

COMMITTEE REPORT NO. 221 RECEIVED

Submitted jointly by the Committees on Local Government and Electoral Reforms
and People's Participation on **JAN 15 2018**

Re : House Bill No. 5160

Recommending its approval with amendments

Sponsor : Senator Sonny Angara

MR. PRESIDENT:

The Committees on Local Government and Electoral Reforms and People's Participation to which were primarily and secondarily referred House Bill No. 5160, introduced by Representative Collantes, entitled:

**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**

have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 2, line 16: delete the preposition "in" and in lieu thereof insert the phrase "UNDER REPUBLIC ACT 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED";
2. On page 4, line 21: delete the word "day" and in lieu thereof insert the word "DATE";
3. On page 5, line 7: after the word "year", insert the phrase "IMMEDIATELY PRECEDING THE DAY OF THE",
4. On the same page, line 8, delete the words "prior to";
5. On the same page and line, after the word "qualified"; insert the word "REGISTERED"
6. On the same page, line 18: delete the word "herein", and in lieu thereof insert the phrase "UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED, THIS ACT, AND OTHER LAWS.";

7. On page 6, line 12: after the conjunction "for", insert the phrase "UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED, AND";
8. On the same page and line: after the word "appointment", insert the subjective pronoun "HE OR SHE";
9. On the same page, line 13: after the word "authorized", delete the phrase "under other", and in lieu thereof insert the preposition "BY";
10. On the same page, and line: after the word "laws", insert the phrase "TO APPOINT";
11. On the same page, line 23: after the preposition "the", delete the word "office", and in lieu thereof insert the word "CITY HALL";
12. On page 7, line 15: after the word "appointed", insert the objective pronoun "BY HIM OR HER";
13. On page 8, line 23: after the word "national", insert the phrase "AND PROVINCIAL";
14. On the same page, line 24: after the word "City,", insert the phrase "AT SUCH TIME AND PLACE AND";
15. On the same page, line 29: after the word "within", delete the article "the" and in lieu thereof insert the objective pronoun "HIS OR HER";
16. On page 9, line 4: after the word "over", insert the word "LOCAL";
17. On the same page, line 11: after the word "revenues," insert the phrase "AND APPLY THE SAME TO";
18. On page 10, line 22: after the word "out" delete the phrase "as far as practicable"
19. On the same page and line, after the preposition "be", insert comma (,), and insert the phrase "AS FAR AS PRACTICABLE";
20. On the same page, line 24: after the word "city", insert the phrase "AND OF THE PROVINCE";
21. On page 11, line 20: after the word "vacancy", insert the phrase "AS PROVIDED FOR UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED.";
22. On the same page, line 22: after the word "vacancy", insert the phrase "AS PROVIDED FOR UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED.";
23. On page 13, line 18: after the word "environment" delete the word "including" and in lieu thereof insert the phrase "SUCH AS DYNAMITE FISHING AND OTHER FORMS OF DESTRUCTIVE FISHING,";
24. On the same page, line 20: after the conjunction "and", insert the phrase "SUCH OTHER";
25. On page 14, line 21: after the word "city", insert the phrase "AS PROVIDED FOR UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED.";

26. On page 17, line 7: after the relative pronoun "which", insert the words "THE SAME";
27. On page 19, line 9: after the word "of", insert the phrase "COMMUNAL FORESTS AND WATERSHEDS";
28. On the same page, line 17: after the word "life", insert the phrase "AND SEASHORE OR OFFSHORE ACTIVITIES,";
29. On page 21, line 17: delete the word "said";
30. On page 23, line 5: after the word "interests.", insert the phrase "SUCH DISCLOSURE SHALL ALSO INCLUDE";
31. On the same page, line 8: after the word "Sanggunian", insert the phrase "OF WHICH HE OR SHE IS A MEMBER,";
32. On the same page, line 11: after the relative pronoun "which", delete the phrase "a proposed";
33. On the same page and line: after the word "resolution", delete the phrase "under consideration";
34. On the same page, line 12: after the relative pronoun "which", delete the phrase "a proposed";
35. On the same page, line 13: after the word "resolution", delete the phrase "under consideration";
36. On the same page, line 18: after the word "may", insert the phrase "TEND TO";
37. On the same page, line 22: after the word "of", insert the phrase "WHICH HE OR SHE IS A MEMBER";
38. On page 25, line 14: after the word "same", delete the article "the", and in lieu thereof insert the objective pronoun "HIS OR HER".
39. On the same page, line 15: after the word "vetoed", insert the phrase 'AND RETURN THE SAME WITH HIS OR HER';
40. On page 26, line 5: insert the word "enacted" insert letters "RE";
41. On the same page, line 21: after the word "of", insert the objective pronoun "HIS OR HER";
42. On the same page, line 26: delete the word "concerned";
43. On page 27, line 7: after the word "law", delete the conjunction "or", and in lieu thereof insert the conjunction "AND";
44. On page 28, delete lines 8 to 14, and in lieu thereof insert the following:

" (C) ORDINANCES WITH PENAL SANCTIONS SHALL BE POSTED AT PROMINENT PLACES IN CITY HALL, FOR A MINIMUM PERIOD OF THREE (3) CONSECUTIVE WEEKS. SUCH ORDINANCES SHALL ALSO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY."

45. On same page, line 17: after the word "elective", delete the word "public";
46. On page 29, line 13: after the word "defined", delete the word "herein", and in lieu thereof insert the phrase "UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED";
47. On page 30, line 9: after the word "elected", insert the following: "AND WHOSE ELEVATION TO THE POSITION NEXT HIGHER IN RANK CREATED THE LAST VACANCY IN THE SANGGUNIAN,";
48. On the same page, line 27: after the word "duties", insert the objective pronoun "HIS OR HER";
49. On the same page, line 28: after the word "reasons," delete the word "including" and in lieu thereof insert the phrase "SUCH AS BUT NOT LIMITED TO,";
50. On page 31, line 11: after the article "the", delete the word "City Mayor", and in lieu thereof insert the phrase "HE OR SHE";
51. On page 32, line 10: after the preposition "with", delete the word "one's" and in lieu thereof insert the objective pronoun "HIS OR HER";
52. On the same page, delete lines 17 to 20, and renumber the succeeding sub-paragraph;
53. On page 33, line 18: after the word "efforts", delete the word "of" and in lieu thereof insert the preposition "IN";
54. On page 34, line 7: after the word "entrusted" insert the phrase "TO HIM OR HER";
55. On the same page, line 23: after the word "years" put a punctuation mark period (.), and delete the phrase "immediately preceding the date of appointment";
56. On page 35, line 2: delete the letter "e" from the word "evaluation";
57. On the same page, line 24: after the word "assessment", insert the following: "APPEALS WHENEVER HIS OR HER ASSESSMENT IS SUBJECT OF THE APPEAL, AND PRESENT OR SUBMIT ANY INFORMATION OR RECORD IN HIS OR HER POSSESSION AS MAY BE REQUIRED BY THE BOARD";
58. On page 36, line 4: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
59. On page 37, line 8: insert sub-paragraph (d) to read as follows:

“(d) THE INCUMBENT CHIEF ACCOUNTANT IN THE OFFICE OF THE TREASURER SHALL BE GIVEN PREFERENCE IN THE APPOINTMENT TO THE POSITION OF ACCOUNTANT.”;
60. On the same page, line 14: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment";
61. On page 38, line 13: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
62. On page 39, line 14: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";

63. On page 40, line 8: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
64. On page 42, line 3: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
65. On same page, line 8: after article "the" delete the words "Omnibus Election Code", and in lieu thereof insert the phrase "CIVIL CODE";
66. On the same page, line 25: after article "the", delete the word "City";
67. On the same page and line: after the word "Registrar", insert the hyphen mark and word "-GENERAL";
68. On page 43, line 17: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
69. On page 44, line 2: delete the phrase "local government units", and in lieu thereof insert the word "CITY";
70. On the same page, line 3: after the word "purpose", insert the phrase "HE OR SHE MAY";
71. On the same page, line 23: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
72. On page 45, line 12: after article "the", delete the words "local government units", and in lieu thereof insert the word "CITY";
73. On the same page, line 28: after the word "any", insert the word "PUBLIC";
74. On page 46, line 7: after the word "review", delete the word "ordinances";
75. On the same page, line 20: after the words "social work", insert the word "SOCIOLOGY";
76. On page 47, line 16: after the word "Mayor", delete the phrase "as the case may be";
77. On the same page, line 23: after the word "support", insert the word "YOUTH";
78. On page 48, line 14: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
79. On page 49, line 26: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
80. On page 51, line 3: after the word "structure", insert the phrase "AND THE ORDERLY AND SANITARY CLEARING UP OF WASTE";
81. On the same page, line 17: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
82. On page 53, line 4: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";
83. On page 54, line 17: after the word "years", put a punctuation mark period (.) and delete the phrase "immediately preceding the date of appointment.";

84. On the same page, line 21: insert sub-paragraph (c) to read as follows:

“THE TERM OF THE CITY INFORMATION OFFICER IS COTERMINOUS WITH THAT OF HIS OR HER APPOINTING AUTHORITY.”;

85. On page 55, line 14: after the word “casualties”, insert the phrase “DURING AND”;

86. On the same page, line 28: after the word “years”, put a punctuation mark period (.) and delete the phrase “immediately preceding the date of appointment.”;

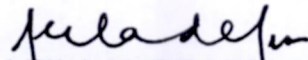
87. On page 57, line 11: after the word “years”, put a punctuation mark period (.) and delete the phrase “immediately preceding the date of appointment.”;

88. On page 58, line 15: after the word “years”, put a punctuation mark period (.) and delete the phrase “immediately preceding the date of appointment.”;

89. On page 60, line 15: after the conjunction “or”, insert the phrase “transfer to the national penitentiary, and /or”;

90. On page 62, line 4: delete the word and figure “thirty (30) ”and lieu thereof insert the word and figure “NINETY (90)”.

