

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

7 JAN 25 P6:19

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 220

Submitted by the Committee on Local Government on JAN 25 2007.

Re : House Bill No. 5998

Recommending its approval with amendments.

Sponsor : Senator Lim

MR. PRESIDENT:

The Committee on Local Government to which was referred House Bill No. 5998, introduced by Representatives Figueroa, Cari, Petilla, Marcos, Salapuddin, Gullas, Martinez, Wacnang, Amante, Nantes, Baculio and Pichay, entitled:

**"AN ACT
CONVERTING THE MUNICIPALITY OF CATBALOGAN IN THE PROVINCE OF SAMAR
INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CATBALOGAN"**

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

1. On page 4, lines 16 to 25, delete references to assistant city accountant, assistant city engineer, assistant city health officer, assistant city civil registrar, city human resource development officer and city building official;
2. On page 27, add a new Section 18 between lines 26 and 27, to read as follows:

"SEC. 18. REVIEW OF CITY ORDINANCES BY THE SANGGUNIANG PANLALAWIGAN. – (A) WITHIN THREE (3) DAYS AFTER APPROVAL, THE SECRETARY TO THE SANGGUNIANG PANLUNGSOD SHALL FORWARD TO THE SANGGUNIANG PANLALAWIGAN FOR REVIEW, COPIES OF APPROVED ORDINANCES AND THE RESOLUTIONS APPROVING THE LOCAL DEVELOPMENT PLANS AND PUBLIC INVESTMENT PROGRAMS FORMULATED BY THE LOCAL DEVELOPMENT COUNCILS.

(B) IF THE SANGGUNIANG PANLALAWIGAN FINDS THAT SUCH AN ORDINANCE OR RESOLUTION IS BEYOND THE POWER CONFERRED UPON THE SANGGUNIANG PANLUNGSOD CONCERNED, IT SHALL DECLARE SUCH ORDINANCE OR RESOLUTION INVALID IN WHOLE OR IN PART. THE SANGGUNIANG PANLALAWIGAN SHALL ENTER ITS ACTION IN THE MINUTES AND SHALL ADVISE THE CORRESPONDING CITY AUTHORITIES OF THE ACTION IT HAS TAKEN.

(C) IF NO ACTION HAS BEEN TAKEN BY THE SANGGUNIANG PANLALAWIGAN WITHIN THIRTY (30) DAYS AFTER SUBMISSION OF SUCH AN ORDINANCE OR RESOLUTION, THE SAME SHALL BE PRESUMED CONSISTENT WITH LAW AND THEREFORE VALID.

Renumber the succeeding Sections accordingly;

3. On page 29, lines 9 and 10, change the title of Article VI to "SUCCESSION FOR ELECTIVE CITY OFFICIALS";
4. On the same page, delete the entire Sec. 21 from lines 11 to 25;
5. On page 29, amend the title and paragraph (a) of Section 22, to read as follows:

"SEC. 23. *Permanent Vacancy in the OfficeS of the City Mayor and City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the city mayor, the city vice mayor [concerned] shall become the city mayor. If a permanent vacancy occurs in the office of the city vice mayor, the highest ranking sangguniang panlungsod member or, in case of his permanent incapacity, the second highest ranking sangguniang panlungsod member shall become the [city mayor or] city vice mayor[, as the case may be]. **IF PERMANENT VACANCIES OCCUR IN BOTH THE OFFICES OF THE CITY MAYOR AND THE CITY VICE MAYOR, THE FIRST AND SECOND HIGHEST RANKING SANGGUNIANG PANLUNGSOD MEMBERS, OR IN CASE OF PERMANENT INCAPACITY OF ONE OR BOTH OF THEM, THE NEXT HIGHEST RANKING SANGGUNIANG PANLUNGSOD MEMBER OR MEMBERS SHALL BECOME THE CITY MAYOR AND THE CITY VICE MAYOR, RESPECTIVELY.** Subsequent vacancies in said offices shall be filled automatically by the other sanggunian members according to their ranking as defined herein.

6. On page 32, line 21, change the word "master's" to "COLLEGE";
7. On page 33, line 8, delete the number "57" and the phrase "under Book I" and in lieu thereof, insert the number "327";
8. On page 35, line 5, change the word "may" to "SHALL";
9. On the same page, line 12, change the word "three" to "FIVE";
10. On the same page, line 14, delete the word "other" between the words "such" and "compensation";
11. On page 36, line 24, insert the following phrase between the words "assessment" and "upon": "RECORDS OF REAL PROPERTIES";
12. On pages 38 and 39, delete the entire Section 31;
13. On page 42, delete entire Section 35;
14. On page 44, delete entire Section 37;
15. On page 46, delete entire Section 39.

Renumber the succeeding Sections accordingly;

16. On page 47, starting from line 8, amend paragraph (2) to read as follows:

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

(I) Assist in the coordination of the work of all the officials of the city under the supervision, *direction and control of the city mayor and, for this purpose, he may convene the chiefs of offices and other officials of the city;*

(II) ESTABLISH AND MAINTAIN A SOUND PERSONNEL PROGRAM FOR THE CITY DESIGNED TO PROMOTE CAREER DEVELOPMENT AND UPHOLD THE MERIT PRINCIPLE IN THE LOCAL GOVERNMENT SERVICE; AND

(III) CONDUCT A CONTINUING ORGANIZATIONAL DEVELOPMENT OF THE CITY WITH THE END IN VIEW OF INSTITUTING EFFECTIVE ADMINISTRATIVE REFORMS";

17. On page 55, line 1, insert the word "RECEIVE" between the words "shall" and "such";and
18. On page 65, line 18, delete the phrase "graduate of a four-year course" and in lieu thereof, insert the phrase "HOLDER OF A COLLEGE DEGREE".

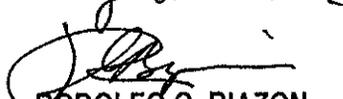
Respectfully submitted:

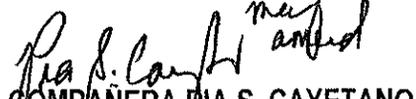

ALFREDO S. LIM
Chairman

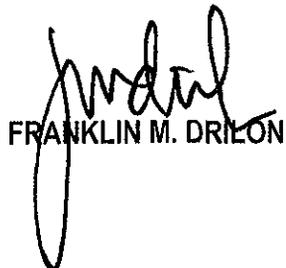
may amend.

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

Members:

may amend.

RODOLFO G. BIAZON

may amend.

