to any political party, the city mayor shall, upon the recommendation of the Sangguniang
28 Panlungsod, appoint a qualified person to fill in the vacancy; and

29 (d) In case of vacancy in the representation of the youth and the barangay in the
30 Sangguniang Panlungsod, said vacancy shall be filled in automatically by the official next-in-rank
31 of the organization concerned.

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

33 (a) When the city mayor is temporarily incapacitated to perform his duties for physical or
34 legal reasons such as, but not limited to, leave of absence, travel abroad and suspension from
35 office, the city vice mayor or the highest Sangguniang Panlungsod member shall automatically
36 exercise the powers and perform the duties and functions of the city mayor, except the power to
37 appoint, suspend or dismiss employees which can only be exercised if the period of temporary
38 incapacity exceeds thirty (30) working days.

1 (b) Said temporary incapacity shall terminate upon submission to the Sangguniang
2 Panlungsod of a written declaration by the city mayor that he has reported back to office. In case
3 where the temporary incapacity is due to legal cause, the city mayor shall also submit necessary
4 documents showing that the said legal cause no longer exists.

5 (c) When the city mayor is traveling within the country but outside the territorial
6 jurisdiction for a period not exceeding three (3) consecutive days, he may designate in writing the
7 officer-in-charge of his office. Such authorization shall specify the powers and functions that the
8 local official concerned shall exercise in the absence of the city mayor, except the power to
9 appoint, suspend or dismiss employees.

10 (d) In the event, however, that the city mayor fails or refuses to issue such authorization,
11 the city vice mayor or the highest ranking Sangguniang Panlungsod member, as the case may be,
12 shall have the right to assume the powers, duties and functions of the said office on the fourth
13 (4th) day of absence of the city mayor, subject to the limitations provided for in subsection(c)
14 hereof.

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

18 ARTICLE VII

19 THE APPOINTIVE OFFICIALS OF THE CITY

20 SEC. 26. *The Secretary to the Sangguniang Panlungsod.*—

21 (a) There shall be a secretary to the Sangguniang Panlungsod who shall be a career official
22 with the rank and salary equal to a head of a department or office.

23 (b) No person shall be appointed secretary to the Sangguniang Panlungsod unless one is a
24 citizen of the Philippines, a resident of the City of Sto. Tomas, of good moral character, a holder
25 of a college degree preferably in law, commerce or public administration from a recognized
26 college or university and a first grade civil service eligible or its equivalent.

27 (c) The secretary to the Sangguniang Panlungsod shall take charge of the office of the
28 Sangguniang Panlungsod, and shall:

29 (1) Attend meetings of the Sangguniang Panlungsod and keep a journal of its proceedings;

30 (2) Keep the seal of the City and affix the same with his signature to all ordinances,
31 resolutions and other official acts of the Sangguniang Panlungsod, and present the same to the
32 presiding officer for his signature;

33 (3) Forward to the city mayor for approval, copies of ordinances enacted by the
34 Sangguniang Panlungsod, duly certified by the presiding officer;

35 (4) Forward to the Department of Budget and Management (DBM) copies of the
36 appropriations ordinances passed by the Sangguniang Panlungsod as provided for under Section
37 326, Book II of the Local Government Code of 1991;

1 (5) Forward to the Sangguniang Panlalawigan copies of duly approved ordinances in the
2 manner as provided for in Sections 56 and 57 of the Local Government Code of 1991;

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

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

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

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

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

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

17 **SEC. 27. The City Treasurer.—**

18 (a) The city treasurer shall be appointed by the Secretary of the Department of Finance
19 (DOF) from a list of at least three (3) ranking eligible recommendees of the city mayor, subject to
20 civil service law, rules and regulations.

21 (b) The city treasurer shall be under the administrative supervision of the city mayor, to
22 whom one shall report regularly on the tax collection efforts of the City.

23 (c) No person shall be appointed city treasurer unless he is a citizen of the Philippines, a
24 resident of the City of Sto. Tomas, of good moral character, a holder of a college degree
25 preferably in commerce, public administration or law from a recognized college or university, and
26 a first grade civil service eligible or its equivalent. One must have acquired experience in treasury
27 or accounting service for at least five (5) years.

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

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

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

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

35 (3) Take charge of the disbursement of all funds of the City and such other funds, the
36 custody of which has been entrusted by law or other competent authority;

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

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

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

7 **SEC. 28. *The Assistant City Treasurer.***—

8 (a) The assistant city treasurer may be appointed by the Secretary of the DOF from a list
9 of at least three (3) ranking eligible recommendees of the city mayor, subject to civil service law,
10 rules and regulations.