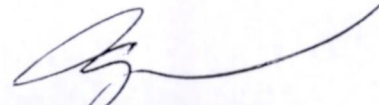
Respectfully submitted:



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Chairperson

Committee on Electoral Reforms and
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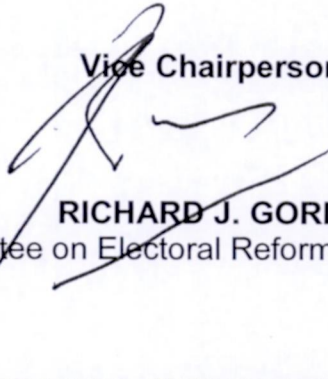


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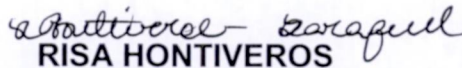


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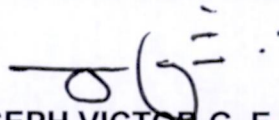
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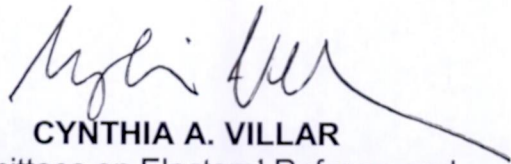
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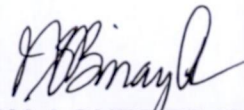


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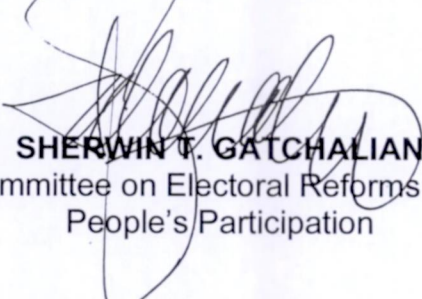
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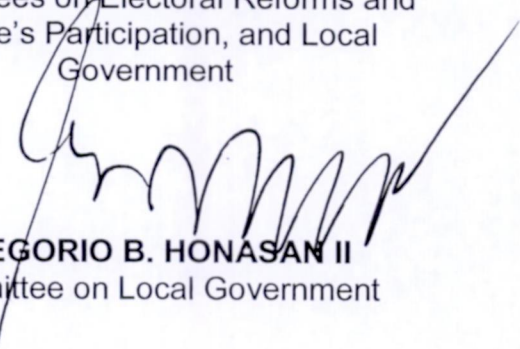
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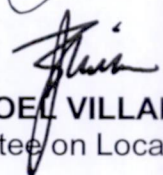
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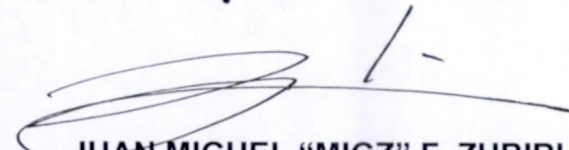
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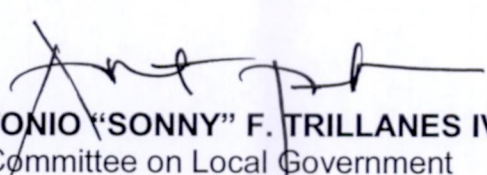
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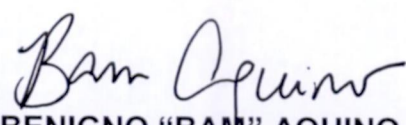
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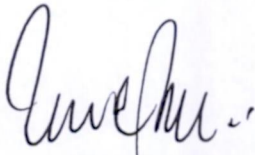


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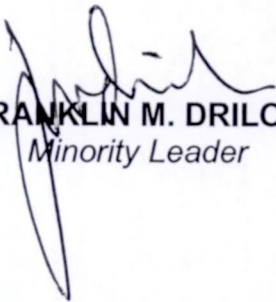
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Senate President
Senate of the Philippines



HOUSE OF REPRESENTATIVES

H. No. 5160

BY REPRESENTATIVE COLLANTES, PER COMMITTEE REPORT NO. 140

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

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short 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, hereinafter 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

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

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

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

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

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

1 civil registrar, a city administrator, a city legal officer, a city social welfare and
2 development officer, a city veterinarian and a city general services officer.

3 (b) In addition thereto, the City Mayor may appoint a city environment
4 and natural resources officer, a city architect, a city information officer, a city
5 cooperatives officer, a city population officer and a city agriculturist.

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

10 (d) The *Sangguniang Panlungsod* may:

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

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

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

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

23 (f) Elective and appointive city officials shall receive compensation,
24 allowances and other emoluments as may be determined by law or ordinance,
25 subject to the budgetary limitations on personal services prescribed under Title
26 Five, Book II of the Local Government Code of 1991, as amended: *Provided,*
27 That no increase in the compensation of the City Mayor, City Vice Mayor and
28 *Sangguniang Panlungsod* member shall take effect until after the expiration of
29 the full term of the local officials approving the increase.

ARTICLE III

THE CITY MAYOR AND CITY VICE MAYOR

1
2
3 SEC. 8. *The City Mayor.* – (a) The City Mayor shall be the chief
4 executive of the City and shall be elected at large by the qualified voters of the
5 City. No person shall be eligible for the position of City Mayor unless, at the
6 time of the election, that person is a citizen of the Philippines, at least
7 twenty-one (21) years of age, a resident of the City for at least one (1) year
8 prior to election and a qualified voter therein, and is able to read and write
9 Filipino or any other local language or dialect. The City Mayor shall hold
10 office for three (3) years, unless sooner removed, but shall serve for not more
11 than three (3) consecutive terms in the same position. The City Mayor shall
12 receive a minimum monthly compensation corresponding to Salary Grade
13 Thirty (30) as prescribed under Republic Act No. 6758, as amended, otherwise
14 known as the “Compensation and Position Classification Act of 1989”, and the
15 implementing guidelines issued pursuant thereto.

16 The City Mayor, as the Chief Executive of the City Government, shall
17 exercise such powers and perform such duties and functions as provided
18 herein.

19 (b) For efficient, effective and economical governance, the purpose of
20 which is the general welfare of the City and its inhabitants, the City Mayor
21 shall:

22 (1) Exercise general supervision and control over all programs,
23 projects, services, and activities of the city government and, in this connection,
24 shall:

25 (i) Determine the guidelines of city policies and be responsible to the
26 *Sangguniang Panlungsod* for the program of government;

27 (ii) Direct the formulation of the city development plan, with the
28 assistance of the city development council and, upon approval thereof by the
29 *Sangguniang Panlungsod*, implement the same;

1 (iii) Present the program of government and propose policies and
2 projects for the consideration of the *Sangguniang Panlungsod* at the opening
3 of the regular session of the *Sangguniang Panlungsod* every calendar year and
4 as often as may be deemed necessary as the general welfare of the inhabitants
5 and the needs of the city government may require;

6 (iv) Initiate and propose legislative measures to the *Sangguniang*
7 *Panlungsod* and, as often as may be deemed necessary, provide such
8 information and data needed or requested by said *Sanggunian* in the
9 performance of its legislative functions;

10 (v) Appoint all officials and employees whose salaries and wages are
11 wholly or mainly paid out of city funds and whose appointments are not
12 otherwise provided for in this Act, and those whose appointment may be
13 authorized under other laws;

14 (vi) Represent the City in all its business transactions and sign on its
15 behalf all bonds, contracts and obligations, and other documents upon the
16 authority of the *Sangguniang Panlungsod* or pursuant to law or ordinance;

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

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

22 (ix) Allocate and assign office space to the City and other officials and
23 employees who, by law or ordinance, are entitled to space in the office and
24 other buildings owned or leased by the city government;

25 (x) Ensure that all executive officials and employees of the City
26 faithfully discharge their duties and functions as provided for by law and the
27 Local Government Code of 1991, as amended, and cause to be instituted
28 administrative or judicial proceedings against any official or employee of the
29 City who may have committed an offense in the performance of official duties;

1 (xi) Examine the books, records and other documents of all offices,
2 officials, agents or employees of the City and, in aid of executive powers and
3 authority, require all national officials and employees stationed in or assigned
4 to the City to make available books, records and other documents in their
5 custody, except those classified by law as confidential;

6 (xii) Furnish copies of executive orders issued to the Provincial
7 Governor within seventy-two (72) hours after their issuance;

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

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

18 (xv) Authorize official trips of city officials and employees outside of
19 the City for a period not exceeding thirty (30) days: *Provided*, That trips
20 abroad for a longer period may be authorized in accordance with the Local
21 Government Code of 1991, as amended;

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

29 (xvii) Authorize payment for medical care, necessary transportation,
30 subsistence, hospital or medical fees of city officials and employees who are

1 injured while in the performance of their official duties and functions, subject
2 to the availability of funds;

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

5 (xix) Conduct an annual palarong panlungsod which shall feature
6 traditional sports and disciplines included in national and international games,
7 in coordination with the Department of Education (DepED); and

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

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

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

22 (ii) Call conventions, conferences, seminars or meetings of elective and
23 appointive officials of the City, including national officials and employees
24 stationed in or assigned to the City, on subjects as may be deemed important
25 for the promotion of the general welfare of the local government unit and its
26 inhabitants;

27 (iii) Issue executive orders for the faithful and appropriate enforcement
28 and execution of laws and ordinances;

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

- 1 (v) Act as the deputized representative of the National Police
2 Commission, formulate the peace and order plan of the City and, upon its
3 approval, implement the same, and as such, exercise general and operational
4 control and supervision over police forces in the City in accordance with
5 Republic Act No. 6975, otherwise known as the "Department of the Interior
6 and Local Government Act of 1990"; and
- 7 (vi) Call upon the law enforcement agencies to suppress disorder, riot,
8 lawless violence, rebellion, sedition, or apprehend violators of the law when
9 public interest so requires and the city police forces are inadequate to cope
10 with the situation or the violators;
- 11 (3) Initiate and maximize the generation of resources and revenues, the
12 implementation of development plans, program objectives and priorities,
13 particularly those resources and revenues programmed for agro-industrial
14 development and countryside growth and progress and, relative thereto, shall:
- 15 (i) Require each head of an office or department to prepare and submit
16 an estimate of appropriations for the ensuing calendar year, in accordance with
17 the budget preparation process enshrined under Republic Act No. 7160, as
18 amended, otherwise known as the "Local Government Code of 1991";
- 19 (ii) Prepare and submit to the *Sanggunian* for approval the executive
20 and supplemental budgets of the City for the ensuing calendar year in the
21 manner provided for under the Local Government Code of 1991, as amended;
- 22 (iii) Ensure that all taxes and other revenues of the City are collected,
23 and that city funds are applied to the payment of expenses and the settlement
24 of obligations of the City, in accordance with law or ordinance;
- 25 (iv) Issue licenses and permits and suspend or revoke the same for any
26 violation of the conditions upon which the licenses or permits had been issued,
27 pursuant to law or ordinance;
- 28 (v) Issue permits, without need of approval from any national agency,
29 for the holding of activities for any charitable or welfare purpose, excluding

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

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

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

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

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

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

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

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

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

1 (c) During the incumbency of the City Mayor, he shall hold office in
2 the city hall.