COMPAÑERA PIA S. CAYETANO


FRANKLIN M. DRILON

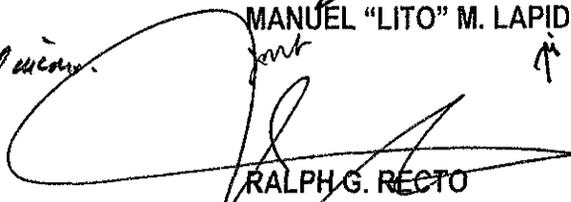

JUAN PONCE ENRILE

RICHARD J. GORDON

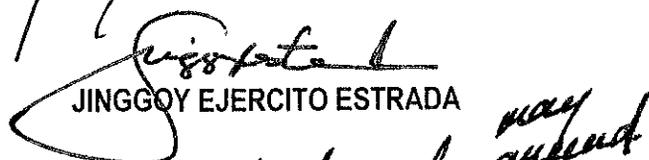
MANUEL "LITO" M. LAPID

if justified incur.

RAMON B. MAGSAYSAY JR.


RALPH G. RECTO


RAMON BONG REVILLA JR.


JINGGOY EJERCITO ESTRADA


PANFILO M. LACSON

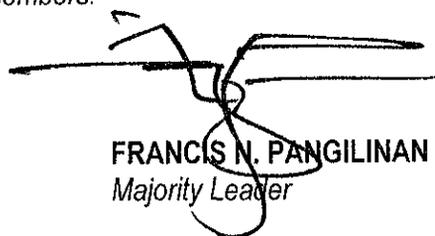
may amend.

M.A. MADRIGAL

SERGIO OSMEÑA III

Ex-Officio Members:


JUAN M. FLAVIER
President Pro-Tempore


FRANCIS N. PANGILINAN
Majority Leader

Hon. MANNY VILLAR
President
Senate of the Philippines
Pasay City



HOUSE OF REPRESENTATIVES

H. No. 5998

BY REPRESENTATIVES FIGUEROA, CARI, PETILLA, MARCOS, SALAPUDDIN,
GULLAS, MARTINEZ, WACNANG, AMANTE, NANTES, BACULIO AND
PICHAY, PER COMMITTEE REPORT NO. 2126

AN ACT CONVERTING THE MUNICIPALITY OF CATBALOGAN IN
THE PROVINCE OF SAMAR INTO A COMPONENT CITY TO BE
KNOWN AS THE CITY OF CATBALOGAN

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

1 ARTICLE I

2 GENERAL PROVISIONS

3 SECTION. 1. *Title.* – This Act shall be known as the “Charter of the City
4 of Catbalogan”.

5 SEC. 2. *The City of Catbalogan.* – The Municipality of Catbalogan is
6 hereby converted into a component city to be known as the City of Catbalogan,
7 hereinafter referred to as the City, which shall comprise of the present territory
8 of the Municipality of Catbalogan, Province of Samar. The territorial
9 jurisdiction of the City shall be within the present metes and bounds of the
10 Municipality of Catbalogan.

11 The foregoing provision shall be without prejudice to the resolution by

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

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

11 The City shall have the following corporate powers:

12 (a) To have continuous succession in its corporate powers;

13 (b) To sue and be sued;

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

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

16 (e) To enter into contracts; and

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

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

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

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

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

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

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

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

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

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

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

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

14 ARTICLE III

15 THE CITY MAYOR AND THE CITY VICE MAYOR

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

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

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

5 (1) Determine the guidelines of city policies and be responsible to the
6 *sangguniang panlungsod* for the program of government;

7 (ii) Direct the formulation of the city development plan with the
8 assistance of the city development council and, upon approval thereof by the
9 *sangguniang panlungsod*, implement the same;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (xviii) Solemnize marriages;

15 (xix) Conduct an annual palarong panlungsod which shall feature
16 traditional sports and disciplines included in national and international games,
17 in coordination with the Department of Education (DepEd), the Philippine
18 Sports Commission and other related agencies; and

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

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

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

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

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

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

14 (v) Act as the deputized representative of the National Police
15 Commission, formulate the peace and order plan of the City and, upon its
16 approval, implement the same and as such, exercise general and operational
17 control and supervision over the local police forces in the City in accordance
18 with Republic Act No. 6975, otherwise known as the Philippine National
19 Police Law; and

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

24 (3) Initiate and maximize the generation of resources and revenues and
25 apply the same to the implementation of development plans, program
26 objectives and priorities, particularly the resources and revenues programmed
27 for agro-industrial development and the provision of basic services and,
28 relative thereto, shall:

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

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

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

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

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

18 (vi) Require owners of illegally constructed houses, buildings or
19 structures to obtain the necessary permits, subject to such fines and penalties as
20 may be imposed by law or ordinance, or to make necessary changes in the
21 construction or to order the demolition or removal of said houses, buildings or
22 structures within the period prescribed by law or ordinance;

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

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

28 (ix) Institute or cause to be instituted administrative or judicial
29 proceedings for violation of ordinances in the collection of taxes, fees or

1 charges and for the recovery of funds and property; and cause the City to be
2 defended against all suits to ensure that its interests, resources and rights shall
3 be adequately protected;

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

6 (i) Ensure that the construction and repair of roads, bridges and
7 highways funded by the national government shall be, as far as practicable,
8 carried out in a spatially contiguous manner and in coordination with the
9 construction and repair of the roads and bridges of the City and of the
10 province; and

11 (ii) Coordinate the implementation of technical services, including
12 public works and infrastructure programs, rendered by national offices and
13 provincial office; and

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

17 SEC. 10. *The City Vice Mayor.* – (a) There shall be a city vice mayor
18 who shall be elected in the same manner as the city mayor and shall, at the time
19 of his election, possess the same qualifications as the city mayor. He shall hold
20 office for three years, unless sooner removed, and shall receive a minimum
21 monthly compensation corresponding to Salary Grade Twenty-eight (28) as
22 prescribed under the Salary Standardization Law and the implementing
23 guidelines issued pursuant thereto, and such other compensation, emoluments
24 and allowances as may be determined by law.

25 (b) The city vice mayor shall:

26 (1) Be the presiding officer of the sangguniang panlungsod and sign all
27 warrants drawn on the city treasury for all expenditures appropriated for the
28 operation of the sangguniang panlungsod;

1 (2) Subject to civil service law, rules and regulations, appoint all
2 officials and employees, including the secretary of the sangguniang
3 panlungsod, except those whose manner of appointment is specifically
4 provided for under the Local Government Code of 1991;

5 (3) Assume the office of the city mayor for the unexpired term of the
6 latter in the event of permanent vacancy, as provided for in Section 44 of the
7 Local Government Code of 1991;

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

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

13 ARTICLE IV

14 THE SANGGUNIANG PANLUNGSOD

15 SEC. 11. *The Sangguniang Panlungsod.* – (a) The sangguniang
16 panlungsod, the legislative body of the City, shall be composed of the city vice
17 mayor as the presiding officer, ten (10) regular sanggunian members, the
18 president of the city chapter of the liga ng mga barangay, the president of the
19 panlungsod na pederasyon ng mga sangguniang kabataan, the sectoral
20 representatives and such other members as may be provided for by law. They
21 shall hold office for three years unless sooner removed.

