

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5970



Introduced by Representative FAUSTINO "INNO" A. DY V

EXPLANATORY NOTE

This bill seeks to convert the Municipality of Echague into a component city of the Province of Isabela.

Under Republic Act No. 7160, as amended, otherwise known as the "*Local Government Code of 1991*," as amended by Republic Act No. 9009, a municipality may be converted into a component city if it has generated locally an annual average income of at least 100 Million pesos for the last two consecutive years as certified by the Department of Finance, and if it has a contiguous territory of at least 100 square kilometers, as certified by the Land Management Bureau or a population of not less than 150,000 inhabitants, as certified by the National Statistics Office.

The Municipality of Echague is a first class municipality in the Province of Isabela with an area of 680,080 square kilometers. For the last two consecutive years, it has generated an average annual income of more than 100 Million Pesos. Moreover, the Municipality of Echague is a center for agro-industry in the Province of Isabela. It has environment-friendly community with progressive and secured economy. It has banks, schools, markets, hospitals, public transport systems and other amenities which easily entitle Echague to cityhood.

The conversion of the Municipality of Echague into a component city will increase the much-needed revenues of the proposed city which will ultimately redound to a more efficient delivery of basic services to its inhabitants. Besides, it will further enhance the momentum of growth which has marked the development of the municipality for the past years.

The Municipality of Echague meets all the legal requirements and standards for conversion into a component city. Further, the conversion of Echague into a component city will not reduce the land area, population and income of the original unit, the Province of Isabela to less than the minimum requirements prescribed under the Local Government Code, as amended.

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



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1 **AN ACT**
2 **CONVERTING THE MUNICIPALITY OF ECHAGUE IN THE PROVINCE OF**
3 **ISABELA INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF**
4 **ECHAGUE**

5
6 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
7 *assembled:*

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9 **ARTICLE I**

10
11 **GENERAL PROVISIONS**

12 SECTION 1. ***Short Title.*** – This Act shall be known as the “*Charter of the City of*
13 *Echague.*”

14 SEC. 2. ***City of Echague.*** – The Municipality of Echague in the Province of Isabela is
15 hereby converted into a component city to be known as the City of Echague, hereinafter
16 referred to as the City, which shall comprise of the present jurisdiction of the Municipality of
17 Echague, Province of Isabela. The territorial jurisdiction of the City shall be within the
18 present metes and bounds of the Municipality of Echague.

19 The foregoing provision shall be without prejudice to the resolution by the appropriate
20 agency or forum of existing boundary disputes or cases involving questions of territorial
21 jurisdiction between the City and the adjoining local government units.

22 SEC. 3. ***Corporate Powers of the City.*** – The City constitutes a political body
23 corporate and as such is endowed with the attributes of perpetual succession and possessed of

1 the powers which pertain to a municipal corporation to be exercised in conformity with the
2 provisions of this charter. The City shall have the following corporate powers:

3 (a) To have a continuous succession in its corporate name;

4 (b) To sue and be sued;

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

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

7 (e) To enter into contracts or agreements; and

8 (f) To exercise such other powers, prerogatives and authority granted to
9 corporations, subject to the limitations provided for in this Act or existing laws.

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

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

21 Within its territorial jurisdiction, the City shall, among others, preserve and enrich its
22 culture, promote health and safety, enhance the right of the people to a balanced ecology,
23 encourage and support the development of appropriate and self-reliant, scientific and
24 technological capabilities, improve public morals, enhance economic prosperity and social

1 justice, promote full employment among their residents, maintain peace and order, and
2 preserve the comfort and convenience of their inhabitants.

3 SEC. 6. ***Liability for Damages.*** – Unless otherwise provided by law, the City and its
4 officials shall not be exempt from liability for death, or injury to persons or property arising
5 from any act or omission while in the performance of their official functions.

6 SEC. 7. ***Jurisdiction.*** – The jurisdiction of the City, for police purpose only, shall be
7 coextensive with its territorial jurisdiction.

8 For the purpose of protecting and ensuring the purity of the water supply of the City,
9 such jurisdiction shall extend over all territories within the drainage area of such water supply
10 or within one hundred (100) meters of any reservoir, conduit, canal, aqueduct or pumping
11 station used in connection with the water service of the city.