3 SEC. 9. *The City Vice Mayor.* – (a) There shall be a City Vice Mayor
4 who shall be elected in the same manner as the City Mayor and shall, at the
5 time of the election, possess the same qualifications as the City Mayor. The
6 City Vice Mayor shall hold office for three (3) years, unless sooner removed,
7 and shall receive a monthly compensation corresponding to Salary Grade
8 Twenty-six (26) as prescribed under the “Compensation and Position
9 Classification Act of 1989”, as amended, and the implementing guidelines
10 issued pursuant thereto.

11 (b) The City Vice Mayor shall:

12 (1) Be the presiding officer of the *Sangguniang Panlungsod* and shall
13 sign all warrants drawn on the City Treasury for all expenditures appropriated
14 for the operation of the *Sangguniang Panlungsod*;

15 (2) Subject to civil service law, rules and regulations, appoint all
16 officials and employees of the *Sangguniang Panlungsod*, except those whose
17 manner of appointment is specifically provided for under the Local
18 Government Code of 1991, as amended;

19 (3) Assume the office of the City Mayor for the unexpired term of the
20 latter in the event of permanent vacancy;

21 (4) Exercise the powers and perform the duties and functions of the
22 City Mayor in case of temporary vacancy; and

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

26 ARTICLE IV

27 THE SANGGUNIANG PANLUNGSOD

28 SEC. 10. *Composition.* – (a) The *Sangguniang Panlungsod*, the
29 legislative body of the City, shall be composed of the City Vice Mayor as the
30 presiding officer, the ten (10) regular *Sanggunian* members, the President of

1 the City Chapter of the Liga ng mga Barangay, the President of the
2 Panlungsod na Pederasyon ng mga Sangguniang Kabataan and the three (3)
3 sectoral representatives, who shall come from the following sectors, as
4 members: one (1) from the women sector; and, as shall be determined by the
5 *Sangguniang Panlungsod* within ninety (90) days prior to the holding of the
6 local elections; one (1) from the agricultural or industrial workers sector; and
7 one (1) from the other sectors, including urban poor, indigenous cultural
8 communities or persons with disabilities (PWDs).

9 (b) The regular members of the *Sangguniang Panlungsod* and sectoral
10 representatives shall be elected in the manner as may be provided by law.

11 (c) The members of the *Sangguniang Panlungsod* shall receive a
12 minimum monthly compensation corresponding to Salary Grade Twenty-five
13 (25) as prescribed under the "Compensation and Position Classification Act of
14 1989", as amended, and the implementing guidelines issued pursuant thereto.

15 SEC. 11. *Powers, Duties, Functions and Compensation.* – The
16 *Sangguniang Panlungsod*, as the legislative body of the City, shall enact
17 ordinances, approve resolutions and appropriate funds for the general welfare
18 of the City and its inhabitants pursuant to Section 16 of the Local Government
19 Code of 1991, as amended, and in the proper exercise of the corporate powers
20 of the City as provided for under Section 22 of the Local Government Code of
21 1991, as amended, and shall:

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

24 (i) Review all ordinances approved by the *Sangguniang Barangay* and
25 executive orders issued by the *Punong Barangay* to determine whether these
26 are within the scope of the prescribed powers of the *Sangguniang Barangay*
27 and of the *Punong Barangay*;

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

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

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

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

17 (vi) Protect the environment and impose appropriate penalties for acts
18 which endanger the environment, including illegal logging, smuggling of logs,
19 smuggling of natural resources products and of endangered species of flora
20 and fauna, slash-and-burn farming and activities which result in pollution,
21 acceleration of siltation of rivers and lakes or of ecological imbalance;

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

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

29 (ix) Authorize the payment of compensation to a qualified person not
30 in the government service who fills in a temporary vacancy or grant honoraria

1 to any qualified official or employee designated to fill in a temporary vacancy
2 in a concurrent capacity at the rate authorized by law;

3 (x) Provide a mechanism and the appropriate funds therefor for the
4 safety and protection of all city government properties, public documents or
5 records such as those relating to property inventory, land ownership, records
6 of births, marriages, deaths, assessments, taxation, accounts, business permits
7 and such other records and documents of public interest in the offices and
8 departments of the city government;

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

13 (xii) Provide legal assistance to barangay officials who, in the
14 performance of their official duties or on the occasion thereof, have to initiate
15 judicial proceedings or defend themselves against legal action; and

16 (xiii) Provide for group insurance or additional insurance coverage for
17 all barangay officials, including members of *barangay tanod* brigades and
18 service units, with public or private insurance companies, when the finances of
19 the city government allow coverage;

20 (2) Generate and maximize the use of resources and revenues for the
21 development plans, program objectives and priorities of the City, with
22 particular attention to agro-industrial development and citywide growth and
23 progress and, relative thereto, shall:

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

28 (ii) Subject to the provisions of Book II of the Local Government Code
29 of 1991, as amended, and applicable laws and, upon the majority vote of all
30 the members of the *Sangguniang Panlungsod*, enact ordinances levying taxes,

1 fees and charges, prescribing the rates thereof for general and specific
2 purposes and granting tax exemptions, incentives or reliefs;

3 (iii) Subject to the provisions of Book II of the Local Government
4 Code of 1991, as amended, and upon the majority vote of all the members of
5 the *Sangguniang Panlungsod*, authorize the City Mayor to negotiate and
6 contract loans and other forms of indebtedness;

7 (iv) Subject to the provisions of Book II of the Local Government
8 Code of 1991, as amended, and applicable laws and, upon the majority vote of
9 all the members of the *Sangguniang Panlungsod*, enact ordinances authorizing
10 the floating of bonds or other instruments of indebtedness, for the purpose of
11 raising funds to finance development projects;

12 (v) Appropriate funds for the construction and maintenance or the
13 rental of buildings for the use of the City and, upon the majority vote of all the
14 members of the *Sangguniang Panlungsod*, authorize the City Mayor to lease to
15 private parties such public buildings held in a proprietary capacity, subject to
16 existing laws, rules and regulations;

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

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

22 (viii) Reclassify lands within the jurisdiction of the City, subject to the
23 pertinent provisions of the Local Government Code of 1991, as amended;

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

29 (x) Subject to national law, process and approve subdivision plans
30 for residential, commercial or industrial purposes and other development

1 purposes, and to collect processing fees and other charges, the proceeds of
2 which shall accrue entirely to the City: *Provided, however,* That where
3 approval of a national agency or office is required, said approval shall not be
4 withheld for more than thirty (30) days from receipt of the application. Failure
5 to act on the application within the period stated above shall be deemed as
6 approval thereof;

7 (xi) Subject to the provisions of Book II of the Local Government
8 Code of 1991, as amended, grant exclusive privilege of constructing fish
9 corrals or fish pens, or taking or catching of bangus fry, prawn fry or
10 *kawag-kawag*, or fry of any species or fish within the city waters;

11 (xii) With the concurrence of at least two-thirds (2/3) vote of all the
12 members of the *Sangguniang Panlungsod*, grant tax exemptions, incentives or
13 reliefs to entities engaged in community growth-inducing industries, subject to
14 the provisions of the Local Government Code of 1991, as amended;

15 (xiii) Grant loans or provide grants to other local government units
16 or to national, provincial and city charitable, benevolent or educational
17 institutions: *Provided,* That the institutions are operated and maintained within
18 the City;

19 (xiv) Regulate the numbering of residential, commercial and other
20 buildings; and

21 (xv) Regulate the inspection, weighing and measuring of articles of
22 commerce;

23 (3) Subject to the provisions of Book II of the Local Government Code
24 of 1991, as amended, enact ordinances granting franchises and authorizing the
25 issuance of permits or licenses, upon conditions and for purposes intended to
26 promote the general welfare of the inhabitants of the City and, pursuant to this
27 legislative authority, shall:

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

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

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

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

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

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

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

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

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

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

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

9 (iv) Regulate the establishment, operation and maintenance of
10 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses
11 and other similar establishments, including tourist guides and transports;

12 (v) Regulate the sale, giving away or dispensing of any intoxicating
13 malt, *vino*, mixed or fermented liquors at any retail outlet;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (x) Subject to the availability of funds and to existing laws, rules and
30 regulations, establish and provide for the operation of vocational and technical

- 1 schools and similar post-secondary institutions and, with the approval of the
2 Technical Education and Skills Development Authority (TESDA), and subject
3 to existing laws on tuition fees, fix and collect reasonable tuition fees and
4 other school charges in educational institutions supported by the city
5 government;
- 6 (xi) Establish a scholarship fund for poor but deserving students in
7 schools located within its jurisdiction or for students residing within the City;
- 8 (xii) Approve measures and adopt quarantine regulations to prevent the
9 introduction and the spread of diseases;
- 10 (xiii) Provide for an efficient and effective system of solid waste and
11 garbage collection and disposal and prohibit littering and the placing or
12 throwing of garbage, refuse and other filth and wastes;
- 13 (xiv) Provide for the care of PWDs, paupers, the elderly, the sick,
14 persons of unsound mind, abandoned minors, juvenile delinquents, drug
15 dependents, abused children and the youth below eighteen (18) years of age
16 and, subject to the availability of funds, establish and provide for the operation
17 of centers and facilities for the said needy and disadvantaged persons;
- 18 (xv) Establish and provide for the maintenance and improvement of
19 jails and detention centers, institute a sound jail management program and
20 appropriate funds for the subsistence of detainees and convicted prisoners in
21 the City;
- 22 (xvi) Establish a city council whose purpose is the promotion
23 of culture and the arts, coordinate with government agencies and
24 nongovernmental organizations and, subject to the availability of funds,
25 appropriate funds for the support and development of the same; and
- 26 (xvii) Establish a city council for the elderly and senior citizens which
27 shall formulate policies and adopt measures mutually beneficial to the elderly
28 and to the community; provide incentives for nongovernmental entities and,
29 subject to the availability of funds, appropriate funds to support programs and
30 projects for the benefit of the elderly; and