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

27 (c) The regular members of the sangguniang panlungsod, the sectoral
28 representatives and other members as may be allowed by law shall be elected
29 or appointed in the manner as may be provided for by law. The elective

1 members of the sangguniang panlungsod shall possess the same qualifications
2 as that of the city mayor and the city vice mayor except that candidates for said
3 position must be at least eighteen (18) years of age on election day.

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

9 (e) The sangguniang panlungsod shall:

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

12 (i) Review all ordinances approved by the sangguniang barangay and
13 executive orders issued by the punong barangay to determine whether these are
14 within the scope of the prescribed powers of the sangguniang barangay and of
15 the punong barangay;

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

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

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

26 (v) Enact ordinances intended to prevent, suppress and impose
27 appropriate penalties for habitual drunkenness in public places, vagrancy,
28 mendicancy, prostitution, the establishment and maintenance of houses of
29 ill-repute, gambling and other prohibited games of chance, fraudulent devices

1 and ways to obtain money or property, drug addiction, maintenance of drug
2 dens, drug pushing, juvenile delinquency, the printing, distribution or
3 exhibition of obscene or pornographic materials or publications and such other
4 activities inimical to the welfare and morals of the inhabitants of the City;

5 (vi) Protect the environment. To this end, it shall set aside a reasonable
6 amount from its development funds for the purpose of maintaining and
7 enhancing the ecological balance of the City. It may also impose appropriate
8 penalties for acts which endanger the environment, such as dynamite fishing
9 and other forms of destructive fishing, illegal logging and smuggling of logs,
10 smuggling of natural resources products and of endangered species of flora and
11 fauna, and other activities which result in pollution, acceleration of
12 eutrophication of rivers and other bodies of water or of ecological imbalance,
13 the fines for which shall be used exclusively for the advancement of ecological
14 protection;

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

18 (viii) Consistent with the Salary Standardization Law, determine the
19 positions and the salaries, wages, allowances and other emoluments and
20 benefits of officials and employees paid wholly or mainly from city funds and
21 provide for expenditures necessary for the proper conduct of programs,
22 projects, services and activities of the city government;

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

27 (x) Provide a mechanism and the appropriate funds therefor to ensure
28 the safety and the protection of all city government properties, public
29 documents or records such as those relating to property inventory, land

1 ownership, records of births, marriages, deaths, assessments, taxation,
2 accounts, business permits and such other records and documents of public
3 interest in the offices and departments of the city government;

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

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

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

14 (2) Generate and maximize the use of resources and revenues for the
15 development plans, program objectives and priorities of the City with
16 particular attention to agro-industrial development, citywide growth and
17 progress and the provision of basic services and, relative thereto, the
18 sangguniang panlungsod shall:

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

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

28 (iii) Subject to the provisions of Book II of the Local Government
29 Code of 1991 and applicable laws and, upon the majority vote of all the

1 members of the sangguniang panlungsod, authorize the city mayor to negotiate
2 and contract loans and other forms of indebtedness. The application for loans
3 or other forms of indebtedness and the terms and conditions thereof shall,
4 before approval, be published in a newspaper of general circulation in the City.
5 Once approved, the contract covering the loans or other forms of indebtedness
6 shall be furnished to any city resident requesting a copy thereof, upon payment
7 of reasonable fees;

8 (iv) Subject to the provisions of Book II of the Local Government
9 Code of 1991 and applicable laws and, upon the majority vote of all members
10 of the sangguniang panlungsod, enact ordinances authorizing the floating of
11 bonds or other instruments of indebtedness for the purpose of raising funds to
12 finance development projects. The authorization to float bonds or other
13 instruments of indebtedness shall be published in a newspaper of general
14 circulation in the City. Once approved, the contract covering the floating of
15 bonds or other instruments of indebtedness shall be furnished to any city
16 resident requesting a copy thereof upon payment of reasonable fees;

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

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

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

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

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

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

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

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

21 (xiii) Grant loans or provide grants to other local government units or
22 to national, provincial and city charitable, benevolent or educational
23 institutions: *Provided,* That said institutions are operated and maintained
24 within the City;

25 (xiv) Regulate the numbering of residential, commercial and other
26 buildings; and

27 (xv) Regulate the inspection, weighing and measuring of articles of
28 commerce;

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

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

8 (ii) Regulate or fix license fees for any business or practice of
9 profession within the City and the conditions under which the license for said
10 business or practice of profession may be revoked, and enact ordinances
11 levying taxes thereon;

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

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

19 (v) Authorize and license the establishment, operation and
20 maintenance of cockpits, regulate cockfightings and the commercial breeding
21 of gamecocks;

22 (vi) Subject to the guidelines prescribed by the Department of
23 Transportation and Communications, regulate the operation of tricycles and
24 grant franchises for the operation thereof within the territorial jurisdiction of
25 the City; and

26 (vii) Upon approval by a majority vote of all the members of the
27 sangguniang panlungsod, grant a franchise to any person, partnership,
28 corporation or cooperative to do business within the City; establish, construct,
29 operate and maintain ferries, wharves, markets or slaughterhouses; or

1 undertake such other activities within the City as may be allowed by existing
2 laws: *Provided*, That cooperatives shall be given preference in the grant of
3 such franchise;

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

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

8 (ii) With the concurrence of a majority of the members of the
9 sangguniang panlungsod constituting a quorum, deny the entry of legalized
10 gambling by ordinance into any part of the City or regulate its location within
11 the City;

12 (iii) Require that buildings and the premises thereof and any land
13 within the City be kept and maintained in a sanitary condition; impose
14 penalties for any violation thereof or, upon failure to comply with the
15 requirement, have the work done at the expense of the owner, administrator or
16 tenant concerned and require the filling up of any land or premises to a grade
17 necessary for proper sanitation;

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

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

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

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

28 (viii) Regulate the establishment, operation and maintenance of
29 entertainment or amusement facilities, including the theatrical performance,

1 circuses, billiard halls, public dancing schools, public dance halls, sauna baths,
2 massage parlors and other places for entertainment or amusement, particularly
3 those which tend to disturb the community or annoy the inhabitants or require
4 the suspension or suppression of the same; or prohibit certain forms of
5 amusement or entertainment in order to protect the social and moral welfare of
6 the community;