11 (b) No person shall be appointed assistant city treasurer unless one is a citizen of the
12 Philippines, a resident of the City of Sto. Tomas, of good moral character, a holder of a college
13 degree preferably in commerce, public administration or law from a recognized college or
14 university, and a first grade civil service eligible or its equivalent. One must have acquired at least
15 four (4) years of experience in treasury or accounting.

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

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

23 **SEC. 29. *The City Assessor.***—

24 (a) The city assessor must be a citizen of the Philippines, a resident of the City of Sto.
25 Tomas, of good moral character, a holder of a college degree preferably in civil or mechanical
26 engineering, commerce or any other related course from a recognized college or university, and a
27 first grade civil service eligible or its equivalent. One must have an experience in real property
28 assessment work or in any related field for at least five (5) years immediately preceding the date
29 of his appointment.

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

32 (c) The city assessor shall take charge of the city assessor's department, and shall:

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

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

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

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

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

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

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

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

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

13 (10) Submit every semester a report of all assessments, as well as cancellations and
14 modifications of assessments to the city mayor and the Sangguniang Panlungsod; and

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

18 **SEC. 30. *The Assistant City Assessor.*—**

19 (a) The assistant city assessor must be a citizen of the Philippines, a resident of the City of
20 Sto. Tomas, of good moral character, a holder of a college degree preferably in civil or
21 mechanical engineering, commerce or any related course from a recognized college or university,
22 and a first grade civil service eligible or its equivalent. The assistant city assessor must have
23 acquired experience in assessment or in any related field for at least three (3) years immediately
24 preceding the date of his appointment.

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

27 (c) The assistant city assessor shall assist the city assessor and perform such other duties
28 as may be assigned to him and shall have authority to administer oaths on all declarations of all
29 real properties for purposes of assessment.

30 **SEC. 31. *The City Accountant.* —**

31 (a) The city accountant must be a citizen of the Philippines, a resident of the City of Sto.
32 Tomas, of good moral character, a certified public accountant and must have acquired experience
33 in the treasury or accounting service for at least five (5) years immediately preceding the date of
34 his appointment.

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

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

- 1 (1) Install and maintain an internal audit system in the City;
- 2 (2) Prepare and submit financial statements to the city mayor and to the Sangguniang
3 Panlungsod;
- 4 (3) Apprise the Sangguniang Panlungsod and other officials on the financial condition and
5 operations of the City;
- 6 (4) Certify to the availability of budgetary allotment from which expenditures and
7 obligations may be properly charged;
- 8 (5) Review supporting documents before the preparation of vouchers to determine
9 completeness of requirements;
- 10 (6) Prepare statement of cash advances, liquidations, salaries, allowances, reimbursements
11 and remittances pertaining to the City;
- 12 (7) Prepare statements of journal vouchers and liquidations of the same and other
13 adjustments related thereto;
- 14 (8) Post individual disbursements to subsidiary ledgers and index cards;
- 15 (9) Maintain individual ledgers for officials and employees of the City pertaining to
16 payrolls and deductions;
- 17 (10) Record and post in index cards details of purchased furniture, fixtures and equipment,
18 including disposal thereof, if any;
- 19 (11) Account for all issued requests for obligations and maintain and keep all records and
20 reports related thereto;
- 21 (12) Prepare journals and the analysis of obligations and maintain and keep all records and
22 reports related thereto; and
- 23 (13) Perform such other duties and functions and exercise such other powers as provided
24 for under the Local Government Code of 1991, and those that are prescribed by law or ordinance.

25 **SEC. 32. *The City Budget Officer.* –**

26 (a) The city budget officer must be a citizen of the Philippines, a resident of the City of
27 Sto. Tomas, of good moral character, holder of a college degree preferably in accounting,
28 economics, public administration or any related course from a recognized college or university,
29 and a first grade civil service eligible or its equivalent. The city budget officer must have acquired
30 experience in government budgeting or in any related field for at least five (5) years immediately
31 preceding the date of his appointment.