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

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

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

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

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

20 (b) The disclosure required under this Act shall be made in writing and
21 shall be submitted to the secretary of the *Sanggunian* or the secretary of the
22 committee of membership. The disclosure shall, in all cases, form part of the
23 record of the proceedings and shall be made in the following manner:

24 (1) The disclosure shall be made before the member participates in
25 deliberations on the ordinance or resolution under consideration: *Provided,*
26 That if the member did not participate during the deliberations, the disclosure
27 shall be made before voting on the ordinance or resolution on second and third
28 readings; and

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

4 SEC. 14. *Sessions.* - (a) On the first day of the session immediately
5 following the election of its members, the *Sangguniang Panlungsod* shall, by
6 resolution, fix the day, time and place of its sessions. The minimum number
7 of regular sessions shall be once a week for the *Sangguniang Panlungsod* and
8 twice a month for the *Sangguniang Barangay*.

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

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

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

19 Unless otherwise concurred in by two-thirds (2/3) vote of the
20 *Sanggunian* members present, there being a quorum, no other matter may be
21 considered at a special session except those stated in the notice.

22 (e) The *Sangguniang Panlungsod* shall keep a journal and a record of
23 its proceedings, which may be published upon resolution of the majority of its
24 members.

25 SEC. 15. *Quorum.* - (a) A majority of all the members of the
26 *Sanggunian* who have been elected and qualified shall constitute a quorum to
27 transact official business. Should a question of quorum be raised during a
28 session, the presiding officer shall immediately proceed to call the roll of the
29 members and thereafter announce the result.

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

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

12 SEC. 16. *Approval of Ordinances.* - (a) Every ordinance enacted by
13 the *Sangguniang Panlungsod* shall be presented to the City Mayor. If the City
14 Mayor approves the same, the signature shall be affixed on each and every
15 page thereof; otherwise, the ordinance shall be vetoed with the statement on
16 the objections to the *Sanggunian*, which may proceed to reconsider the same.
17 The *Sanggunian* may override the veto of the City Mayor by two-thirds (2/3)
18 vote of all its members, thereby making the ordinance or resolution effective
19 for all legal intents and purposes.

20 (b) The veto shall be communicated by the City Mayor to the
21 *Sanggunian* within ten (10) days; otherwise, the ordinance shall be deemed
22 approved as if it had been signed.

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

27 (b) The City Mayor shall have the power to veto any particular item or
28 items of an appropriations ordinance, an ordinance or resolution adopting a
29 local development plan, any public investment program or an ordinance
30 directing the payment of money or creating liability. In such case, the vetoed

1 item or items shall not affect the item or items which are not objected to. The
2 vetoed item or items shall not take effect unless the *Sangguniang Panlungsod*
3 overrides the veto in the manner herein provided; otherwise, the item or items
4 in the appropriations ordinance of the previous year corresponding to those
5 vetoed, if any, shall be deemed enacted.

6 (c) The City Mayor may veto an ordinance or resolution only once.
7 The *Sanggunian* may override the veto of the City Mayor by two-thirds (2/3)
8 vote of all its members, thereby making the ordinance effective even without
9 the approval of the City Mayor.

10 SEC. 18. *Review of City Ordinances by the Sangguniang*
11 *Panlalawigan*. - (a) Within three (3) days after approval, the secretary to the
12 *Sangguniang Panlungsod* shall forward to the *Sangguniang Panlalawigan* for
13 review, copies of approved ordinances and the resolutions approving the local
14 development plans and the public investment programs formulated by the local
15 development councils.

16 (b) Within thirty (30) days after receipt of copies of such ordinances
17 and resolutions, the *Sangguniang Panlalawigan* shall examine the documents
18 or transmit them to the provincial attorney or the provincial prosecutor for
19 prompt examination. The provincial attorney or the provincial prosecutor
20 shall, within a period of ten (10) days from receipt of the documents, inform
21 the *Sangguniang Panlalawigan* in writing of comments or recommendations
22 which may be considered by the *Sangguniang Panlalawigan* in making its
23 decision.

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

1 (d) If no action is taken by the *Sangguniang Panlalawigan* within
2 thirty (30) days after submission of such an ordinance or resolution, the same
3 shall be presumed to be consistent with law and therefore valid.

4 SEC. 19. *Review of Barangay Ordinances by the Sangguniang*
5 *Panlungsod*. – (a) Within ten (10) days after its enactment, the *Sangguniang*
6 *Barangay* shall furnish copies of all barangay ordinances to the *Sangguniang*
7 *Panlungsod* for review as to whether the ordinances are consistent with law or
8 city ordinances.

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

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

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

24 SEC. 21. *Effectivity of Ordinances or Resolutions*. – (a) Unless
25 otherwise stated in the ordinance or the resolution approving the local
26 development plan and the public investment program, the same shall take
27 effect after ten (10) days from the date a copy thereof is posted in a bulletin
28 board at the entrance of the city hall and in at least two (2) other conspicuous
29 places in the City not later than five (5) days after approval thereof.

1 (f) Permanent residents in a foreign country or those who have
2 acquired the right to reside abroad and continue to avail of the same right after
3 the effectivity of the Local Government Code of 1991, as amended; and

4 (g) The insane or feeble-minded.

5 SEC. 23. *Permanent Vacancy in the Offices of the City Mayor and the*
6 *City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the City
7 Mayor, the City Vice Mayor shall become the City Mayor. If a permanent
8 vacancy occurs in the office of the City Vice Mayor, the highest ranking
9 *Sangguniang Panlungsod* member or, in case of his or her permanent
10 incapacity, the second highest ranking *Sangguniang Panlungsod* member
11 becomes the City Mayor or the City Vice Mayor, as the case may be.
12 Subsequent vacancies in the said offices shall be filled automatically by the
13 other *Sanggunian* members according to their ranking as defined herein.

14 (b) If a permanent vacancy occurs in the office of the *Punong*
15 *Barangay*, the highest ranking *Sangguniang Barangay* member or, in case
16 of his or her permanent incapacity, the second highest ranking *Sanggunian*
17 member shall become the *Punong Barangay*.

18 (c) A tie between or among the highest ranking *Sangguniang*
19 *Panlungsod* members shall be resolved by drawing of lots.

20 (d) The successors as defined herein shall serve only the unexpired
21 terms of their predecessors.

22 (e) For purposes of this Act, a permanent vacancy arises when an
23 elective local official fills in a higher vacant office, refuses to assume office,
24 fails to qualify, dies, is removed from office, voluntarily resigns or is
25 otherwise permanently incapacitated to discharge the functions of his or her
26 office.

27 (f) For purposes of succession as provided for in this Act, ranking in
28 the *Sanggunian* shall be determined on the basis of the proportion of votes

1 obtained by each winning candidate to the total number of registered voters in
2 the City in the immediately preceding local election.

3 SEC. 24. *Permanent Vacancies in the Sangguniang Panlungsod.* -
4 Permanent vacancies in the *Sangguniang Panlungsod* where automatic
5 succession as provided above does not apply shall be filled in by appointments
6 in the following manner:

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

8 (b) Only the nominee of the political party under which the
9 *Sanggunian* member concerned had been elected shall be appointed in the
10 manner herein provided. The appointee shall come from the same political
11 party as that of the *Sanggunian* member who caused the vacancy and shall
12 serve the unexpired term of the vacant office.

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

18 (c) In case the permanent vacancy is caused by a *Sanggunian* member
19 who does not belong to any political party, the City Mayor shall, upon the
20 recommendation of the *Sangguniang Panlungsod*, appoint a qualified person
21 to fill in the vacancy; and

22 (d) In case of vacancy in the representation of the youth and the
23 barangay in the *Sangguniang Panlungsod*, said vacancy shall be filled in
24 automatically by the official next-in-rank of the *Sangguniang Kabataan* or
25 barangay concerned.

26 SEC. 25. *Temporary Vacancy in the Office of the City Mayor.* - (a)
27 When the City Mayor is temporarily incapacitated to perform duties for
28 physical or legal reasons, including leave of absence, travel abroad and
29 suspension from office, the City Vice Mayor or the highest ranking
30 *Sangguniang Panlungsod* member shall automatically exercise the powers and

1 perform the duties and functions of the City Mayor, except the power to
2 appoint, suspend or dismiss employees which can only be exercised if the
3 period of temporary incapacity exceeds thirty (30) working days.

4 (b) Said temporary incapacity shall terminate upon submission to the
5 *Sangguniang Panlungsod* of a written declaration by the City Mayor of having
6 reported back to office. In case where the temporary incapacity is due to a
7 legal cause, the City Mayor shall also submit the necessary documents
8 showing that the said legal cause no longer exists.

9 (c) When the City Mayor is traveling within the country but outside
10 the territorial jurisdiction for a period not exceeding three (3) consecutive
11 days, the City Mayor may designate in writing the officer-in-charge of the
12 office. The authorization shall specify the powers and functions that the local
13 official concerned shall exercise in the absence of the City Mayor, except the
14 power to appoint, suspend or dismiss employees.

15 (d) In the event, however, that the City Mayor fails or refuses to issue
16 such authorization, the City Vice Mayor or the highest ranking *Sangguniang*
17 *Panlungsod* member, as the case may be, shall have the right to assume the
18 powers, duties and functions of the office on the fourth (4th) day of absence of
19 the City Mayor, subject to the limitations provided for in subsection (c) hereof.