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

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

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

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

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

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

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

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

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

13 (vii) Subject to existing laws and when necessary, establish and provide
14 for the maintenance, repair and operation of an efficient waterworks system to
15 supply water for the inhabitants and to purify the source of the water supply;
16 regulate the construction, maintenance, repair and use of hydrants, pumps,
17 cisterns and reservoirs; protect the purity and quantity of the water supply of
18 the City and, for this purpose, extend the coverage of appropriate ordinances
19 over all territory within the drainage area of said water supply within one
20 hundred meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping
21 station or watershed used in connection with the water service and regulate the
22 consumption, use or wastage of water and fix and collect charges therefor;

23 (viii) Regulate the drilling and excavation of the ground for the laying of
24 water, gas, sewer and other pipes and the construction, repair and maintenance
25 of public drains, sewers, cesspools, tunnels and similar structures; regulate the
26 placing of poles and the use of crosswalks, curbs and gutters; adopt measures
27 to ensure public safety against open canals, manholes, live wires and other
28 similar hazards to life and property; and regulate the construction and use of

1 private water closets, privies and other similar structures in buildings and
2 homes;

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

8 (x) Subject to the availability of funds and the existing laws, rules and
9 regulations, establish or maintain and/or provide for the operation of a city
10 college, vocational and technical schools and similar post-secondary
11 institutions and, with the approval of the DepEd, the Commission on Higher
12 Education, or the Technical Education and Skills Development Authority, as
13 the case may be, and subject to existing laws on tuition fees, fix and collect
14 reasonable tuition fees and other school charges in educational institutions
15 supported by the city government;

16 (xi) Ensure the physical maintenance of educational institutions under
17 the operational control of the City and the provision of books and other capital
18 equipment for the same;

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

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

23 (xiv) Provide for an efficient and effective system of solid waste and
24 garbage collection and prohibit littering and the placing or throwing of
25 garbage, refuse and other filth and wastes; and, for this purpose, provide for
26 incentive schemes for industries engaged in the recycling of waste and
27 garbage;

28 (xv) Provide for the care of disabled persons, paupers, the aged, the
29 sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug

1 dependents, abused children and other needy and disadvantaged persons,
2 particularly children and the youth below eighteen (18) years of age and
3 subject to the availability of funds, establish and provide for the operation of
4 centers and facilities for the said needy and disadvantaged persons;

5 (xvi) Establish and provide for the maintenance and improvement of
6 jails and detention centers, institute a sound jail management program,
7 including a continuing education and training program for jail personnel
8 assigned or detailed in jails and detention centers within the jurisdiction of the
9 City, and the provision of separate detention centers for women and minors;

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

14 (xviii) Establish a city council for the elderly which shall formulate
15 policies and adopt measures mutually beneficial to the elderly and to the
16 community; provide incentives for nongovernmental agencies and entities and,
17 subject to the availability of funds, appropriate funds to support programs and
18 projects for the benefit of the elderly; and

19 (xix) Perform for a social housing fund for the provision of housing
20 for the poor and, for this purpose, may allocate a reasonable amount annually
21 for the acquisition of land and development of the same; and

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

25 ARTICLE V

26 PROCESS OF LEGISLATION

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

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

2 (1) The organization of the sanggunian and the election of its officers
3 as well as the creation of standing committees which shall include, but shall not
4 be limited to, the committees on appropriations, women and family, human
5 rights, youth and sports development, environmental protection and
6 cooperatives, the general jurisdiction of each committee; and the election of
7 the chairman and members of each committee;

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

9 (3) The legislative process;

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

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

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

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

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

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

5 In the absence of specific constitutional or statutory provisions
6 applicable to this situation, "conflict of interest" refers in general to one where
7 it may be reasonably deduced that a member of a sanggunian may not act in the
8 public interest due to some private, pecuniary or other personal considerations
9 that may tend to affect his judgment to the prejudice of the service or the
10 public.

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

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

20 (2) Disclosure shall be made when a member takes a position or makes
21 a privilege speech on a matter that may affect the business interest, financial
22 connection or professional relationship described therein.

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

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

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

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

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

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

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

19 (b) Where there is no quorum, the presiding officer may declare a
20 recess until such time a quorum is constituted or a majority of the members
21 present may adjourn from day to day and may compel the immediate
22 attendance of any member absent without justifiable cause by designating a
23 member or members of the sanggunian, to be assisted by a member or
24 members of the police force assigned in the territorial jurisdiction of the City
25 of Catbalogan, to arrest the absent member and present him at the session.

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

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

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

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

15 (b) The city mayor shall have the power to veto any particular item or
16 items of an appropriations ordinance, an ordinance or resolution adopting a
17 local development plan, any public investment program or an ordinance
18 directing the payment of money or creating liability. In such case, the vetoed
19 item or items shall not take effect unless the sangguniang panlungsod overrides
20 the veto in the manner herein provided; otherwise, the item or items in the
21 appropriations ordinance of the previous year corresponding to those vetoed, if
22 any, shall be deemed enacted.

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

27 SEC. 18. *Review of Barangay Ordinances by the Sangguniang*
28 *Panlungsod.* – (a) Within ten (10) days after their enactment, the sangguniang
29 barangay shall furnish copies of all barangay ordinances to the sangguniang

1 panlungsod for review as to whether the ordinance is consistent with law and
2 city ordinances.

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

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

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

17 *SEC. 20. Effectivity of Ordinances or Resolutions. –* (a) Unless
18 otherwise stated in the ordinance or the resolution approving the local
19 development plan and the public investment program, the same shall take
20 effect after ten (10) days from the date a copy thereof is posted in a bulletin
21 board at the entrance of the City Hall of Catbalogan and in at least two other
22 conspicuous places in the City of Catbalogan.

23 (b) The secretary of the sangguniang panlungsod shall cause the
24 posting of an ordinance or resolution in the bulletin board at the entrance of the
25 City Hall of Catbalogan and in at least two conspicuous places in the City of
26 Catbalogan not later than five days after approval thereof. The text of the
27 ordinance or resolution shall be disseminated and posted in Filipino or English
28 and the secretary of the sangguniang panlungsod shall record such fact in a
29 book kept for the purpose, stating the dates of approval and posting.

1 (c) The main features of the ordinance or resolution duly enacted or
 2 adopted shall, in addition to being posted, be published once in a local
 3 newspaper of general circulation within the City: *Provided*, That, in the
 4 absence thereof, the ordinance or resolution shall be published in any
 5 newspaper of general circulation: *Provided, further*, That the gist of all
 6 ordinances with penal sanctions shall also be published in a newspaper of
 7 general circulation.

8 ARTICLE VI

9 DISQUALIFICATIONS AND SUCCESSION FOR 10 ELECTIVE CITY OFFICIALS

11 SEC. 21. *Disqualifications for Elective City Officials.* – The following
 12 persons are disqualified from running for any elective position in the City:

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

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

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

19 (d) Those with dual citizenship;

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

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

25 (g) The insane or feeble-minded.