32 (b) The city budget officer shall take charge of the city budget department, and shall:

- 33 (1) Prepare forms, orders and circulars embodying instructions on budgetary and
34 appropriation matters for the signature of the city mayor;
- 35 (2) Review and consolidate the budget proposals of different departments and offices of
36 the City;
- 37 (3) Assist the city mayor in the preparation of the budget and during and after the budget
38 hearings;

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

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

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

6 (7) Assist the Sangguniang Panlungsod in reviewing the approved budgets of the
7 component barangays;

8 (8) Coordinate with the city planning and development office in the formulation of the
9 development plan of the City; and

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

12 **SEC. 33. *The City Planning and Development Officer.* –**

13 (a) The city planning and development officer must be a citizen of the Philippines, a
14 resident of the City of Sto. Tomas, of good moral character, a holder of a college degree
15 preferably in urban planning, development studies, economics, public administration or in any
16 related course from a recognized college or university, and a first grade civil service eligible or its
17 equivalent. One must have acquired experience in development planning or in any related field
18 for at least five (5) years immediately preceding the date of his appointment.

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

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

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

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

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

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

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

33 (6) Analyze the income and expenditure patterns, and formulate and recommend fiscal
34 plans and policies for the consideration of the finance committee of the Sangguniang Panlungsod;

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

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

37 and

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

3 **SEC. 34. *The City Engineer.* –**

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

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

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

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

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

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

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

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

22 **SEC. 35. *The City Health Officer.*–**

23 (a) The city health officer must be a citizen of the Philippines, a resident of the City of
24 Sto. Tomas, of good moral character and a licensed medical practitioner. One must have acquired
25 experience in the practice of his profession for at least five (5) years immediately preceding the
26 date of his appointment.

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

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

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

35 (2) Formulate measures for the consideration of the Sangguniang Panlungsod and provide
36 technical assistance and support to the city mayor in carrying out activities to ensure the delivery
37 of basic services and the provision of adequate facilities relative to health services as provided for
38 under Section 17 of the Local Government Code of 1991;

1 (3) Develop plans and strategies and, upon approval thereof by the city mayor, implement
2 the same, particularly those which have to do with health programs and projects which the city
3 mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to
4 provide for under the Local Government Code of 1991;

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

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

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

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

11 (iv) Recommend to the Sangguniang Panlungsod through the local health board, the
12 passage of such ordinance as he may deem necessary for the preservation of public health;

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

15 (vi) Direct the sanitary inspection of all business establishments, stores selling food items
16 or providing accommodations such as hotels, motels, local houses, pension houses and the like, in
17 accordance with the Sanitation Code of the Philippines.

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

19 (viii) Coordinate with other government agencies and non-government organizations
20 involved in the promotion and delivery of health services; and

21 (ix) Be in the frontline of the delivery of health services, particularly during and in the
22 aftermath of man-made and natural disasters or calamities;

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

25 **SEC. 36. *The City Civil Registrar.***—

26 (a) The city civil registrar must be a citizen of the Philippines, a resident of the City of
27 Sto. Tomas, of good moral character, a holder of a college degree from a recognized college or
28 university, and a first grade civil service eligible or its equivalent. He must have acquired
29 experience in civil registry work for at least five (5) years immediately preceding the date of his
30 appointment.

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

33 (c) The city civil registrar shall be responsible for the civil registration program in the City
34 of Sto. Tomas, pursuant to the Civil Registry Law, the Omnibus Election Code and other
35 pertinent laws, rules and regulations issued to implement them.

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

1 (1) Develop plans and strategies and, upon approval thereof by the city mayor, implement
2 the same, particularly those which have to do with the management and administration-related
3 programs and projects which the city mayor is empowered to implement and which the
4 Sangguniang Panlungsod is empowered to provide for under the Local Government Code of
5 1991;

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

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

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

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

12 (iv) Transmit to the Office of the Civil Registrar, within the prescribed period, duplicate
13 copies of registered documents required by law;

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

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

19 (vii) Coordinate with the National Statistics Office (NSO) in conducting educational
20 campaigns for vital registration and assist in the preparation of demographic and other statistics
21 for the City of Sto. Tomas; and

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

24 **SEC. 37. The City Administrator.**—

25 (a) The city administrator must be a citizen of the Philippines, a resident of the City of Sto.
26 Tomas, of good moral character, a holder of a college degree preferably in public administration
27 or in any other related course from a recognized college or university, and a first grade civil
28 service eligible or its equivalent. He must have acquired experience in management and
29 administrative work for at least five (5) years immediately preceding the date of his appointment.