12 The regional trial courts and the city courts of the City shall have concurrent
13 jurisdiction with the regional trial courts and the metropolitan trial courts or city or municipal
14 courts of the adjoining municipalities or cities, to try crimes and misdemeanors committed
15 within the drainage area or within spaces of one hundred (100) meters. The court first taking
16 jurisdiction of such offense shall thereafter retain exclusive jurisdiction thereof. But any
17 license that may be issued within the zone, area or space shall be granted by proper
18 authorities of the city or municipality concerned, and the fees arising therefrom shall accrue
19 to the treasury of the said city or municipality.

20 ARTICLE II

21 CITY OFFICIALS IN GENERAL

22 SEC. 8. ***Officials of the City.*** – (a) There shall be in the City of Echague, a city
23 mayor, a city vice mayor, sangguniang panlungsod members, a secretary to the sangguniang
24 panlungsod, a city treasurer and an assistant city treasurer, a city assessor and an assistant city
25 assessor, a city accountant, a city engineer, an assistant city engineer, a city architect, a city

1 budget officer, a city planning and development officer, a city health officer, a city civil
2 registrar, a city administrator, a city legal officer, a city social welfare and development
3 officer, a city veterinarian, a city general services officer, a city cooperatives officer, a city
4 agriculturist, a city environment and natural resources officer, and a city tourism officer;

5 (b) In addition thereto, the city mayor may appoint a city architect, a city information
6 officer and a city population officer;

7 (c) The City shall establish a city fire station to be headed by a city fire marshal, a city
8 jail to be headed by a city jail warden, a city school division to be headed by a city school
9 division superintendent and a city prosecution service to be headed by a city prosecutor;

10 (d) The City may:

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

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

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

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

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1 regular session of the sangguniang panlungsod every calendar year and as often
2 as may be deemed necessary as the general welfare of the inhabitants and the
3 needs of the city government may require;

4 (iv) Initiate and propose legislative measures to the sangguniang
5 panlungsod, as may be deemed necessary, and provide such information and
6 data needed or requested by the sanggunian in the performance of its legislative
7 functions;

8 (v) Appoint all officials and employees whose salaries and wages are
9 wholly or mainly paid out of city funds and whose appointments are not
10 otherwise provided for in this Act, as well as those the mayor may be authorized
11 by law to appoint;

12 (vi) Represent the City in all its business transactions and sign on its
13 behalf all bonds, contracts, obligations and such other documents with authority
14 from the sangguniang panlungsod or pursuant to law or ordinance;

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

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

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

23 (x) Ensure that all executive officials and employees of the City faithfully
24 discharge their duties and functions as provided by law and this Act, and cause
25 to be instituted administrative or judicial proceedings against any official or

1 employee of the City who may have committed an offense in the performance
2 of their official duties;

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

8 (xii) Furnish copies of executive orders issued to the provincial governor
9 within seventy-two (72) hours after their issuance;

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

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

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

21 (xvi) Call upon any national official or employee stationed in or assigned
22 to the City to advise on matters affecting the City and make recommendations
23 thereon; coordinate with the national officials or employees in the formulation
24 and implementation of plans, programs and projects; and when appropriate,
25 initiate an administrative or judicial action against a national government

1 official or employee who may have committed an offense in the performance of
2 their official duties while stationed in or assigned to the City;

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

7 (xviii) Solemnize marriages;

8 (xix) Conduct an annual palarong panlungsod which features traditional
9 sports and disciplines included in national and international games, in
10 coordination with the Department of Education (DepEd), the Philippine Sports
11 Commission and other related agencies; and

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

19 (2) Enforce all laws and ordinances relative to the governance of the City and in
20 the exercise of its appropriate powers as provided for under Section 22 of the Local
21 Government Code, as well as implement all approved policies, programs, projects,
22 services and activities of the City and, in addition, shall:

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

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

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

8 (iv) Carry the necessary firearm within the territorial jurisdiction after the
9 procurement of necessary permit and license from duly constituted authorities;

10 (v) Act as the deputized representative of the National Police
11 Commission, formulate the peace and order plan of the City and, upon its
12 approval, implement and exercise general and operational control and
13 supervision over the local police forces in the City in accordance with Republic
14 Act No. 6975, as amended, otherwise known as the "*Department of the*
15 *Interior and Local Government Act of 1990*;" and

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

20 (3) Initiate and maximize the generation of resources and revenues and apply
21 the same to the implementation of development plans, program objectives and
22 priorities, particularly the resources and revenues programmed for agro-industrial
23 development and the provision of basic services and, relative thereto, shall:

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

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

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

10 (iv) Issue licenses and permits and suspend or revoke the same for any
11 violation of the conditions upon which the licenses or permits had been issued,
12 pursuant to law or ordinance. This also includes the issuance of licenses and
13 permits to gambling operations authorized by law subject to the ordinance of the
14 sangguniang panlungsod;

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

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

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

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

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

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

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

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

(5) Exercise other powers and perform other duties and functions as provided for under the Local Government Code, and those that are prescribed by other relevant laws or ordinances.