26 SEC. 22. *Permanent Vacancy in the Office of the City Mayor and the*
 27 *City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the city
 28 mayor, the city vice mayor concerned shall become the city mayor. If a
 29 permanent vacancy occurs in the office of the city vice mayor, the highest
 30 ranking sangguniang panlungsod member or, in case of his permanent

1 ranking sangguniang panlungsod member or, in case of his permanent
2 incapacity, the second highest ranking sangguniang panlungsod member shall
3 become the city mayor or the city vice mayor, as the case may be. Subsequent
4 vacancies in the said offices shall be filled in automatically by the other
5 sanggunian members according to their ranking as defined herein.

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

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

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

14 (e) For purposes of succession as provided in this Act, ranking in the
15 sanggunian shall be determined on the basis of the proportion of votes obtained
16 by each winning candidate to the number of registered voters in the City in the
17 immediately preceding local election.

18 *SEC. 23. Permanent Vacancies in the Sangguniang Panlungsod. –*
19 Permanent vacancies in the sangguniang panlungsod where automatic
20 succession as provided above does not apply shall be filled in by appointments
21 in the following manner:

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

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

28 In the appointment herein mentioned, a nomination and a certificate of
29 membership of the appointee from the highest official of the political party

1 nomination and certification shall be null and void *ab initio* and shall be a
2 ground for administrative action against the official responsible therefor;

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

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

10 SEC. 24. *Temporary Vacancy in the Office of the City Mayor.* – (a)
11 When the city mayor is temporarily incapacitated to perform his duties for
12 physical or legal reasons such as, but not limited to, leave of absence, travel
13 abroad and suspension from office, the city vice mayor or the highest ranking
14 sangguniang panlungsod member shall automatically exercise the powers and
15 perform the duties and functions of the city mayor, except the power to
16 appoint, suspend or dismiss employees which can only be exercised if the
17 period of temporary incapacity exceeds thirty (30) working days.

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

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

1 (d) In the event, however, that the city mayor fails or refuses to issue
2 such authorization, the city vice mayor or the highest ranking sangguniang
3 panlungsod member, as the case may be, shall have the right to assume the
4 powers, duties and functions of the said office on the fourth day of absence of
5 the city mayor, subject to the limitations provided for in subsection (c) hereof.

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

10 ARTICLE VII

11 THE APPOINTIVE OFFICIALS OF THE CITY: 12 THEIR QUALIFICATIONS, POWERS AND DUTIES

13 SEC. 25. *The Secretary to the Sangguniang Panlungsod* – (a) There
14 shall be a secretary to the sangguniang panlungsod who shall be a career
15 official with the rank and salary equal to a head of a department or office who
16 shall be appointed by the city mayor with the concurrence of the majority of all
17 the sangguniang panlungsod members, subject to civil service law, rules and
18 regulations.

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

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

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

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

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

4 (3) Forward to the city mayor for approval copies of ordinances
5 enacted by the sangguniang panlungsod and duly certified by the presiding
6 officer;

7 (4) Forward to the sangguniang panlalawigan copies of duly approved
8 ordinances in the manner provided for in Sections 56 and 57 under Book I of
9 the Local Government Code of 1991;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 SEC. 27. *The Assistant City Treasurer.* – (a) The assistant city
5 treasurer may be appointed by the Secretary of Finance from a list of at least
6 three ranking eligible recommendees of the city mayor, subject to civil service
7 law, rules and regulations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 SEC. 29. *The Assistant City Assessor.* – (a) The assistant city assessor
5 must be a citizen of the Philippines, a resident of the City of Catbalogan, of
6 good moral character, a holder of a college degree preferably in civil or
7 mechanical engineering, commerce or any related course from a recognized
8 college or university and a first grade civil service eligible or its equivalent. He
9 must have acquired experience in assessment or in any related field for at least
10 three years immediately preceding the date of his appointment.

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

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

17 SEC. 30. *The City Accountant.* – (a) The city accountant must be a
18 citizen of the Philippines, a resident of the City of Catbalogan, of good moral
19 character and a certified public accountant. He must have acquired experience
20 in the treasury or accounting service for at least five years immediately
21 preceding the date of his appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 SEC. 31. *The Assistant City Accountant.* – (a) The assistant city
25 accountant must be a citizen of the Philippines, a resident of the City
26 Catbalogan, of good moral character and a certified public accountant. He
27 must have acquired experience in assessment or in any related field for at least
28 three years immediately preceding the date of his appointment.

1 (b) The assistant city accountant shall assist the city accountant and
2 perform such other duties as the latter may assign to him.

3 (c) The assistant city accountant shall receive such compensation,
4 emoluments and allowances as may be determined by law.

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

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

14 (c) The city budget officer shall take charge of the city budget office
15 and shall:

16 (1) Prepare forms, orders and circulars embodying instructions on
17 budgetary and appropriations matters for the signature of the city mayor;

18 (2) Review and consolidate the budget proposals of different
19 departments and offices of the City;

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

22 (4) Study and evaluate the budgetary implementation of proposed
23 legislation and submit comments and recommendations thereon;

24 (5) Submit periodic budgetary reports to the Department of Budget and
25 Management;

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

28 (7) Assist the sangguniang panlungsod in reviewing the approved
29 budgets of component barangays;

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

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

6 SEC. 33. *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 Catbalogan, of good moral character, a holder of a
9 college degree preferably in urban planning, development studies, economics,
10 public administration or any related course from a recognized college or
11 university and a first grade civil service eligible or its equivalent. He must have
12 acquired experience in development planning or in any related field for at least
13 five years immediately preceding the date of his appointment.

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

16 (c) The city planning and development officer shall take charge of the
17 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 consideration of the finance committee
3 of the City as provided for under the Local Government Code of 1991;

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

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

16 (b) The city engineer shall receive such 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;

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

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

7 SEC. 35. *The Assistant City Engineer.* – (a) The assistant city engineer
8 must be a citizen of the Philippines, a resident of the City of Catbalogan, of
9 good moral character, a holder of a college degree preferably in civil or
10 mechanical engineering, commerce or any related course from a recognized
11 college or university and a first grade civil service eligible or its equivalent. He
12 must have acquired experience in assessment or in any related field for at least
13 three years immediately preceding the date of his appointment.

14 (b) The assistant city engineer shall assist the city engineer and perform
15 such other duties as the latter may assign to him.

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

18 SEC. 36. *The City Health Officer.* – (a) The city health officer must be
19 a citizen of the Philippines, a resident of the City of Catbalogan, of good moral
20 character and a licensed medical practitioner. He must have acquired
21 experience in the practice of his profession for at least five years immediately
22 preceding the date of his appointment.