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

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

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

34 (1) Develop plans and strategies and, upon approval thereof by the city mayor, implement
35 the same, particularly those which have to do with the management and administration-related
36 programs and projects which the city mayor is empowered to implement and which the
37 Sangguniang Panlungsod is empowered to provide for under the Local Government Code of
38 1991;

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

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

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

8 **SEC. 38. *The City Legal Officer.*—**

9 (a) The city legal officer must be a citizen of the Philippines, a resident of the City of Sto.
10 Tomas, of good moral character and a member of the Philippine Bar. One must have practiced his
11 profession for at least five (5) years immediately preceding the date of his appointment.

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

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

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

19 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
20 the same, particularly those which have to do with the programs and projects related to legal
21 services which the city mayor is empowered to implement and which the Sangguniang
22 Panlungsod is empowered to provide;

23 (3) Recommend measures to the Sangguniang Panlungsod and advise the city mayor on all
24 matters related to upholding the rule of law;

25 (4) Be in the frontline of protecting human rights and prosecuting any violation thereof,
26 particularly those which occur during and in the after math of man-made and natural disasters or
27 calamities; and

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

30 **SEC. 39. *The City Social Welfare and Development Officer.*—**

31 (a) The city social welfare and development officer must be a citizen of the Philippines, a
32 resident of the City of Sto. Tomas, of good moral character, a licensed social worker or a holder
33 of a college degree preferably in social work or in any other related course from a recognized
34 college or university, and a first grade civil service eligible or its equivalent. One must have
35 acquired experience in the practice of social work for at least five (5) years immediately
36 preceding the date of his appointment.

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

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

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

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

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

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

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

19 **SEC. 40. The City Veterinarian.—**

20 (a) The city veterinarian must be a citizen of the Philippines, a resident of the City of Sto.
21 Tomas, of good moral character and a licensed doctor of veterinary medicine. One must have
22 practiced his profession for at least three (3) years immediately preceding the date of his
23 appointment.

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

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

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

31 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
32 the same, particularly those which have to do with veterinary-related activities which the city
33 mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to
34 provide;

35 (3) Be in the frontline of the veterinary-related activities, such as the outbreak of highly-
36 contagious and deadly diseases, and in situations resulting in the depletion of animals for work
37 and for human consumption, particularly those arising from and in the after math of man-made
38 and natural disasters or calamities;

1 (4) Recommend to the Sangguniang Panlungsod and advise the city mayor on all other
2 matters relative to the veterinary services which will increase the number and improve the quality
3 of livestock, poultry and other domestic animals used for work or for human consumption; and

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

6 **SEC. 41. *The City General Services Officer.***—

7 (a) The city general services officer must be a citizen of the Philippines, a resident of the
8 City of Sto. Tomas, of good moral character, a holder of a college degree in public administration,
9 business administration or management from a recognized college or university, and a first grade
10 civil service eligible or its equivalent. One must have acquired experience in general services,
11 including the management of supply, property, solid waste disposal and general sanitation for at
12 least three (3) years immediately preceding the date of his appointment.

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

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

17 (1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide
18 technical assistance and support to the city mayor in carrying out measures to ensure the delivery
19 of basic services and the provision of adequate facilities which require general services expertise
20 in technical support services;

21 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
22 the same, particularly those which have to do with general services supportive of the welfare of
23 the inhabitants of the City which the city mayor is empowered to implement and which the
24 Sangguniang Panlungsod is empowered to provide;

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

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

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

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

35 **SEC. 42. *The City Environment and Natural Resources Officer.***—

36 (a) The city environment and natural resources officer must be a citizen of the Philippines,
37 a resident of the City of Sto. Tomas, of good moral character, a holder of a college degree
38 preferably in environment, forestry, agriculture or in any other related course from a recognized

1 college or university, and a first grade civil service eligible or its equivalent. One must have
2 acquired experience in environment and natural resources management, conservation and
3 utilization work for at least five (5) years immediately preceding the date of his appointment.

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

6 (c) The city environment and natural resources officer shall take charge of the city
7 environment service department, and shall:

8 (1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide
9 assistance and support to the city mayor in carrying out measures to ensure the delivery of basic
10 services and the provision of adequate facilities relative to environment and natural resources
11 services as provided for under Section 17 of the Local Government Code of 1991;

12 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
13 the same, particularly those which have to do with the environment and natural resources
14 programs and projects which the city mayor is empowered to implement and which the
15 Sangguniang Panlungsod is empowered to provide;

16 (3) Be in the frontline of the delivery of services concerning the environment and natural
17 resources, particularly in the renewal and rehabilitation of the environment during and in the after
18 math of man-made and natural disasters or calamities;

19 (4) Recommend measures to the Sangguniang Panlungsod and advise the city mayor on all
20 matters relative to the protection, conservation, maximum utilization, application of appropriate
21 technology and other matters related to the environment and natural resources; and

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

24 **SEC. 43. *The City Architect.***—

25 (a) The city architect must be a citizen of the Philippines, a resident of the City of Sto.
26 Tomas, of good moral character, and a duly licensed architect. One must have practiced his
27 profession for at least five (5) years immediately preceding the date of his appointment.