(c) The city mayor shall hold office in the city hall.

SEC. 10. **City Vice Mayor.** – (a) There shall be a city vice mayor who shall be elected in the same manner as the city mayor and shall, at the time of the election, possess the same qualifications as the city mayor. The vice mayor shall hold office for three (3) years, unless sooner removed, and shall receive a minimum monthly compensation corresponding to

1 salary grade twenty-six (26) as prescribed under the Salary Standardization Law and the
2 implementing guidelines issued pursuant thereto, and other compensation, emoluments and
3 allowances as may be determined by law.

4 (b) The city vice mayor shall exercise the following duties:

5 (1) Act as presiding officer of the sangguniang panlungsod and sign all warrants
6 drawn on the city treasury for all expenditures appropriated for the operation of the
7 sangguniang panlungsod;

8 (2) Subject to civil service law, rules and regulations, appoint all officials and
9 employees, including the secretary of the sangguniang panlungsod, and such
10 employees of the individual members of the sangguniang panlungsod, except those
11 whose manner of appointment is specifically provided for under existing laws;

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

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

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

18 **ARTICLE IV**

19 **SANGGUNIANG PANLUNGSOD**

20 SEC. 11. ***Sangguniang Panlungsod***. – The sangguniang panlungsod, the legislative
21 body of the City, is composed of the city vice mayor as the presiding officer, the regular
22 sanggunian members, the president of the city chapter of the *liga ng mga barangay* and the
23 president of the *panlungsod na pederasyon ng mga sangguniang kabataan*, and sectoral
24 representatives.

1 The regular members of the sangguniang panlungsod, the sectoral representatives and
2 other members are elected or appointed in the manner as may be provided for by law. The
3 elective members of the sangguniang panlungsod shall possess the qualifications as provided
4 for under Section 39 of Local Government Code.

5 They shall receive such compensation, emoluments and allowances as may be
6 determined by law.

7 SEC. 12. **Powers, Duties, Functions.** – The sangguniang panlungsod shall:

8 (a) Approve ordinances and pass resolutions necessary for an efficient and effective
9 city government and, and relative thereto shall:

10 (1) Review all ordinances approved by the sangguniang barangay and executive
11 orders issued by the punong barangay to determine whether these are within the scope
12 of the prescribed powers of the sangguniang barangay and of the punong barangay;

13 (2) Maintain peace and order by enacting measures to prevent and suppress
14 lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for the
15 violation of ordinances;

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

19 (4) Adopt measures to protect the inhabitants of the City from harmful effects of
20 man-made or natural disasters and calamities, and provide relief services and
21 assistance to victims during and in the aftermath of disaster or calamity and in their
22 return to productive livelihood following these events;

23 (5) Enact ordinances intended to prevent, suppress and impose appropriate
24 penalties for habitual drunkenness in public places, vagrancy, mendicancy,
25 prostitution, establishment and maintenance of houses of ill repute, gambling and

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

6 (6) Protect the environment by setting aside a reasonable amount from its
7 development funds for the purpose of maintaining and enhancing the ecological
8 balance of the City and imposing appropriate penalties for acts which endanger the
9 environment and other activities which result in pollution, eutrophication of rivers and
10 other bodies of water, or of ecological imbalance;

11 (7) Subject to the provisions of Local Government Code and other pertinent
12 laws, determine the powers and duties of officials and employees of the City;

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

17 (9) Authorize the payment of compensation of a qualified person not in the
18 government service, who fills up a temporary vacancy or grant honorarium to any
19 qualified official or employee designated to fill up a temporary vacancy in a
20 concurrent capacity at the rate authorized by law;

21 (10) Provide a mechanism and the appropriate funds to ensure the safety and
22 protection of all city government properties, public documents or records such as
23 those relating to property inventory, land ownership, records of births, marriages,
24 deaths, assessments, taxation, accounts, business permits and other records and
25 documents of public interest in the offices and departments of the city government;