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

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

27 (1) Supervise the personnel and staff of the said office, formulate
28 program implementation guidelines and rules and regulations for the operation
29 of the said office for the approval of the city mayor in order to assist him in the

1 efficient, effective and economical implementation of health services programs
2 geared to implement health-related projects and activities;

3 (2) Formulate measures for the consideration of the *sangguniang*
4 *panlungsod* and provide technical assistance and support to the city mayor in
5 carrying out activities to ensure the delivery of basic services and the provision
6 of adequate facilities relative to health-services as provided for under Section
7 17 of the Local Government Code of 1991;

8 (3) Develop plans and strategies and, upon approval thereof by the city
9 mayor, implement the same, particularly those which have to do with health
10 programs and projects which the city mayor is empowered to implement and
11 which the *sangguniang panlungsod* is empowered to provide for under the
12 Local Government Code of 1991;

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

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

17 (ii) Advise the city mayor and the *sangguniang panlungsod* on matters
18 pertaining to health;

19 (iii) Execute and enforce all laws, ordinances and regulations relating
20 to health;

21 (iv) Recommend to the *sangguniang panlungsod*, through the local
22 health board, the passage of such ordinance as he may deem necessary for the
23 preservation of public health;

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

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

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

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

5 (5) Be in the frontline of the delivery of health services, particularly
6 during and in the aftermath of man-made and natural disasters or calamities;
7 and

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

11 *SEC. 37. The Assistant City Health Officer.* – (a) The assistant city
12 health officer must be a citizen of the Philippines, a resident of the City of
13 Catbalogan, of good moral character and a licensed medical practitioner. He
14 must have acquired experience in the practice of his profession or in any
15 related field for at least three years immediately preceding the date of his
16 appointment.

17 (b) The assistant city health officer shall assist the city health officer
18 and perform such other duties as the latter may assign to him.

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

21 *SEC. 38. The City Civil Registrar.* – (a) The city civil registrar must be
22 a citizen of the Philippines, a resident of the City of Catbalogan, of good moral
23 character, a holder of a college degree from a recognized college or university
24 and a first grade civil service eligible or its equivalent. He must have acquired
25 experience in civil registry work for at least five years immediately preceding
26 the date of his appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

7 SEC. 39. *The Assistant City Civil Registrar.* – (a) The assistant city
8 civil registrar must be a citizen of the Philippines, a resident of the City of
9 Catbalogan, of good moral character and a holder of a college degree from a
10 recognized college or university and a first grade civil service eligible or its
11 equivalent. He must have acquired experience in civil registry work or in any
12 related field for at least three years immediately preceding the date of his
13 appointment.

14 (b) The assistant city civil registrar shall assist the city civil registrar
15 and perform such other duties as the latter may assign to him.

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

18 SEC. 40. *The City Administrator.* – (a) The city administrator must be
19 a citizen of the Philippines, a resident of the City of Catbalogan, of good moral
20 character, a holder of a college degree preferably in public administration, law
21 or any other related course from a recognized college or university and a first
22 grade civil service eligible or its equivalent. He must have acquired experience
23 in management and administrative work for at least five years immediately
24 preceding the date of his appointment.

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

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

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

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

8 (2) In addition to the foregoing duties and functions, the city
9 administrator shall assist in the coordination of the work of all the officials of
10 the City under the supervision, direction and control of the city mayor and, for
11 this purpose, he may convene the chiefs of offices and other officials of the
12 City;

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

16 (4) Recommend to the sangguniang panlungsod and advise the city
17 mayor on all matters relative to the management and administration of the City;
18 and

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

22 SEC. 41. *The City Legal Officer.* – (a) The city legal officer must be a
23 citizen of the Philippines, a resident of the City of Catbalogan, of good moral
24 character and a member of the Philippine Bar. He must have practiced his
25 profession for at least five years immediately preceding the date of his
26 appointment.

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

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

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

5 (1) Formulate measures for the consideration of the sangguniang
6 panlungsod and provide legal assistance and support to the city mayor in
7 carrying out the delivery of basic services and the provision of adequate
8 facilities;

9 (2) *Develop plans and strategies and, upon approval thereof by the city*
10 *mayor, implement the same, particularly those which have to do with programs*
11 *and projects related to legal services which the city mayor is empowered to*
12 *implement and which the sangguniang panlungsod is empowered to provide for*
13 *under the Local Government Code of 1991;*

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

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

21 (ii) When required by the city mayor or the sanggunian, draft
22 ordinances, contracts, bonds, leases and other instruments involving any
23 instruments already drawn;

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

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

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

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

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

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

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

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

19 SEC. 42. *The City Social Welfare and Development Officer.* – (a) The
20 city social welfare and development officer must be a citizen of the
21 Philippines, a resident of the City of Catbalogan, of good moral character, a
22 duly licensed social worker or a holder of a college degree preferably in
23 sociology or any other related course from a recognized college or university
24 and a first grade civil service eligible or its equivalent. He must have acquired
25 experience in the practice of social work for at least five years immediately
26 preceding the date of his appointment.

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

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

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

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

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

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

17 (ii) Provide relief and appropriate crisis intervention for victims of
18 abuse and exploitation and recommend appropriate measures to deter further
19 abuse and exploitation;

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

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

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

28 (vi) Coordinate with government agencies and nongovernmental
29 organizations which have for their purpose the promotion and protection of all

1 the needy, the disadvantaged, the underprivileged or impoverished groups or
2 individuals, particularly those identified to be vulnerable and high-risk to
3 exploitation, abuse and neglect;

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

7 (5) Recommend to the sangguniang panlungsod and advise the city
8 mayor on all other matters related to social welfare and development services
9 which will improve the livelihood and the living conditions of the inhabitants;
10 and

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

14 SEC. 43. *The City Veterinarian.* – (a) The city veterinarian must be a
15 citizen of the Philippines, a resident of the City of Catbalogan, of good moral
16 character and a licensed doctor of veterinary medicine. He must have practiced
17 his profession for at least three years immediately preceding the date of his
18 appointment.

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

21 (c) The city veterinarian shall take charge of the office of veterinary
22 services, 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 carrying out measures to ensure the delivery of basic services and the provision
26 of adequate facilities;

27 (2) Develop plans and strategies and, upon approval thereof by the city
28 mayor, implement the same, particularly those which have to do with
29 veterinary-related activities which the city mayor is empowered to implement

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

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

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

7 (ii) Regulate the keeping of domestic animals;

8 (iii) Regulate and inspect poultry, milk and dairy products for public
9 consumption;

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

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

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

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

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

26 SEC. 44. *The City General Services Officer.* – (a) The city general
27 services officer must be a citizen of the Philippines, a resident of the City of
28 Catbalogan, of good moral character, a holder of a college degree in public
29 administration, business administration or management from a recognized⁴

1 college or university and a first grade civil service eligible or its equivalent. He
2 must have acquired experience in general services, including the management
3 of supply, solid waste disposal and the general sanitation for at least five years
4 immediately preceding the date of his appointment.