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

30 (c) The city architect shall take charge of the office of the architectural planning and
31 design, and shall:

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

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

1 and projects which the city mayor is empowered to implement and which the Sangguniang
2 Panlungsod is empowered to provide for under the Local Government Code of 1991;

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

6 (4) Recommend to the Sangguniang Panlungsod and advise the city mayor on all other
7 matters relative to architectural planning and design as it relates to the total socio economic
8 development of the City; and

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

11 **SEC. 44. *The City Information Officer.*—**

12 (a) The city information officer must be a citizen of the Philippines, a resident of the City
13 of Sto. Tomas, of good moral character, a holder of a college degree preferably in journalism,
14 mass communication or in any related course from a recognized college or university, and a first
15 grade civil service eligible or its equivalent. One must have experience in writing articles and
16 research papers, or writing for print, television or broadcast media for at least five (5) years
17 immediately preceding the date of his appointment.

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

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

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

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

30 (3) Be in the frontline in providing information during and in the after math of man-made
31 and natural disasters or calamities, with special attention to the victims thereof, to help minimize
32 injuries and casualties after the emergency, and to accelerate relief and rehabilitation;

33 (4) Recommend to the Sangguniang Panlungsod and advise the city mayor on all other
34 matters relative to public information and research data as it relates to the total socio economic
35 development of the City; and

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

38

1 **SEC. 45. *The City Cooperatives Officer.*—**

2 (a) The city cooperatives officer must be a citizen of the Philippines, a resident of the City
3 of Sto. Tomas, of good moral character, a holder of a college degree preferably in business
4 administration with special training on cooperatives or in any related course from a recognized
5 college or university, and a first grade civil service eligible or its equivalent. One must have
6 acquired experience in cooperatives organization and management for at least five (5) years
7 immediately preceding the date of his appointment.

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

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

12 (1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide
13 technical assistance and support to the city mayor in carrying out measures to ensure the delivery
14 of basic services and the provision of facilities through the development of cooperatives and in
15 providing access to such services and facilities;

16 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
17 the same, particularly those which have to do with the integration of cooperatives principles and
18 methods in programs which the city mayor is empowered to implement and which the
19 Sangguniang Panlungsod is empowered to provide;

20 (3) Be in the frontline of cooperatives organization, rehabilitation or viability
21 enhancement, particularly during and in the after math of man-made and natural disasters or
22 calamities, to aid in their survival and, if necessary, subsequent rehabilitation;

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

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

28 **SEC. 46. *The City Population Officer.*—**

29 (a) The city population officer must be a citizen of the Philippines, a resident of the City
30 of Sto. Tomas, of good moral character, a holder of a college degree preferably with specialized
31 training in population development from a recognized college or university, and a first grade civil
32 service eligible or its equivalent. One must have acquired experience in the implementation of
33 programs on population development or responsible parenthood for at least five (5) years
34 immediately preceding the date of his appointment.

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

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

1 (1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide
2 technical assistance and support to the city mayor in carrying out measures to ensure the delivery
3 of basic services and the provision of adequate facilities relative to the integration of the
4 population development principles and in providing access to said services and facilities.

5 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
6 the same, particularly those which have to do with the integration of population development
7 principles and methods in programs and projects which the city mayor is empowered to
8 implement and which the Sangguniang Panlungsod is empowered to provide; and

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

11 **SEC. 47. *The City Agriculturist.* –**

12 (a) The city agriculturist must be a citizen of the Philippines, a resident of the City of Sto.
13 Tomas, of good moral character, a holder of a college degree preferably in agriculture or in any
14 other related course from a recognized college or university, and a first grade civil service eligible
15 or its equivalent. One must have practiced his profession in agriculture or acquired the experience
16 in a related field for at least five (5) years immediately preceding the date of his appointment.