1 (11) Provide for additional allowances and other benefits to judges, prosecutors,
2 public elementary and high school teachers and other national government officials
3 stationed in or assigned to the City, subject to the availability of funds;

4 (12) Provide legal assistance to city and barangay officials, including the
5 members of the city police who, in the performance of their official duties or on the
6 occasion thereof, have to initiate judicial proceedings or defend themselves against
7 legal actions or, if necessary, authorize the city mayor to engage the services of a
8 private counsel; and

9 (13) Provide for group insurance or additional insurance coverage for all
10 barangay officials, including members of barangay tanod brigades and other service
11 units, with public or private insurance companies, subject to the availability of funds;

12
13 (b) Generate and maximize the use of resources and revenues for the development
14 plans, program objectives and priorities of the City with particular attention to agro-industrial
15 development, citywide growth and progress, and relative thereto, shall:

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

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

1 (3) Subject to the provisions of Book II of the Local Government Code and
2 applicable laws, and upon the majority vote of all the members of the sangguniang
3 panlungsod, authorize the city mayor to negotiate and contract loans and other forms
4 of indebtedness;

5 (4) Subject to the provisions of Book II of the Local Government Code and
6 applicable laws, and upon the majority vote of all members of the sangguniang
7 panlungsod, enact ordinances authorizing the floating of bonds or other instruments
8 of indebtedness for the purpose of raising funds to finance development projects;

9 (5) Appropriate funds for the construction and maintenance or the rental of
10 buildings for the use of the City, and upon the majority vote of all the members of
11 the sangguniang panlungsod, authorize the city mayor to lease to private parties such
12 public buildings held in a proprietary capacity, subject to existing laws, rules and
13 regulations;

14 (6) Prescribe reasonable limits and restraints on the use of property within the
15 jurisdiction of the City;

16 (7) Adopt a comprehensive land-use plan for the City and ensure that the
17 formulation, adoption or modification of the plan is in coordination with the
18 approved provincial comprehensive land-use plan;

19 (8) Reclassify lands within the jurisdiction of the City, subject to pertinent
20 provisions of the Local Government Code;

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

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

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

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

15 (13) Regulate the numbering of residential, commercial and other buildings;
16 and

17 (14) Regulate the inspection, weighing and measuring of articles of commerce;

18 (c) Subject to the provisions of the Local Government Code, enact ordinances
19 granting franchises and authorizing the issuance of permits or licenses, upon such conditions
20 and for such purposes intended to promote the general welfare of the inhabitants of the City
21 and pursuant to this legislative authority, shall:

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

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

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

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

11 (5) Authorize and license the establishment, operation and maintenance of
12 cockpits, regulate cockfighting and commercial breeding gamecocks: *Provided*, That
13 existing rights are not prejudiced;

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

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

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

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

1 (2) With the concurrence of a majority of the members of the sangguniang
2 panlungsod, a quorum being present, deny the entry of legalized gambling by
3 ordinance into any part of the City or regulate its location in the City;

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

9 (4) Regulate the disposal of clinical and other wastes from hospitals, clinics and
10 other similar establishments;

11 (5) Regulate the establishment, operation and maintenance of cafes, restaurants,
12 beerhouses, hotels, motels, inns, pension houses, lodging houses and other similar
13 establishments, including tourist guides and transports;

14 (6) Regulate the sale, giving away or dispensing of any intoxicating malt, vino,
15 mixed or fermented liquors at any retail outlets;

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

19 (8) Regulate the establishment, operation and maintenance of entertainment or
20 amusement facilities, including the theatrical performance, circuses, billiard halls,
21 public dancing schools, public dance halls, sauna baths, massage parlors and other
22 places for entertainment or amusement, particularly those which tend to disturb the
23 community or annoy the inhabitants or require the suspension or suppression of the
24 same; or prohibit certain forms of amusement or entertainment to protect the social
25 and moral welfare of the community;

1 (9) Provide for the impounding of stray animals; regulate the keeping of animals
2 in homes or as part of a business, and the slaughter, sale or disposition of the same;
3 and adopt measures to prevent and penalize cruelty to animals; and

4 (10) Regulate the establishment, operation and maintenance of funeral parlors
5 and burial or cremation of the dead, subject to existing laws, rules and regulations;

6 (e) Approve ordinances which ensure the efficient and effective delivery of basic
7 services and facilities as provided for under the Local Government Code and, in addition to
8 such services and facilities, shall:

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

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

15 (3) Regulate the preparation and sale of fish, meat, poultry, vegetables, fruits,
16 fresh dairy products and other foodstuffs for public consumption;

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

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

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

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

21 (8) Regulate the placing, stringing, attaching, installing, repair and construction
22 of all gas mains, electric telegraph and telephone wires, conduits, meters and other
23 apparatus; and provide for the correction, condemnation or removal thereof when
24 found to be dangerous, defective or otherwise hazardous to the welfare of the
25 inhabitants;

1 (9) Subject to the availability of funds and the existing laws, rules and
2 regulations, establish or maintain, or provide for the operation of a city college,
3 vocational and technical schools and similar post-secondary institutions and, with the
4 approval of the Department of Education, the Commission on Higher Education or the
5 Technical Education and Skills Development Authority, as the case may be, and
6 subject to existing laws on tuition fees, fix and collect reasonable tuition fees and
7 other school charges in educational institutions supported by the city government;

8 (10) Ensure the physical maintenance of educational institutions under the
9 operational control of the City and the provision of books and other capital equipment
10 for the same;

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

13 (12) Approve measures and adopt quarantine regulations to prevent the
14 introduction and spread of diseases;

15 (13) Provide for an efficient and effective system of solid waste and garbage
16 collection and prohibit littering and the placing or throwing of garbage, refuse and
17 other filth and wastes; and provide for incentive schemes for industries engaged in the
18 recycling of waste and garbage;

19 (14) Provide for the care of disabled persons, paupers, the aged, the sick,
20 persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents,
21 abused children and other needy and disadvantaged persons, particularly children and
22 the youth below eighteen (18) years of age and, subject to the availability of funds,
23 establish and provide for the operation of centers and facilities for the needy and
24 disadvantaged persons;

1 (15) Establish and provide for the maintenance and improvement of jails and
2 detention centers, institute a sound jail management program, including a continuing
3 education and training program for jail personnel assigned or detailed in jails and
4 detention centers within the jurisdiction of the City, and the provision of separate
5 detention centers for women and minors;

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

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

15 (18) Perform for a social housing fund for the provision of housing for the poor
16 and, for this purpose, allocate a reasonable amount annually for the acquisition of land
17 and development of the same; and

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

21 ARTICLE V

22 PROCESS OF LEGISLATION

23 SEC. 13. ***Internal Rules of Procedure.*** – a) On the first regular session following
24 the election of its members and, within ninety (90) days thereafter, the sangguniang
25 panlungsod shall adopt or update its rules of procedure.

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

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

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

8 (3) The legislative process;

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

11 (5) The discipline of members for disorderly behavior and absences without
12 justifiable cause for four (4) consecutive sessions for which they may be censured,
13 reprimanded or excluded from the sessions, suspended for not more than sixty (60)
14 days or expelled: *Provided*, That the penalty of suspension or expulsion shall require
15 the concurrence of at least two-thirds (2/3) vote of all the sangguniang members:
16 *Provided, further*, That a member convicted by final judgment to imprisonment of at
17 least one (1) year for any crime involving moral turpitude shall be automatically
18 expelled from the sanggunian; and

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

20 SEC. 14. ***Full Disclosure of Financial and Business Interests of Sangguniang***

21 ***Panlungsod Members.*** – (a) Every sangguniang panlungsod member shall, upon assumption
22 to office, make a full disclosure of business and financial interests. The member shall also
23 disclose any professional relationship or any relation by affinity or consanguinity within the
24 fourth civil degree, which the member may have with any person, firm or entity affected by

1 any ordinance or resolution under consideration by the sanggunian member, which
2 relationship may result in conflict of interests. Such relationship includes:

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

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

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

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

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

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

23 SEC. 15. **Sessions.** – (a) On the first day of the session immediately following the
24 election of its members, the sangguniang panlungsod shall, by resolution, fix the day, time
25 and place of its sessions. The minimum number of regular sessions shall be once a week;

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

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

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

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

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

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

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

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

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

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

14 SEC. 18. **Veto Power of the City Mayor.** – (a) The city mayor may veto any
15 ordinance of the sangguniang panlungsod on the ground that it is *ultra vires* or prejudicial to
16 public welfare, stating the reasons thereof in writing;