20 (e) Except as provided above, the City Mayor shall, in no case,
21 authorize any local official to assume the powers, duties and functions of the
22 office other than the City Vice Mayor or the highest ranking member of the
23 *Sangguniang Panlungsod*, as the case may be.

24 ARTICLE VII

25 THE APPOINTIVE OFFICIALS OF THE CITY

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

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

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

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

10 (2) Keep the seal of the City and affix it with one's signature to all
11 ordinances, resolutions and other official acts of the *Sangguniang Panlungsod*,
12 and present these for the signature of the presiding officer;

13 (3) Forward to the City Mayor for approval, copies of ordinances
14 enacted by the *Sangguniang Panlungsod*, duly certified by the presiding
15 officer in the manner provided in Section 54 of the Local Government Code of
16 1991, as amended;

17 (4) Forward to the Department of Budget and Management (DBM)
18 copies of the appropriations ordinances passed by the *Sangguniang*
19 *Panlungsod* as provided for under Section 326, Book II of the Local
20 Government Code of 1991, as amended;

21 (5) Forward to the *Sangguniang Panlalawigan* copies of duly approved
22 ordinances in the manner as provided for in Sections 56 and 57 of the Local
23 Government Code of 1991, as amended;

24 (6) Furnish, upon the request of any interested party, certified copies of
25 records of public character in one's custody, upon payment to the City
26 Treasurer of such fees as may be prescribed by ordinance;

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

1 (8) Keep the office and all nonconfidential records therein open to the
2 public during usual business hours;

3 (9) Translate into the dialect used by the majority of the inhabitants, all
4 ordinances and resolutions immediately after their approval, and cause their
5 publication together with the original version in the manner provided under the
6 Local Government Code of 1991, as amended;

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

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

12 SEC. 27. *The City Treasurer.* – (a) The City Treasurer shall be
13 appointed by the Secretary of the Department of Finance (DOF) from a list of
14 at least three (3) ranking eligible recommendees of the City Mayor, subject to
15 civil service law, rules and regulations.

16 (b) The City Treasurer shall be under the administrative supervision of
17 the City Mayor, to whom one shall report regularly on the tax collection
18 efforts of the City.

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

25 (d) The City Treasurer shall receive compensation, emoluments and
26 allowances as may be determined by law.

27 (e) The City Treasurer shall take charge of the City Finance
28 Department, and shall:

1 (1) Advise the City Mayor, the *Sangguniang Panlungsod* and other
2 local government and national officials concerned regarding the disposition of
3 local government funds and on other matters relative to public finance;

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

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

9 (4) Inspect private commercial and industrial establishments within the
10 jurisdiction of the City in relation to the implementation of tax ordinances,
11 pursuant to the provisions of the Local Government Code of 1991, as
12 amended;

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

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

17 SEC. 28. *The City Assessor.* – (a) The City Assessor must be a citizen
18 of the Philippines, a resident of the City of Sto. Tomas, of good moral
19 character, a holder of a college degree preferably in civil or mechanical
20 engineering, commerce or any other related course obtained from a recognized
21 college or university, a first grade civil service eligible or its equivalent and
22 must have acquired experience in real property assessment work or in any
23 related field for at least five (5) years immediately preceding the date of
24 appointment.

25 (b) The City Assessor shall receive compensation, emoluments and
26 allowances as may be determined by law.

27 (c) The City Assessor shall take charge of the City Assessor's
28 Department, and shall:

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

- 1 (2) Initiate, review and recommend changes in policies and objectives,
2 plans and programs, techniques, procedures and practices in the evaluation and
3 assessment of real properties for taxation purposes;
- 4 (3) Establish a systematic method of real property assessment;
- 5 (4) Install and maintain real property identification and accounting
6 systems;
- 7 (5) Prepare, install, and maintain a system of tax mapping, showing
8 graphically all properties subject to assessment and gather all data concerning
9 the same;
- 10 (6) Conduct frequent physical surveys to verify and determine whether
11 all real properties within the City are properly listed in the assessment rolls;
- 12 (7) Exercise the functions of appraisal and assessment primarily for
13 taxation purposes of all real properties in the City;
- 14 (8) Prepare a schedule of the fair market value of the different classes
15 of real properties in accordance with the provisions of the Local Government
16 Code of 1991, as amended;
- 17 (9) Issue, upon request of any interested party, certified copies of
18 assessment records of real properties and all other records relative to its
19 assessment, upon payment of a service charge or fee to the City Treasurer;
- 20 (10) Submit every semester a report of all assessments, as well as
21 cancellations and modifications of assessments to the City Mayor and the
22 *Sangguniang Panlungsod*;
- 23 (11) Attend personally or through an authorized representative all
24 sessions of the Local Board of Assessments; and
- 25 (12) Perform other duties and functions and exercise such other powers
26 as provided for under Republic Act No. 7160, otherwise known as the "Local
27 Government Code of 1991", as amended, and those that are prescribed by law
28 or ordinance.

1 SEC. 29. *The City Accountant.* – (a) The City Accountant must be a
2 citizen of the Philippines, a resident of the City of Sto. Tomas, of good moral
3 character, a certified public accountant and must have acquired experience in
4 the treasury or accounting service for at least five (5) years immediately
5 preceding the date of appointment.

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

8 (c) The City Accountant shall take charge of both the Office of the
9 Accounting and Internal Audit Services, and shall:

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

11 (2) Prepare and submit financial statements to the City Mayor and to
12 the *Sangguniang Panlungsod*;

13 (3) Apprise the *Sangguniang Panlungsod* and other officials on the
14 financial condition and operations of the City;

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

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

19 (6) Prepare statement of cash advances, liquidations, salaries,
20 allowances, reimbursements and remittances pertaining to the City;

21 (7) Prepare statements of journal vouchers, their liquidations, and other
22 adjustments related thereto;

23 (8) Post individual disbursements to subsidiary ledgers and index
24 cards;

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

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

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

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

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

8 SEC. 30. *The City Budget Officer.* – (a) The City Budget Officer must
9 be a citizen of the Philippines, a resident of the City of Sto. Tomas, of good
10 moral character, a holder of a college degree preferably in accounting,
11 economics, public administration or any related course obtained from a
12 recognized college or university, a first grade civil service eligible or its
13 equivalent and must have acquired experience in government budgeting or in
14 any related field for at least five (5) years immediately preceding the date of
15 appointment.

16 (b) The City Budget Officer shall take charge of the City Budget
17 Department, and shall:

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

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

22 (3) Assist the City Mayor in the preparation of the budget and during
23 and after the budget hearings;

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

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

27 (6) Coordinate with the City Treasurer, the City Accountant and the
28 City Planning and Development Officer for the purpose of budgeting;

29 (7) Assist the *Sangguniang Panlungsod* in reviewing the approved
30 budgets of the component barangays;

1 (8) Coordinate with the City Planning and Development Office in the
2 formulation of the development plan of the City; and

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

6 SEC. 31. *The City Planning and Development Officer.* – (a) The City
7 Planning and Development Officer must be a citizen of the Philippines, a
8 resident of the City of Sto. Tomas, of good moral character, a holder of a
9 college degree preferably in urban planning, development studies, economics,
10 public administration, or in any related course obtained from a recognized
11 college or university, a first grade civil service eligible or its equivalent and
12 must have acquired experience in development planning or in any related field
13 for at least five (5) years immediately preceding the date of appointment.

14 (b) The City Planning and Development Officer shall receive
15 compensation, emoluments and allowances as may be determined by law.

16 (c) The City Planning and Development Officer shall take charge of
17 the City Planning and Development Coordinating Office, and shall:

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

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

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

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

27 (5) Prepare comprehensive plans and other development planning
28 documents for the consideration of the Local Development Council;

1 (6) Analyze the income and expenditure patterns, and formulate and
2 recommend fiscal plans and policies for the consideration of the finance
3 committee of the *Sangguniang Panlungsod*;

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

6 (8) Exercise supervision and control over the secretariat of the Local
7 Development Council; and

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

11 SEC. 32. *The City Engineer.* - (a) The City Engineer must be a citizen
12 of the Philippines, a resident of the City of Sto. Tomas, of good moral
13 character, a licensed civil engineer and must have acquired experience in the
14 practice of profession for at least five (5) years immediately preceding the date
15 of appointment.

16 (b) The City Engineer shall receive compensation, emoluments and
17 allowances as may be determined by law.

18 (c) The City Engineer shall take charge of the City Engineering Office,
19 and shall:

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

23 (2) Advise the City Mayor on infrastructure, public works and other
24 engineering matters;

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

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

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

4 SEC. 33. *The City Health Officer.* – (a) The City Health Officer must
5 be a citizen of the Philippines, a resident of the City of Sto. Tomas, of good
6 moral character, a licensed medical practitioner and must have acquired
7 experience in the practice of the profession for at least five (5) years
8 immediately preceding the date of appointment.

9 (b) The City Health Officer shall receive compensation, emoluments
10 and allowances as may be determined by law.