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

19 (c) The city agriculturist shall take charge of the office of the agricultural services, and
20 shall:

21 (1) Formulate measures for the approval of the Sangguniang Panlungsod and provide
22 technical assistance and support to the city mayor in carrying out measures to ensure the delivery
23 of basic services and the provision of adequate facilities relative to agricultural services;

24 (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement
25 the same, particularly those which have to do with the agricultural programs and projects which
26 the city mayor is empowered to implement and which the Sangguniang Panlungsod is empowered
27 to provide;

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

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

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

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

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

1 (v) Coordinate with government agencies and non-governmental organizations, which
2 promote agricultural productivity through applied technology compatible with environmental
3 integrity;

4 (4) Be in the frontline of the delivery of basic agricultural services, particularly those
5 needed for the survival of the inhabitants during and in the after math of man-made and natural
6 disasters or calamities;

7 (5) Recommend to the Sangguniang Panlungsod and advise the city mayor on all other
8 matters related to agriculture and aquaculture which will improve the livelihood and the living
9 conditions of the inhabitants; and

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

12 **SEC. 48. *The City Business Permits and Licensing Officer.* –**

13 (a) The city business permits and licensing officer must be a citizen of the Philippines, a
14 resident of the City of Sto. Tomas, of good moral character, a holder of a college degree
15 preferably in business administration or in any related course from a recognized college or
16 university, and a first grade civil service eligible or its equivalent. One must have experience in
17 management for at least five (5) years immediately preceding the date of his appointment.

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

20 (c) The city business and licensing officer shall take charge of the office for the business
21 permits and licensing, and shall:

22 (1) Supervise the conduct of spot/post inspection of all business establishments, gaming
23 and other entities requiring permits and licenses for compliance with existing laws and
24 ordinances;

25 (2) Review the application for permits and licenses and recommend its
26 approval/disapproval to the chief executive or his authorized representative; and

27 (3) Exercise over-all supervision in the city licensing office.

28 **ARTICLE VIII**

29 **THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE,**
30 **THE CITY SCHOOLS DIVISION AND THE CITY PROSECUTION SERVICE**

31 **SEC. 49. *The City Fire Station Service.*–**

32 (a) There shall be established in the City at least one (1) fire station with adequate
33 personnel, firefighting facilities and equipment, subject to the standards, rules and regulations that
34 may be promulgated by the Department of the Interior and Local Government (DILG). The City
35 shall provide the necessary land or site of the station.

36 (b) The city fire station shall be headed by a city fire marshal whose qualifications shall be
37 as those provided for under the Philippine National Police Law.

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

4 **SEC. 50. *The City Jail Service.***—

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

10 (b) The city jail service shall be headed by a city jail warden who must be a graduate of a
11 four (4) -year course in psychology, psychiatry, sociology, nursing, social work or criminology
12 who shall assist in the immediate rehabilitation of individuals or detention of prisoners. Great care
13 must be exercised so that human rights of these prisoners are respected and protected, and their
14 spiritual and physical well-being are properly and promptly attended to.

15 **SEC. 51. *The City Schools Division.***—

16 (a) There shall be established and maintained by the Department of Education (DepED), a
17 city schools division of the City of whose area of jurisdiction will cover all the school districts
18 within the City.

19 (b) The city schools division shall be headed by a city schools division superintendent
20 who must possess the necessary qualifications required by the DepED.

21 **SEC. 52. *The City Prosecution Service.***—

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

27 (b) The city prosecutor shall handle the criminal prosecution in the municipal trial courts
28 in the City as well as in the regional trial courts for criminal cases originating in the territory of
29 the City, and shall render to or for the City such services as are required by law, ordinance or
30 regulation of the DOJ. The Secretary of Justice shall always ensure the adequacy and the quality
31 of prosecution service in the City and, for this purpose, shall, in the absence or lack or
32 insufficiency in number of assistant city prosecutors as provided herein above, designate from
33 among the assistant provincial prosecutors a sufficient number to perform and discharge the
34 functions of the city prosecution service as provided herein above.

35 **SEC. 53. *Other City Officials.*** — In addition to the officials enumerated above, the City of
36 Sto. Tomas shall have also the following officials with corresponding qualifications, duties,
37 functions and compensation:

38 (a) The City Education Officer. —

1 (1) The city education officer must be a citizen of the Philippines, a resident of the City of
2 Sto. Tomas, of good moral character, a holder of a college degree in education or in any other
3 related course from a recognized college or university, and a first grade civil service eligible or its
4 equivalent. One must have practiced his profession for at least five (5) years immediately
5 preceding the date of his appointment.