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

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

SEC. 19. *Review of City Ordinances by the Sangguniang Panlalawigan.* –

(a) Within three (3) days after approval, the secretary of the sangguniang panlungsod shall forward to the sangguniang panlalawigan for review, copies of approved ordinances and resolutions approving the local development plans and public investment programs formulated by the local development councils;

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

(c) If the sangguniang panlalawigan finds that such ordinance or resolution is beyond the power conferred upon the sangguniang panlungsod, 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; and

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

SEC. 20. *Review of Barangay Ordinances by the Sangguniang Panlungsod.* – (a)

Within ten (10) days after the enactment, the sangguniang barangay shall furnish copies of

1 all barangay ordinances to the sangguniang panlungsod for review as to whether the
2 ordinance is consistent with law and city ordinances;

3 (b) If the sangguniang panlungsod fails to take action on barangay ordinances within
4 thirty (30) days from receipt thereof, the same is deemed approved; and

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

10 SEC. 21. ***Enforcement of Disapproved Ordinances or Resolutions.*** – Any attempt to
11 enforce any ordinance or any resolution approving the local development plan and public
12 investment program after its disapproval is sufficient ground for the suspension or dismissal
13 of the official or employee concerned.

14 SEC. 22. ***Effectivity of Ordinances or Resolutions.*** – (a) Unless otherwise stated in
15 the ordinance or the resolution approving the local development plan and public investment
16 program, it shall take effect after ten (10) days from the date a copy thereof is posted in a
17 bulletin board at the entrance of the city hall and in at least two (2) other conspicuous places
18 in the City;

19 (b) The secretary of the sangguniang panlungsod shall cause the posting of an
20 ordinance or resolution in the bulletin board at the entrance of the city hall and in at least two
21 (2) other conspicuous places in the City not later than five (5) days after its approval. The
22 text of the ordinance or resolution shall be disseminated and posted in Filipino or English and
23 in the language or dialect understood by a majority of the people in the City, and the secretary
24 of the sangguniang panlungsod shall record such fact in a book kept for the purpose, stating
25 the dates of approval and posting; and

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

6 ARTICLE VI

7 SUCCESSION FOR ELECTIVE CITY OFFICIALS

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

9 *Mayor.* – (a) If a permanent vacancy occurs in the office of the city mayor, the city vice
10 mayor shall become the city mayor. If a permanent vacancy occurs in the office of the city
11 vice mayor, the highest ranking sangguniang panlungsod member, or in case of permanent
12 incapacity, the second highest ranking sangguniang panlungsod member shall become the
13 city vice mayor, as the case may be. Subsequent vacancies in the said office shall be filled in
14 automatically by the other sanggunian members according to their ranking as defined herein;

15 (b) A tie between or among the highest ranking sangguniang panlungsod members
16 shall be resolved by drawing of lots; and

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

19 For purposes of this Act, a permanent vacancy arises when an elective local official
20 fills in a higher vacant office, refuses to assume office, fails to qualify, dies, is removed from
21 office, voluntarily resigns or is otherwise permanently incapacitated to discharge the function
22 of the office.

23 For purposes of succession as provided for in this Act, ranking in the sanggunian is
24 determined on the basis of the proportion of votes obtained by each winning candidate to the
25 total number of registered voters in the City in the immediately preceding local election.

1 SEC. 24. ***Permanent Vacancies in the Sangguniang Panlungsod.*** – Permanent
2 vacancies in the sangguniang panlungsod, where automatic succession as provided above
3 does not apply, shall be filled in by appointments in the following manner:

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

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

9 In the appointment herein mentioned, a nomination and a certificate of membership of
10 the appointee from the highest official of the political party are conditions *sine qua non*, and
11 any appointment without such nomination and certification is null and void *ab initio* and is a
12 ground for administrative action against the official responsible therefor;

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

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

19 SEC. 25. ***Temporary Vacancy in the Office of the City Mayor.*** – (a) When the city
20 mayor is temporarily incapacitated to perform duties for physical or legal reasons such as, but
21 not limited to, leave of absence, travel abroad and suspension from office, the city vice mayor
22 shall automatically exercise the powers and perform the duties and functions of the city
23 mayor, except the power to appoint, suspend or dismiss employees which may only be
24 exercised if the period of temporary incapacity exceeds thirty (30) working days;

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

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

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

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

18 **ARTICLE VII**

19 **APPOINTIVE OFFICIALS OF THE CITY**

20 **SEC. 26. *Secretary to the Sangguniang Panlungsod.* –**

21
22 (a) There shall be a secretary to the sangguniang panlungsod who is a career official
23 with the rank and salary equal to a head of a department or office;