11 (c) The City Health Officer shall take charge of the Office of the City
12 Health Services, and shall:

13 (1) Supervise the personnel and staff of the said office, formulate
14 program implementation guidelines and rules and regulations for the operation
15 of the said office for the approval of the City Mayor in order to assist the latter
16 in the efficient, effective and economical implementation of health service
17 programs geared to implement health-related projects and activities;

18 (2) Formulate measures for the consideration of the *Sangguniang*
19 *Panlungsod* and provide technical assistance and support to the City Mayor in
20 carrying out activities to ensure the delivery of basic services and the provision
21 of adequate facilities relative to health services as provided for under Section
22 17 of the Local Government Code of 1991, as amended;

23 (3) Develop plans and strategies and, upon approval thereof by the
24 City Mayor, implement these with the health programs and projects which the
25 City Mayor is empowered to implement and which the *Sangguniang*
26 *Panlungsod* is empowered to provide for under the Local Government Code of
27 1991, as amended;

28 (4) In addition to the foregoing duties and functions, the City Health
29 Officer shall:

- 1 (i) Formulate and implement policies, plans and projects to promote
2 the health of the people in the City;
- 3 (ii) Advise the City Mayor and the *Sangguniang Panlungsod* on
4 matters pertaining to health;
- 5 (iii) Execute and enforce all laws, ordinances and regulations relating
6 to public health;
- 7 (iv) Recommend to the *Sangguniang Panlungsod* through the local
8 health board, the passage of ordinance as may be deemed necessary for the
9 preservation of public health;
- 10 (v) Recommend the prosecution of any violation of sanitary laws,
11 ordinances or regulations;
- 12 (vi) Direct the sanitary inspection of all business establishments, stores
13 selling food items or providing accommodations such as hotels, motels,
14 lodging houses, pension houses and the like, in accordance with the Sanitation
15 Code of the Philippines;
- 16 (vii) Conduct health information campaigns and render health
17 intelligence services;
- 18 (viii) Coordinate with other government agencies and nongovernment
19 organizations involved in the promotion and delivery of health services; and
- 20 (ix) Be in the frontline of the delivery of health services, particularly
21 during and in the aftermath of man-made and natural disasters or calamities;
22 and
- 23 (5) Perform other duties and functions and exercise such other powers
24 as provided for under the Local Government Code of 1991, as amended, and
25 those that are prescribed by law or ordinance.

26 SEC. 34. *The City Civil Registrar.* – (a) The City Civil Registrar must
27 be a citizen of the Philippines, a resident of the City of Sto. Tomas, of good
28 moral character, a holder of a college degree obtained from a recognized

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

4 (b) The City Civil Registrar shall receive compensation, emoluments
5 and allowances as may be determined by law.

6 (c) The City Civil Registrar shall be responsible for the civil
7 registration program in the City of Sto. Tomas, pursuant to the Civil Registry
8 Law, the Omnibus Election Code and other pertinent laws, rules and
9 regulations issued to implement them.

10 (d) The City Civil Registrar shall take charge of the Office of the City
11 Civil Registry, and shall:

12 (1) Develop plans and strategies and, upon approval thereof by the
13 City Mayor, implement the same, particularly those which have to do with the
14 civil registry programs and projects which the City Mayor is empowered to
15 implement and which the *Sangguniang Panlungsod* is empowered to provide
16 for under the Local Government Code of 1991, as amended;

17 (2) In addition to the foregoing duties and functions, the City Civil
18 Registrar shall:

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

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

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

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

27 (v) Issue certified transcripts or copies of any certificate or registered
28 document upon payment of the required fees to the City Treasurer;

1 (vi) Receive application for the issuance of a marriage license and,
2 after determining that the requirements and supporting certificates and
3 publication thereof for the prescribed period have been complied with, issue
4 the license upon payment of the authorized fee to the City Treasurer; and

5 (vii) Coordinate with the Philippine Statistics Authority (PSA) in
6 conducting educational campaigns for vital registration and assist in the
7 preparation of demographic and other statistics for the City of Sto. Tomas; and

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

11 SEC. 35. *The City Administrator.* – (a) The City Administrator must
12 be a citizen of the Philippines, a resident of the City of Sto. Tomas, of good
13 moral character, a holder of a college degree preferably in public
14 administration, law or in any other related course from a recognized college or
15 university, a first grade civil service eligible or its equivalent and must have
16 acquired experience in management and administrative work for at least five
17 (5) years immediately preceding the date of appointment.

18 (b) The term of the City Administrator shall be coterminous with that
19 of the appointing authority.

20 (c) The City Administrator shall receive compensation, emoluments
21 and allowances as may be determined by law.

22 (d) The City Administrator shall take charge of the City
23 Administrator's Office, and shall:

24 (1) Develop plans and strategies and, upon approval thereof by the
25 City Mayor, implement the same, particularly those which have to do with the
26 management and administration-related programs and projects which the City
27 Mayor is empowered to implement and which the *Sangguniang Panlungsod* is
28 empowered to provide under the Local Government Code of 1991, as
29 amended;

1 (2) Assist in the coordination of the work of all the officials of the
2 local government unit, under the supervision, direction and control of the City
3 Mayor and, for this purpose, convene the chiefs of offices and other officials
4 of the local government unit;

5 (3) Establish and maintain a sound personnel program for the local
6 government unit designed to promote career development and uphold the merit
7 principle in the local government service;

8 (4) Conduct a continuing organizational development of the local
9 government unit with the end in view of instituting effective administrative
10 reforms;

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

14 (6) Recommend to the *Sangguniang Panlungsod* and advise the City
15 Mayor on all matters relative to the management and administration of the
16 City; and

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

20 SEC. 36. *The City Legal Officer.* – (a) The City Legal Officer must be
21 a citizen of the Philippines, a resident of the City of Sto. Tomas, of good moral
22 character, a member of the Philippine Bar and must have practiced the
23 profession for at least five (5) years immediately preceding the date of
24 appointment.

25 The term of the City Legal Officer shall be coterminous with that of the
26 appointing authority.

27 (b) The City Legal Officer shall receive compensation, emoluments
28 and allowances as may be determined by law.

1 (c) The City Legal Officer, the Chief Legal Counsel of the City, shall
2 take charge of the Office of the City Legal Service, and shall:

3 (1) Formulate measures for the consideration of the *Sangguniang*
4 *Panlungsod* and provide legal assistance and support to the City Mayor in
5 carrying out the delivery of basic services and the provision of adequate
6 facilities;

7 (2) Develop plans and strategies and, upon approval thereof by the
8 City Mayor, implement the same, particularly those which have to do with the
9 programs and projects related to legal services which the City Mayor is
10 empowered to implement and which the *Sangguniang Panlungsod* is
11 empowered to provide;

12 (3) Represent the local government unit in all civil actions and special
13 proceedings wherein the local government unit or any official thereof, in his or
14 her official capacity, is a party: *Provided*, That in actions or proceedings where
15 the City of Sto. Tomas is a party adverse to the provincial government or to
16 another component city, a special legal officer may be employed to represent
17 the adverse party;

18 (4) When required by the City Mayor or *Sanggunian*, draft ordinances,
19 contracts, bonds, leases and other instruments, involving any interest of the
20 local government unit; and provide comments and recommendations on any
21 instruments already drawn;

22 (5) Render an opinion in writing on any question of law when
23 requested to do so by the City Mayor or *Sanggunian*;

24 (6) Investigate or cause to be investigated any local official or
25 employee for administrative neglect or misconduct in office, and recommend
26 appropriate action to the City Mayor or *Sanggunian*, as the case may be;

27 (7) Investigate or cause to be investigated any person, firm or
28 corporation holding any franchise or exercising any privilege for failure to
29 comply with any term or condition in the grant of such franchise or privilege,

1 and recommend appropriate action to the City Mayor or *Sanggunian*, as the
2 case may be;

3 (8) When directed by the City Mayor or *Sanggunian*, initiate and
4 prosecute in the interest of the local government unit concerned any civil
5 action on any bond, lease or other contract upon any breach or violation
6 thereof;

7 (9) Review ordinances and submit recommendations on ordinances
8 approved and executive orders issued by component units;

9 (10) Recommend measures to the *Sangguniang Panlungsod* and advise
10 the City Mayor on all matters related to upholding the rule of law;

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

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

17 SEC. 37. *The City Social Welfare and Development Officer.* – (a) The
18 City Social Welfare and Development Officer must be a citizen of the
19 Philippines, a resident of the City of Sto. Tomas, of good moral character, a
20 licensed social worker or a holder of a college degree preferably in social work
21 or in any other related course obtained from a recognized college or university,
22 a first grade civil service eligible or its equivalent and must have acquired
23 experience in the practice of social work for at least five (5) years immediately
24 preceding the date of appointment.

25 (b) The City Social Welfare and Development Officer shall receive
26 compensation, emoluments and allowances as may be determined by law.

27 (c) The City Social Welfare and Development Officer shall take
28 charge of the Office of the Social Welfare and Development, and shall:

- 1 (1) Formulate measures for the approval of the *Sangguniang*
2 *Panlungsod* and provide technical assistance and support to the City Mayor in
3 carrying out measures to ensure the delivery of basic services and the
4 provision of adequate facilities relative to social welfare and development
5 services;
- 6 (2) Develop plans and strategies and, upon approval thereof by the
7 City Mayor, implement the same, particularly those which have to do with
8 social welfare programs and projects which the City Mayor is empowered to
9 implement and which the *Sangguniang Panlungsod* is empowered to provide;
- 10 (3) Identify the basic needs of the needy, the disadvantaged and
11 impoverished and develop and implement appropriate measures to alleviate
12 their problems and improve their living conditions;
- 13 (4) Provide relief and appropriate crisis intervention for victims of
14 abuse and exploitation and recommend appropriate measures to deter further
15 abuse and exploitations;
- 16 (5) Assist the City Mayor, as the case may be, in implementing the
17 barangay level program for the total development and protection of children
18 up to six (6) years of age;
- 19 (6) Facilitate the implementation of welfare programs for the disabled,
20 elderly and victims of drug addiction, the rehabilitation of prisoners and
21 parolees, the prevention of juvenile delinquency and such other activities
22 which would eliminate and minimize the ill-effects of poverty;
- 23 (7) Initiate and support welfare programs that will enhance the role of
24 the youth in nation building;
- 25 (8) Coordinate with the government agencies and nongovernmental
26 organizations which have for their purpose the promotion and the protection of
27 all the needy, disadvantaged, underprivileged or impoverished groups or
28 individuals, particularly those identified to be vulnerable and high risk to
29 exploitation, abuse and neglect;

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

4 (10) Recommend to the *Sangguniang Panlungsod* and advise the City
5 Mayor on all other matters related to social welfare and development services
6 which will improve the livelihood and the living conditions of the City's
7 inhabitants; and

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

11 SEC. 38. *The City Veterinarian.* - (a) The City Veterinarian must be
12 a citizen of the Philippines, a resident of the City of Sto. Tomas, of good moral
13 character, a licensed Doctor of Veterinary Medicine and must have practiced
14 the profession for at least three (3) years immediately preceding the date of
15 appointment.

16 (b) The City Veterinarian shall receive compensation, emoluments and
17 allowances as may be determined by law.