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

7 (c) The city general services officer shall take charge of the office of
8 the general services 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 provision
12 of adequate facilities which require general services expertise and technical
13 support services;

14 (2) Develop plans and strategies and, upon approval thereof by the city
15 mayor, implement the same, particularly those which have to do with the
16 general services supportive of the welfare of the inhabitants of the City which
17 the city mayor is empowered to implement and which the sangguniang
18 panlungsod is empowered to provide for under the Local Government Code of
19 1991;

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

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

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

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

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

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

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

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

10 (viii) Perform all other functions pertaining to supply and property
11 management and enforce policies on records creation, maintenance and
12 disposal;

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

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

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

22 SEC. 45. *The City Environment and Natural Resources Officer.* – (a)
23 The city environment and natural resources officer must be a citizen of the
24 Philippines, a resident of the City of Catbalogan, of good moral character, a
25 holder of a college degree preferably in environment, forestry, agriculture or
26 any other related course from a recognized college or university and a first
27 grade civil service eligible or its equivalent. He must have acquired experience
28 in environment and natural resources management, conservation and utilization
29 work for at least five years immediately preceding the date of his appointment.

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

3 (c) The city environment and natural resources officer shall take charge
4 of the ~~office~~ of the environment and natural resources and shall:

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

10 (2) Develop plans and strategies and, upon approval thereof by the city
11 mayor, implement the same, particularly those which have to do with the
12 environment and natural resources programs and projects which the city mayor
13 is empowered to implement and which the sangguniang panlungsod is
14 empowered to provide for under the Local Government Code of 1991;

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

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

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

23 (iii) Manage and maintain seedbanks and produce seedlings for forest
24 and tree parks;

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

27 (v) Coordinate with government agencies and nongovernmental
28 organizations in the implementation of measures to prevent and control land,

1 air and water pollution, with the assistance of the Department of Environment
2 and Natural Resources;

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

7 (5) Recommend to the sangguniang panlungsod and advise the city
8 mayor on all matters relative to the protection, conservation, maximum
9 utilization, application of appropriate technology and other matters related to
10 the environment and natural resources; and

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

14 SEC. 46. *The City Architect.* – (a) The city architect must be a citizen
15 of the Philippines, a resident of the City of Catbalogan, of good moral
16 character and a duly licensed architect. He must have practiced his profession
17 for at least five years immediately preceding the date of his appointment.

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

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

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

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

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

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

5 (i) Prepare and recommend for the consideration of the sanggunian,
6 the architectural plan and design for the City, or a part thereof, including the
7 *renewal of slums and blighted areas*, land reclamation activities, the greening
8 of land and the appropriate planning of marine and foreshore areas;

9 (ii) Review and recommend for appropriate action of the sanggunian
10 or the city mayor, as the case may be, the architectural plans and designs
11 submitted by government and nongovernment entities or individuals
12 particularly those for undeveloped, underdeveloped and poorly-designed areas;
13 and

14 (iii) Coordinate with government, nongovernment entities and
15 individuals involved in the aesthetics and the maximum utilization of the land
16 and water within the jurisdiction of the City, compatible with environmental
17 integrity and ecological balance;

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

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

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

28 SEC. 47. *The City Information Officer.* - (a) The city information
29 officer must be a citizen of the Philippines, a resident of the City of

1 Catbalogan, of good moral character, a holder of a college degree preferably in
2 journalism or mass communications or any related course from a recognized
3 college or university and a first grade civil service eligible or its equivalent. He
4 must have acquired experience in writing articles and research papers or
5 writing for print, television, broadcast and other forms of mass media for at
6 least five years immediately preceding the date of his appointment.

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

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

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

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

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

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

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

28 (iii) Maintain effective liaison with the various sectors of the
29 community on matters and issues that affect the livelihood and the quality of

1 life of the inhabitants and encourage support for programs of the local and
2 national governments;

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

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

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

13 SEC. 48. *The City Cooperatives Officer.* – (a) The city cooperatives
14 officer must be a citizen of the Philippines, a resident of the City of
15 Catbalogan, of good moral character, a holder of a college degree preferably in
16 business administration with special training on cooperatives or any related
17 course from a recognized college or university and a first grade civil service
18 eligible or its equivalent. He must have acquired experience in cooperatives
19 development for at least five years immediately preceding the date of his
20 appointment.

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

23 (c) The city cooperatives officer shall take charge of the office for the
24 development of cooperatives and shall:

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

1 (2) Develop plans and strategies and, upon approval thereof by the city
2 mayor, implement the same, particularly those which have to do with the
3 integration of cooperatives principles and methods in programs and projects
4 which the city mayor is empowered to implement and which the sangguniang
5 panlungsod is empowered to provide for under the Local Government Code of
6 1991;

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

9 (i) Assist in the organization of cooperatives;

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

13 (iii) Assist cooperatives in establishing linkages with government
14 agencies and nongovernmental organizations involved in the promotion and
15 integration of the concept of cooperatives in the livelihood of the people and
16 other community activities;

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

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

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

28 SEC. 49. *The City Population Officer.* – (a) The city population officer
29 must be a citizen of the Philippines, a resident of the City of Catbalogan, of

1 good moral character, a holder of a college degree preferably with specialized
2 training in population development from a recognized college or university and
3 a first grade civil service eligible or its equivalent. He must have acquired
4 experience in the implementation of programs on population development or
5 responsible parenthood for at least five years immediately preceding the date
6 of his appointment.

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

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

11 (1) Formulate measures for the consideration of the sangguniang
12 panlungsod and provide technical assistance and support to the city mayor in
13 carrying out measures to ensure the delivery of basic services and the provision
14 of adequate facilities relative to the integration of the population development
15 principles and in providing access to said services and facilities;

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

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

24 (i) Assist the city mayor in the implementation of the constitutional
25 provisions relative to population development and the promotion of
26 responsible parenthood;

27 (ii) Establish and maintain an updated data bank for program
28 operation, development planning and an educational program to ensure
29 people's participation in and understanding of population development; and

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

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

6 SEC. 50. *The City Agriculturist.* – (a) The city agriculturist must be a
7 citizen of the Philippines, a resident of the City of Catbalogan, of good moral
8 character, a holder of a college degree preferably in agriculture or any other
9 related course from a recognized college or university and a first grade civil
10 service eligible or its equivalent. He must have practiced his profession in
11 agriculture or acquired the experience for at least five years preceding the date
12 of his appointment.