24 (b) No person shall be appointed secretary to the sangguniang panlungsod unless that
25 person is a citizen of the Philippines, a resident of the City, of good moral character,
26

1 preferably, a holder of a master's degree in law, commerce or public administration from a
2 recognized college or university, and a first grade civil service eligible or its equivalent;

3 (c) The secretary to the sangguniang panlungsod shall receive such compensation,
4 emoluments and allowances as may be determined by law;

5 (d) The secretary to the sanggunian panlungsod shall take charge of the office of the
6 sangguniang panlungsod, and shall:

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

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

12 (3) Forward to the city mayor for approval copies of ordinances enacted by the
13 sangguniang panlungsod, duly certified by the presiding officer;

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

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

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

23 (7) Keep the office and all nonconfidential records therein open to the public
24 during usual business hours;

1 (8) Translate into the dialect used by a majority of the inhabitants all
2 ordinances and resolutions immediately after their approval and cause the publication
3 of the same together with the original version in the manner provided for under the
4 Local Government Code;

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

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

10 SEC. 27. **City Treasurer.** – (a) The city treasurer is appointed by the Secretary of
11 Finance from a list of at least three (3) ranking eligible recommendees of the city mayor,
12 subject to civil service laws, rules and regulations.

13 (b) The city treasurer shall be under the administrative supervision of the city mayor,
14 to whom the city treasurer shall report regularly on the tax collection efforts of the City;

15 (c) No person shall be appointed city treasurer unless such person is a citizen of the
16 Philippines, a resident of the City, of good moral character, a holder of a college degree
17 preferably in commerce, public administration or law from a recognized college or university
18 and a first grade civil service eligible or its equivalent. The appointee must have acquired
19 experience in treasury or accounting service for at least five (5) years;

20 (d) The city treasurer shall receive such compensation, emoluments and allowances
21 as may be determined by law;

22 (e) The city treasurer shall take charge of the city treasury office, and shall:

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

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

2 (3) Take charge of the disbursement of all funds of the City and such other
3 funds, the custody of which may be entrusted to the city treasurer by law or other
4 competent authority;

5 (4) Inspect private commercial and industrial establishments within the
6 jurisdiction of the city in relation to the implementation of tax ordinances pursuant to
7 the provisions of the Local Government Code;

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

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

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

15 (b) No person shall be appointed assistant city treasurer unless such person is a citizen
16 of the Philippines, a resident of the City, of good moral character, a holder of a degree
17 preferably in commerce, public administration or law from a recognized college or university
18 and a first grade civil service eligible or its equivalent. The appointee must have acquired at
19 least three (3) years experience in treasury or accounting;

20 (c) The assistant city treasurer shall receive such compensation, emoluments and
21 allowances as may be determined by law; and

22 (d) The assistant city treasurer shall assist the city treasurer and perform such other
23 duties as the latter may assign. The assistant city treasurer shall have authority to administer
24 oaths concerning notices to those delinquents in the payment of the real property tax and

1 concerning official matters relating to the accounts of the city treasurer or otherwise arising
2 from the offices of the city treasurer and the city assessor.

3 SEC. 29. **City Assessor.** – (a) The city assessor must be a citizen of the Philippines, a
4 resident of the City, of good moral character, a holder of a college degree preferably in civil
5 or mechanical engineering, commerce or any other related course from a recognized college
6 or university and a first grade civil service eligible or its equivalent. The appointee must
7 have acquired experience on real property assessment work or in any related field for at least
8 five (5) years immediately preceding the date of the appointment;

9 (b) The city assessor shall receive such compensation, emoluments and allowances as
10 may be determined by law;

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

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

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

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

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

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

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

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

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

3 (9) Issue, upon request of any interested party, certified copies of assessment
4 records of real properties and all other upon payment of a service charge or fee to the
5 city treasurer;

6 (10) Submit every semester a report of all assessments as well as cancellations
7 and modifications of assessments to the city mayor and the sangguniang panlungsod;
8 and

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

12 SEC. 30. *Assistant City Assessor.* – (a) The assistant city assessor must be a citizen
13 of the Philippines, a resident of the City, of good moral character, a holder of a college degree
14 preferably in civil or mechanical engineering, commerce or any related course from a
15 recognized college or university and a first grade civil service eligible or its equivalent. The
16 assistant city assessor must have experience in assessment or in any related field for at least
17 three (3) years immediately preceding the date of appointment.