18 (c) The City Veterinarian shall take charge of the Office of the
19 Veterinary Services, and shall:

20 (1) Formulate measures for the consideration of the *Sangguniang*
21 *Panlungsod* and provide technical assistance and support to the City Mayor in
22 carrying out measures to ensure the delivery of basic services and the
23 provision of adequate facilities;

24 (2) Develop plans and strategies and, upon approval thereof by the
25 City Mayor, implement the same, particularly those which have to do with
26 veterinary-related activities which the City Mayor is empowered to implement
27 and which the *Sangguniang Panlungsod* is empowered to provide;

28 (3) Advise the City Mayor on all matters pertaining to the slaughter of
29 animals for human consumption and the regulation of slaughterhouses;

- 1 (4) Regulate the keeping of domestic animals;
 - 2 (5) Regulate and inspect poultry, milk and dairy products for public
3 consumption;
 - 4 (6) Enforce all laws for the prevention of cruelty to animals;
 - 5 (7) Take the necessary measures to eradicate, prevent or cure all forms
6 of animal diseases;
 - 7 (8) Be in the frontline of veterinary-related activities, including the
8 outbreak of highly contagious and deadly diseases, and in situations resulting
9 in the depletion of animals for work and for human consumption, particularly
10 those arising from and in the aftermath of man-made and natural disasters or
11 calamities;
 - 12 (9) Recommend to the *Sangguniang Panlungsod* and advise the City
13 Mayor on all other matters relative to the veterinary services which will
14 increase the number and improve the quality of livestock, poultry and other
15 domestic animals used for work or for human consumption; and
 - 16 (10) Perform other duties and functions and exercise such other powers
17 as provided for under the Local Government Code of 1991, as amended, and
18 those that are prescribed by law or ordinance.
- 19 SEC. 39. *The City General Services Officer.* – (a) The City General
20 Services Officer must be a citizen of the Philippines, a resident of the City of
21 Sto. Tomas, of good moral character, a holder of a college degree in public
22 administration, business administration or management obtained from a
23 recognized college or university, a first grade civil service eligible or its
24 equivalent and must have acquired experience in general services, including
25 the management of supply, property, solid waste disposal and general
26 sanitation for at least five (5) years immediately preceding the date of
27 appointment.
- 28 (b) The City General Services Officer shall receive compensation,
29 emoluments and allowances as may be determined by law.

1 (c) The City General Services Officer shall take charge of the Office of
2 the General Services, and shall:

3 (1) Formulate measures for the consideration of the *Sangguniang*
4 *Panlungsod* and provide technical assistance and support to the City Mayor in
5 carrying out measures to ensure the delivery of basic services and the
6 provision of adequate facilities which require general services expertise in
7 technical support services;

8 (2) Develop plans and strategies and, upon approval thereof by the
9 City Mayor, implement these with general services that are supportive of the
10 welfare of the inhabitants of the City which the City Mayor is empowered to
11 implement and which the *Sangguniang Panlungsod* is empowered to provide;

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

15 (4) With the approval of the City Mayor, assign building or land space
16 to local officials or other public officials, who by law are entitled to the space;

17 (5) Recommend to the City Mayor reasonable rental rates for local
18 government properties, whether real or personal, which will be leased to
19 public or private entities by the local government;

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

23 (7) Collate and disseminate information regarding prices, shipping and
24 other costs of supplies and other items commonly used by the local
25 government unit;

26 (8) Perform archival and record management with respect to records of
27 offices and departments of the local government unit;

28 (9) Perform all other functions pertaining to supply and property
29 management heretofore performed by the local government treasurer and
30 enforce policies on records creation, maintenance and disposal;

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

5 (11) Recommend to the *Sangguniang Panlungsod* and advise the City
6 Mayor on all matters relative to general services; and

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

10 SEC. 40. *The City Environment and Natural Resources Officer.* – (a)
11 The City Environment and Natural Resources Officer must be a citizen of the
12 Philippines, a resident of the City of Sto. Tomas, of good moral character, a
13 holder of a college degree preferably in environment, forestry, agriculture or in
14 any other related course obtained from a recognized college or university, a
15 first grade civil service eligible or its equivalent and must have acquired
16 experience in environment and natural resources management, conservation
17 and utilization work for at least five (5) years immediately preceding the date
18 of appointment.

19 (b) The City Environment and Natural Resources Officer shall receive
20 compensation, emoluments and allowances as may be determined by law.

21 (c) The City Environment and Natural Resources Officer shall take
22 charge of the City Environment Service Department, and shall:

23 (1) Formulate measures for the consideration of the *Sangguniang*
24 *Panlungsod* and provide assistance and support to the City Mayor in carrying
25 out measures to ensure the delivery of basic services and the provision of
26 adequate facilities relative to environment and natural resources services as
27 provided for under Section 17 of the Local Government Code of 1991, as
28 amended;

1 (2) Develop plans and strategies and, upon approval thereof by the
2 City Mayor, implement these with the environment and natural resources
3 programs and projects which the City Mayor is empowered to implement and
4 which the *Sangguniang Panlungsod* is empowered to provide;

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

8 (4) Provide extension services to beneficiaries of forest development
9 projects and technical, financial and infrastructure assistance;

10 (5) Manage and maintain seed banks and produce seedlings for forest
11 and tree parks;

12 (6) Provide extension services to beneficiaries of forest development
13 projects and render assistance for natural resources-related conservation and
14 utilization activities consistent with ecological balance;

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

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

23 (9) Recommend measures to the *Sangguniang Panlungsod* and advise
24 the City Mayor on all matters relative to the protection, conservation,
25 maximum utilization, application of appropriate technology and other matters
26 related to the environment and natural resources; and

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

1 SEC. 41. *The City Architect.* – (a) The City Architect must be a
2 citizen of the Philippines, a resident of the City of Sto. Tomas, of good moral
3 character, a duly licensed architect and must have practiced the profession for
4 at least five (5) years immediately preceding the date of appointment.

5 (b) The City Architect shall receive compensation, emoluments and
6 allowances as may be determined by law.

7 (c) The City Architect shall take charge of the Office of the
8 Architectural Planning and Design, and shall:

9 (1) Formulate measures for the consideration of the *Sangguniang*
10 *Panlungsod* and provide technical assistance and support to the City Mayor in
11 carrying out measures to ensure the delivery of basic services and the
12 provision of adequate facilities relative to architectural planning and design;

13 (2) Develop plans and strategies and, upon approval thereof, by the
14 City Mayor, implement these with architectural planning and design programs
15 and projects which the City Mayor is empowered to implement and which the
16 *Sangguniang Panlungsod* is empowered to provide;

17 (3) Prepare and recommend for consideration of the *Sanggunian* the
18 architectural plan and design for the local government unit or a part thereof,
19 including the renewal of slums and blighted areas, land reclamation activities,
20 the greening of land and appropriate planning of marine and foreshore areas;

21 (4) Review and recommend for appropriate action of the *Sanggunian*
22 or the City Mayor, as the case may be, the architectural plans and designs
23 submitted by governmental and nongovernmental entities or individuals,
24 particularly those for undeveloped and poorly designed areas;

25 (5) Coordinate with government and nongovernment entities and
26 individuals involved in the aesthetics and maximum utilization of the land and
27 water within the jurisdiction of the local government unit to implement plans
28 and programs that shall preserve environmental integrity and ecological
29 balance;

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

5 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
6 Mayor on all other matters relative to architectural planning and design as it
7 relates to the total socioeconomic development of the City; and

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

11 SEC. 42. *The City Information Officer.* – (a) The City Information
12 Officer 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
14 journalism, mass communication or in any related course obtained from a
15 recognized college or university, a first grade civil service eligible or its
16 equivalent and must have experience in writing articles and research papers, or
17 writing for print, television or broadcast media for at least three (3) years
18 immediately preceding the date of appointment.

19 (b) The City Information Officer shall receive compensation,
20 emoluments and allowances as may be determined by law.

21 (c) The City Information Officer shall take charge of the City
22 Information and Community Relations Department, and shall:

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

28 (2) Develop plans and strategies and, upon approval thereof by the
29 City Mayor, implement the same, particularly those which have to do with
30 public information and research data to support programs and projects which

1 the City Mayor is empowered to implement and which the *Sangguniang*
2 *Panlungsod* is empowered to provide;

3 (3) Provide relevant, adequate and timely information to the local
4 government unit and its residents;

5 (4) Furnish information and data on local government agencies or
6 offices as may be required by law or ordinance; and nongovernmental
7 organizations to be furnished by said agencies and organizations;

8 (5) Maintain effective liaison with the various sectors of the
9 community on matters and issues that affect the livelihood and the quality of
10 life of the City's inhabitants and encourage support for programs of the local
11 and national government;

12 (6) Be in the frontline in providing information during and in the
13 aftermath of man-made and natural disasters or calamities, with special
14 attention to the victims thereof, to help minimize injuries and casualties after
15 the emergency, and to accelerate relief and rehabilitation;

16 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
17 Mayor on all other matters relative to public information and research data as
18 it relates to the total socioeconomic development of the City; and

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

22 SEC. 43. *The City Cooperatives Officer.* – (a) The City Cooperatives
23 Officer must be a citizen of the Philippines, a resident of the City of Sto.
24 Tomas, of good moral character, a holder of a college degree preferably in
25 business administration with special training on cooperatives or in any related
26 course obtained from a recognized college or university, a first grade civil
27 service eligible or its equivalent and must have acquired experience in
28 cooperatives organization and management for at least five (5) years
29 immediately preceding the date of appointment.

1 (b) The City Cooperatives Officer shall receive compensation,
2 emoluments and allowances as may be determined by law.