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

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

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

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

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

1 (i) Ensure that maximum assistance and access to resources in the
2 production, processing and marketing of agricultural and aquaculture and
3 marine 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 which promote agricultural productivity through appropriate
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 inhabitants during and in the
18 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 such other duties and functions and exercise such other
23 powers as provided for under the Local Government Code of 1991, and those
24 that are prescribed by law or ordinance.

25 SEC. 51. *The City Tourism Officer.* – (a) The city tourism officer must
26 be a citizen of the Philippines, a resident of the City of Catbalogan, of good
27 moral character, a holder of a college degree preferably with specialized
28 training in tourism development from a recognized college or university and a
29 first grade civil service eligible or its equivalent. He must have acquired

1 experience in the implementation of programs on tourism development for at
2 least five years immediately preceding the date of his appointment.

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

5 (c) The city tourism officer shall take charge of the city tourism office
6 and shall assist the city mayor and the local tourism council in developing and
7 implementing programs, and shall:

8 (1) Encourage the local government unit to enact local legislation
9 adopting the Department of Tourism accreditation standards for tourism
10 facilities and services;

11 (2) Ensure a pleasant experience and stay of tourists while at the same
12 time protecting the interests, welfare and rights of the City;

13 (3) Develop tourist products and destinations that will benefit the City
14 and its local community;

15 (4) Pursue the implementation of the national tourism master plan, the
16 national eco-tourism strategy and the area specific plans of the national and
17 local government units;

18 (5) Support the local government unit in promoting festivals, fiestas
19 and other tourism-related activities; and

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

23 ARTICLE VIII

24 THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE,

25 THE CITY SCHOOLS DIVISION AND THE CITY PROSECUTION SERVICE

26 SEC. 52. *The City Fire Station Service.* – (a) There shall be established
27 in the City at least one fire station with adequate personnel, fire fighting
28 facilities and equipment, subject to the standards, rules and regulations that

1 may be promulgated by the Department of the Interior and Local Government.
2 The City shall provide the necessary land or site of the station.

3 (b) The city fire station service shall be headed by a city fire marshal
4 whose qualifications shall be as those provided for under the Philippine
5 National Police law.

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

10 SEC. 53. *The City Jail Service.* – (a) There shall be established and
11 maintained in the City a secure, clean and adequately equipped jail for the
12 custody and safekeeping of prisoners, any fugitive from justice or person
13 detained awaiting investigation or trial and/or transfer to the national
14 penitentiary, and/or violent mentally ill person who endangers himself or the
15 safety of others, duly certified as such by the proper medical health officer,
16 pending the transfer to a mental institution.

17 (b) The city jail service shall be headed by a city jail warden who must
18 be a graduate of a four-year course in psychology, psychiatry, sociology,
19 nursing, social work or criminology who shall assist in the immediate
20 rehabilitation of individuals or detention of prisoners. Great care must be
21 exercised so that the human rights of these prisoners are respected and
22 protected, and their spiritual and physical well-being are properly and promptly
23 attended to. Likewise, the City shall ensure that proper separate detention
24 centers for juveniles and women are provided for.

25 SEC. 54. *The City Schools Division.* – (a) The DepEd shall establish
26 and maintain a schools division of the City of Catbalogan whose area of
27 jurisdiction will cover all the school districts within the City.

1 SEC. 57. *Plebiscite.* – The City of Catbalogan 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 Catbalogan within thirty (30) days from the approval of this Act. The
5 expenses for such plebiscite shall be borne by the Municipality of Catbalogan.
6 The Commission on Elections shall conduct and supervise such plebiscite.

7 SEC. 58. *Officials of the City of Catbalogan.* – The present elective
8 officials of the Municipality of Catbalogan shall continue to exercise their
9 powers and functions until such time that a new election is held and the duly
10 elected officials shall have already qualified and assumed their offices. The
11 appointive officials and employees of the Municipality of Catbalogan shall
12 likewise continue exercising their functions and duties and they shall
13 automatically be absorbed by the city government of the City of Catbalogan.

14 SEC. 59. *Succession Clause.* – The City of Catbalogan shall succeed to
15 all the assets, properties, liabilities and obligations of the Municipality of
16 Catbalogan.

17 SEC. 60. *Election of Provincial Governor and Sangguniang*
18 *Panlalawigan Members of the Province of Samar.* – The qualified voters of
19 the City of Catbalogan shall qualify to vote and run for any elective position in
20 the elections for provincial governor, provincial vice governor, sangguniang
21 panlalawigan members and other elective offices for the Province of Samar.

22 SEC. 61. *Jurisdiction of the Province of Samar.* – The City of
23 Catbalogan shall, unless otherwise provided by law, continue to be under the
24 jurisdiction of the Province of Samar.

25 SEC. 62. *Suspension of Increase in Rates of Local Taxes.* – No increase
26 in the rates of local taxes shall be imposed by the City within the period of five
27 years from its acquisition of corporate existence.

1 SEC. 63. *Representative District.* – Until otherwise provided by law,
2 the City of Catbalogan shall continue to be part of the Second Congressional
3 District of the Province of Samar.

4 SEC. 64. *Applicability of Laws.* – The provisions of Republic Act No.
5 7160, otherwise known as the Local Government Code of 1991, and such laws
6 as are applicable to component cities shall govern the City of Catbalogan
7 insofar as they are not inconsistent with the provisions of this Act.

8 SEC. 65. *Exemption from Republic Act No. 9009.* – The City of
9 Catbalogan shall be exempted from the income requirement prescribed under
10 Republic Act No. 9009.

11 SEC. 66. *Separability Clause.* – If, for any reason or reasons, any part
12 or provision of this Charter shall be held unconstitutional, invalid, or
13 inconsistent with the Local Government Code of 1991, the other parts or
14 provisions hereof which are not affected thereby shall continue to be in full
15 force and effect. Moreover, in cases where this Charter is silent or unclear, the
16 pertinent provisions of the Local Government Code shall govern, if so
17 provided therein.

18 SEC. 67. *Reservation.* – Nothing herein contained shall preclude the
19 determination by the appropriate agency or forum of boundary disputes or
20 cases involving questions of territorial jurisdiction between the City of
21 Catbalogan and any of the adjoining local government units even after the
22 effectivity of this Act.

23 SEC. 68. *Repealing Clause.* – All laws, decrees, rules and regulations
24 or parts thereof which are inconsistent with the provisions of this Act are
25 hereby repealed, amended or modified accordingly.

26 SEC. 69. *Effectivity.* – This Act shall take effect fifteen (15) days after
27 its complete publication in at least two newspapers of general and local
28 circulation.

Approved,