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

8 (3) The city education officer shall take charge of the office of the city education
9 department, and shall:

10 (i) Formulate measures for the consideration of the Sangguniang Panglungsod and provide
11 technical assistance and support to the city mayor in carrying out measures to ensure the delivery
12 of basic services and provision of adequate facilities relative to education;

13 (ii) Develop plans and strategies and, upon approval thereof by the city mayor, implement
14 the same, particularly those which have to do with education supportive of the welfare of the
15 inhabitants of the City which the city mayor is empowered to provide;

16 (iii) Liaison with teachers and principals assigned in the City as well as it as additional
17 member of the city school board;

18 (iv) Study, evaluate and recommend the allocation of the Special Education Fund (SEF);
19 and

20 (v) Perform such other duties and functions and exercise such other powers as may be
21 prescribed by law or ordinance.

22 (b) The City Youth and Sports Development Officer. –

23 (1) The city youth and sports development officer must be a citizen of the Philippines, a
24 resident of the City of Sto. Tomas, of good moral character, a holder of a college degree from a
25 recognized college or university, and a first grade civil service eligible or its equivalent. One must
26 have acquired experience in sports development or in any related field for at least five (5) years
27 immediately preceding the date of his appointment.

28 (2) The city youth and sports development officer shall receive such compensation,
29 emoluments and allowances as may be determined by law.

30 (3) The city youth and sports development officer shall take charge of the office of the
31 youth and sports development department, and shall:

32 (i) Develop plans and strategies and, upon the approval thereof by the city mayor,
33 implement the same, particularly those which have to do with youth and sports programs and
34 projects which the city mayor is empowered to implement and which the Sangguniang
35 Panlungsod is empowered to provide; and

36 (ii) Perform such other duties and functions and exercise such other powers as may be
37 prescribed by law or ordinance.

38 (c) The City Public Safety Officer. –

1 (1) The city public safety officer must be a citizen of the Philippines, a resident of the City
2 of Sto. Tomas, of good moral character, a holder of a college degree from a recognized college or
3 university, and a first grade civil service eligible or its equivalent. One must have acquired
4 experience in public safety management for at least five (5) years immediately preceding the date
5 of his appointment.

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

8 (3) The city public safety officer shall take charge of the office of the public safety
9 department, and shall:

10 (i) Develop plans and strategies and, upon the approval thereof by the city mayor,
11 implement the same, particularly those which have to do with public safety plans and programs
12 which the city mayor is empowered to implement and which the Sangguniang Panlungsod is
13 empowered to provide; and

14 (ii) Perform such other duties and functions and exercise such other powers as may be
15 prescribed by law or ordinance.

16 (d) The City Tourism and Cultural Affairs Officer. –

17 (1) The city tourism and cultural affairs officer must be a citizen of the Philippines, a
18 resident of the City of Sto. Tomas, of good moral character, a holder of a college degree, and a
19 first grade civil service eligible or its equivalent. One must have acquired experience in tourism
20 and cultural affairs work for at least three (3) years immediately preceding the date of his
21 appointment.

22 (2) The city tourism and cultural affairs officer shall receive such compensation,
23 emoluments and allowances as may be determined by law.

24 (3) The city tourism and cultural affairs officer shall take charge of the office of the city
25 tourism and cultural affairs, and shall:

26 (i) Develop plans and strategies and, upon the approval thereof by the city mayor,
27 implement the same, particularly those which have to do with tourism and cultural affairs
28 programs and projects which the city mayor is empowered to implement and which the
29 Sangguniang Panlungsod is empowered to provide;

30 (ii) Be in the frontline of the delivery of repair and reconstruction work related to tourism
31 and cultural affairs, particularly during and in the after math of man-made and natural disaster or
32 calamities;

33 (iii) Recommend to the Sangguniang Panlungsod and advise the city mayor on all matters
34 relative to the cultural affairs of the City; and

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

37 (e) The City Human Resource Development Officer. –

1 (1) The city human resource development officer must be a citizen of the Philippines, a
2 resident of the City of Sto. Tomas, of good moral character, a holder of a college degree
3 preferably in psychology or in any related course from a recognized college or university, and a
4 first grade civil service eligible or its equivalent. One must have acquired experience in personnel
5 administration for at least five (5) years immediately preceding the date of his appointment.