3 (c) The City Cooperatives Officer shall take charge of the Office for
4 the Development of Cooperatives, and shall:

5 (1) Formulate measures for the consideration of the *Sangguniang*
6 *Panlungsod* and provide technical assistance and support to the City Mayor in
7 carrying out measures to ensure the delivery of basic services and the
8 provision of facilities through the development of cooperatives and in
9 providing access to such services and facilities;

10 (2) Develop plans and strategies and, upon approval thereof by the
11 City Mayor, implement these with the integration of cooperatives principles
12 and methods in programs and projects which the City Mayor is empowered to
13 implement and which the *Sangguniang Panlungsod* is empowered to provide;

14 (3) Assist in the organization of cooperatives;

15 (4) Provide technical and other forms of assistance to existing
16 cooperatives to enhance their viability as an economic enterprise and social
17 organization;

18 (5) Assist cooperatives in establishing linkages with government
19 agencies and nongovernmental organizations involved in the promotion and
20 integration of the concept of cooperatives in the livelihood of the people and
21 other community activities;

22 (6) Be in the frontline of cooperatives organization, rehabilitation or
23 viability enhancement, particularly during and in the aftermath of man-made
24 and natural disasters or calamities, to aid in their survival and, if necessary,
25 subsequent rehabilitation;

26 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
27 Mayor on all other matters relative to cooperatives development and viability
28 enhancement which will improve the livelihood and the quality of life of the
29 inhabitants; and

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

4 SEC. 44. *The City Population Officer.* – (a) The City Population
5 Officer must be a citizen of the Philippines, a resident of the City of Sto.
6 Tomas, of good moral character, a holder of a college degree preferably with
7 specialized training in population development obtained from a recognized
8 college or university, a first grade civil service eligible or its equivalent and
9 must have acquired experience in the implementation of programs on
10 population development or responsible parenthood for at least five (5) years
11 immediately preceding the date of appointment.

12 (b) The City Population Officer shall receive compensation,
13 emoluments and allowances as may be determined by law.

14 (c) The City Population Officer shall take charge of the Office of the
15 Population Development, and shall:

16 (1) Formulate measures for the consideration of the *Sangguniang*
17 *Panlungsod* and provide technical assistance and support to the City Mayor in
18 carrying out measures to ensure the delivery of basic services and the
19 provision of adequate facilities relative to the integration of the population
20 development principles and in providing access to said services and facilities;

21 (2) Develop plans and strategies and, upon approval thereof by the
22 City Mayor, implement these with the integration of population development
23 principles and methods in programs and projects which the City Mayor is
24 empowered to implement and which the *Sangguniang Panlungsod* is
25 empowered to provide;

26 (3) Assist the City Mayor in the implementation of the constitutional
27 provisions relative to population development and the promotion of
28 responsible parenthood;

1 (4) Establish and maintain an updated data bank for program
2 operations, development planning and an educational program to ensure the
3 people's participation in, and understanding of, population development;

4 (5) Implement appropriate training programs responsive to the cultural
5 heritage of the inhabitants; and

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

9 SEC. 45. *The City Agriculturist.* – (a) The City Agriculturist must be a
10 citizen of the Philippines, a resident of the City of Sto. Tomas, of good moral
11 character, a holder of a college degree preferably in agriculture or in any other
12 related course obtained from a recognized college or university, a first grade
13 civil service eligible or its equivalent and must have practiced the profession in
14 agriculture or acquired the experience in a related field for at least five (5)
15 years immediately preceding the date of appointment.

16 (b) The City Agriculturist shall receive compensation, emoluments and
17 allowances as may be determined by law.

18 (c) The City Agriculturist shall take charge of the Office of the
19 Agricultural Services, and shall:

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

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

28 (3) In addition to the foregoing duties and functions, the City
29 Agriculturist shall:

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

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

9 (iii) Assist the City Mayor in the establishment and extension services
10 of demonstration farms on aquaculture and marine products;

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

13 (v) Coordinate with government agencies and nongovernmental
14 organizations in the promotion of agricultural productivity through applied
15 technology compatible with environmental integrity;

16 (4) Be in the frontline of the delivery of basic agricultural services,
17 particularly those needed for the survival of the City's inhabitants during and
18 in the aftermath of man-made and natural disasters or calamities;

19 (5) Recommend to the *Sangguniang Panlungsod* and advise the City
20 Mayor on all other matters related to agriculture and aquaculture which will
21 improve the livelihood and the living conditions of the inhabitants; and

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

25 ARTICLE VIII

26 THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE, THE CITY
27 SCHOOLS DIVISION AND THE CITY PROSECUTION SERVICE

28 SEC. 46. *The City Fire Station Service.* - (a) There shall be
29 established in the City at least one (1) fire station with adequate personnel,
30 firefighting facilities and equipment, subject to the standards, rules and

1 regulations that may be promulgated by the Department of the Interior and
2 Local Government (DILG). The City shall provide the necessary land or site
3 of the station.

4 (b) The city fire station shall be headed by a City Fire Marshal whose
5 qualifications shall be as those provided for under Republic Act No. 9263, as
6 amended, otherwise known as the "Bureau of Fire Protection and Bureau of
7 Jail Management and Penology Professionalization Act of 2004".

8 (c) The city fire station shall be responsible for providing emergency
9 services, including the rescue and evacuation of injured people related to
10 incidents and, in general, all fire prevention and suppression measures to
11 secure the safety of life and property of the citizenry.

12 SEC. 47. *The City Jail Service.* – (a) There shall be established and
13 maintained in the City a secure, clean, adequately equipped and sanitary jail
14 for the custody and safekeeping of prisoners, any fugitive from justice, or
15 person detained awaiting investigation or trial and/or violent mentally ill
16 person who endangers oneself or the safety of others, duly certified as such by
17 the proper medical health officer, pending the transfer to a mental institution.

18 (b) The city jail service shall be headed by a City Jail Warden whose
19 qualifications shall be as those provided for under the Bureau of Fire
20 Protection and Bureau of Jail Management and Penology Professionalization
21 Act of 2004. One shall assist in the immediate rehabilitation of individuals or
22 detention prisoners. The City Jail Warden shall ensure that great care is
23 exercised at all times so that the human rights of prisoners are respected and
24 protected, and their spiritual and physical well-being are properly and
25 promptly attended to.

26 SEC. 48. *The City Schools Division.* – (a) There shall be established
27 and maintained by the Department of Education (DepED), a city schools
28 division of the City of Sto. Tomas whose area of jurisdiction will cover all the
29 school districts within the City.

1 (b) The city schools division shall be headed by a City Schools
2 Division Superintendent who must possess the necessary qualifications required
3 by the DepED.

4 SEC. 49. *The City Prosecution Service.* - (a) There shall be
5 established in the City, a city prosecution service to be headed by a City
6 Prosecutor and such number of assistant city prosecutors, as may be necessary,
7 who shall be organizationally part of the Department of Justice (DOJ), and
8 under the supervision and control of the Secretary of Justice and whose
9 qualifications, manner of appointment, rank, salary and benefits shall be
10 governed by existing laws covering prosecutors in the DOJ.

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

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

22 ARTICLE IX

23 TRANSITORY AND FINAL PROVISIONS

24 SEC. 50. *Municipal Ordinances Existing at the Time of the Approval of*
25 *this Act.* - All municipal ordinances of the Municipality of Sto. Tomas
26 existing at the time of the approval of this Act shall continue to be in force
27 within the City of Sto. Tomas until the *Sangguniang Panlungsod* shall declare
28 otherwise.

1 SEC. 51. *Plebiscite.* – The City of Sto. Tomas shall acquire corporate
2 existence upon the ratification of its creation by a majority of the votes cast by
3 the qualified voters in a plebiscite to be conducted in the present Municipality
4 of Sto. Tomas within thirty (30) days from the approval of this Act.

5 The Commission on Elections shall conduct and supervise such
6 plebiscite.

7 The expenses for the plebiscite shall be borne by the Municipality of
8 Sto. Tomas.

9 SEC. 52. *Officials of the City of Sto. Tomas.* – The present elective
10 officials of the Municipality of Sto. Tomas shall continue to exercise
11 their powers and functions until such time that a new election is held and the
12 duly-elected officials shall have already qualified and assumed their offices.
13 The two (2) additional members of the *Sangguniang Panlungsod* shall be
14 appointed by the City Mayor and shall assume office until such time that the
15 regular members of the *Sangguniang Panlungsod* have been elected and
16 qualified in the next national and local elections after the effectivity of this
17 Act. Appointive officials and employees of the municipality shall likewise
18 continue exercising their functions and duties and they shall be automatically
19 absorbed by the city government of the City of Sto. Tomas.

20 SEC. 53. *Succession Clause.* – The City of Sto. Tomas shall succeed
21 to all the assets, properties, liabilities and obligations of the Municipality of
22 Sto. Tomas.

23 SEC. 54. *Election of Provincial Governor and Sangguniang*
24 *Panlalawigan Members of the Province of Batangas.* – The qualified voters
25 of the City of Sto. Tomas shall be qualified to vote and run for any elective
26 position in the elections for provincial governor, provincial vice governor,
27 *Sangguniang Panlalawigan* members and other elective officials for the
28 Province of Batangas.

1 SEC. 55. *Jurisdiction of the Province of Batangas.* – The City of
2 Sto. Tomas shall, unless otherwise provided by law, continue to be under the
3 jurisdiction of the Province of Batangas.

4 SEC. 56. *Suspension of Increase in Rates of Local Taxes.* – No
5 increase in the rates of local taxes shall be imposed by the City within the
6 period of five (5) years from its acquisition of corporate existence.

7 SEC. 57. *Legislative District.* – Until otherwise provided by law, the
8 City of Sto. Tomas shall continue to be a part of the Third Legislative District
9 of the Province of Batangas.

10 SEC. 58. *Applicability of Laws.* – The provisions of the Local
11 Government Code of 1991, as amended, and other laws pertaining to the
12 Province of Batangas and such laws as are applicable shall govern the City of
13 Sto. Tomas insofar as they are not inconsistent with the provisions of this Act.

14 SEC. 59. *Separability Clause.* – If, for any reason or reasons, any part
15 or provision of this Charter shall be held unconstitutional, invalid or
16 inconsistent with the Local Government Code of 1991, as amended, the other
17 parts or provisions hereof which are not affected shall continue to be in full
18 force and effect.

19 SEC. 60. *Effectivity.* – This Act shall take effect fifteen (15) days after
20 its complete publication in the *Official Gazette* or in a newspaper of general
21 circulation.

 Approved,