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

8 (3) The city human resource development officer shall take charge of the human resource
9 development office, and shall:

10 (i) Develop a human resource management program for approval by the city mayor and
11 the Sangguniang Panlungsod;

12 (ii) Assist the city mayor in implementing the City's policies and programs relative to
13 recruitment and selection, appointments, training, promotion, compensation and other personnel
14 actions involving officials and employees of the City;

15 (iii) Recommend to the Sangguniang Panlungsod and advise the city mayor on all matters
16 relative to human resource management and development;

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

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

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

23 (f) The City Building Official. –

24 (1) The city building official must be a citizen of the Philippines, a resident of the City of
25 Sto. Tomas, of good moral character and a licensed engineer or a licensed architect. One must
26 have acquired experience in the practice of his profession for at least five (5) years.

27 (2) The city building official shall receive such compensation, emoluments and
28 allowances as may be determined by law.

29 (3) The city building official shall take charge of the office of the city building official,
30 and shall:

31 (i) Process and take appropriate action on applications for building permits;

32 (ii) Oversee and ensure the proper implementation of the National Building Code and city
33 ordinances pertaining to buildings and similar structures;

34 (iii) Recommend to the Sangguniang Panlungsod and advise the city mayor on matters
35 involving buildings and similar structures; and

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

38

1 ARTICLE IX

2 TRANSITORY AND FINAL PROVISIONS

3 **SEC. 54. *Municipal Ordinances Existing at the Time of the Approval of this Act.***—

4 All municipal ordinances of the Municipality of Sto. Tomas existing at the time of the
5 approval of this Act shall continue to be in force within the City of Sto. Tomas until the
6 Sangguniang Panlungsod shall declare otherwise.

7 **SEC. 55. *Plebiscite.***— The City of Sto. Tomas shall acquire corporate existence upon the
8 ratification of its creation by a majority of the votes cast by the qualified voters in a plebiscite to
9 be conducted in the present Municipality of Sto. Tomas within thirty (30) days from the approval
10 of this Act. The Commission on Elections shall conduct and supervise such plebiscite. The
11 expenses for such plebiscite shall be borne by the Municipality of Sto. Tomas.

12 **SEC. 56. *Officials of the City of Sto. Tomas.***— The present elective officials of the
13 Municipality of Sto. Tomas shall continue to exercise their powers and functions until such time
14 that a new election is held and the duly-elected officials shall have already qualified and assumed
15 their offices. Appointive officials and employees of the municipality shall likewise continue
16 exercising their functions and duties and they shall be automatically absorbed by the city
17 government of the City of Sto. Tomas.

18 **SEC. 57. *Succession Clause.*** — The City of Sto. Tomas shall succeed to all the assets,
19 properties, liabilities and obligations of the Municipality of Sto. Tomas.

20 **SEC. 58. *Election of Provincial Governor and Sangguniang Panlalawigan Members of***
21 ***the Province of Batangas.*** — The qualified voters of the City of Sto. Tomas shall be qualified to
22 vote and run for any elective position in the elections for provincial governor, provincial vice
23 governor, Sangguniang Panlalawigan members and other elective officials for the Province of
24 Batangas.

25 **SEC. 59. *Jurisdiction of the Province of Batangas.***— The City of Sto. Tomas shall, unless
26 otherwise provided by law, continue to be under the jurisdiction of the Province of Batangas.

27 **SEC. 60. *Suspension of Increase in Rates of Local Taxes.*** — No increase in the rates of
28 local taxes shall be imposed by the City within the period of five (5) years from its acquisition of
29 corporate existence.

30 **SEC. 61. *Representative District.***— Until otherwise provided by law the City of Sto.
31 Tomas shall continue to be a part of the Third Congressional District of the Province of Batangas.

32 **SEC. 62. *Reservation.***— Nothing herein contained shall preclude the determination by the
33 appropriate agency or forum of boundary disputes or cases involving questions of territorial
34 jurisdiction between the City of Sto. Tomas and any of the adjoining local government units even
35 after the effectivity of this Act.

36 **SEC. 63. *Applicability of Laws.*** — The provisions of the Local Government Code of 1991,
37 and other laws pertaining to the Province of Batangas and such laws as are applicable shall
38 govern the City of Sto. Tomas in so far as they are not inconsistent with the provisions of this Act.

1 **SEC. 64. Separability Clause.**— If, for any reason or reasons, any part or provision of this
2 Charter shall be held unconstitutional, invalid or inconsistent with the Local Government Code of
3 1991, the other parts or provisions hereof which are not affected thereby shall continue to be in
4 full force and effect.

5 **SEC. 65. Effectivity.** — This Act shall take fifteen (15) days after its complete publication
6 in any newspaper of general and local circulation.

7 Approved,