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

20 (c) The assistant city assessor shall assist the city assessor and perform such other
21 duties as the latter may assign. The assistant city assessor shall have authority to administer
22 oaths on all declarations of real property for purposes of assessment.

23 SEC. 31. *City Accountant.* – (a) The city accountant must be a citizen of the
24 Philippines, a resident of the City, of good moral character and a certified public accountant.

1 The city accountant must have experience in the treasury or accounting services for at least
2 five (5) years immediately preceding the date of appointment.

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

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

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

8 (2) Prepare and submit financial statements to the city mayor and to the
9 sangguniang panlungsod;

10 (3) Apprise the sangguniang panlungsod and other officials on the financial
11 condition and operation of the City;

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

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

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

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

20 (8) Post individual disbursements on the subsidiary ledger and index cards;

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

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

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

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

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

8 SEC. 32. **City Engineer.** – (a) The city engineer must be a citizen of the Philippines,
9 a resident of the City, of good moral character and a licensed civil engineer. The city
10 engineer must have experience in the practice of the profession for at least five (5) years
11 immediately preceding the date of appointment;

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

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

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

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

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

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

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

4 SEC. 33. ***Assistant City Engineer.*** – (a) The assistant city engineer must be a citizen
5 of the Philippines, a resident of the City, of good moral character, a holder of a college degree
6 preferably in civil or mechanical engineering, commerce or any related course from a
7 recognized college or university and a first grade civil service eligible or its equivalent. The
8 appointee must have acquired experience in engineering or in any related field for at least
9 three (3) years immediately preceding the date of appointment;

10 (b) The assistant city engineer shall assist the city engineer and perform such other
11 duties as the latter may assign; and

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

14 SEC. 34. ***City Architect.*** – (a) The city architect must be a citizen of the Philippines,
15 a resident of the City, of good moral character and a duly licensed architect. The city
16 architect must have practiced the profession for at least five (5) years immediately preceding
17 the date of appointment;

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

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

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

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 architectural
3 planning and design programs and projects which the city mayor is empowered to
4 implement and which the sangguniang panlungsod is empowered to provide for under
5 the Local Government Code;

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

7 (i) Prepare and recommend, for consideration of the sanggunian, the
8 architectural plan and design for the City or a part thereof, including the
9 greening of land and the renewal of slums and blighted areas;

10 (ii) Review and recommend for appropriate action of the sanggunian or
11 the mayor, as the case may be, the architectural plans and designs submitted
12 by governmental and nongovernmental entities or individuals particularly
13 those for undeveloped, underdeveloped and poorly-designed areas; 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 aftermath of
21 man-made and natural disasters or calamities;

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

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

4 SEC. 35. **City Budget Officer.** – (a) The city budget officer must be a citizen of the
5 Philippines, a resident of the City, of good moral character, a holder of a college degree
6 preferably in accounting, economics, public administration or any related course from a
7 recognized college or university and a first grade civil service eligible or its equivalent. The
8 city budget officer must have acquired experience in government budgeting or in any related
9 field for at least five (5) years immediately preceding the date of appointment;

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

12 (c) The city budget officer shall take charge of the city budget office, and shall:

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

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

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

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

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

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

1 (7) Assist the sangguniang panlungsod in reviewing the approved budgets of
2 component local government units;

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

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

8 SEC. 36. ***City Planning and Development Officer.*** – (a) The city planning and
9 development officer must be a citizen of the Philippines, a resident of the City of Echague, of
10 good moral character, a holder of a college degree preferably in urban planning, development
11 studies, economics, public administration or any related course from a recognized college or
12 university and a first grade civil service eligible or its equivalent. The city planning and
13 development officer must have acquired experience in development planning or in any
14 related field for at least five (5) years immediately preceding the date of appointment;

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

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

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

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

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

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

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

6 (6) Analyze the income and expenditure patterns, and formulate and
7 recommend fiscal plans and policies for the consideration of the finance committee of
8 the City as provided for under the Local Government Code;

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

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

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

15 SEC. 37. **City Health Officer.** – (a) The city health officer must be a citizen of the
16 Philippines, a resident of the City, of good moral character and a licensed medical
17 practitioner. The city health officer must have experience in the practice of profession for at
18 least five (5) years immediately preceding the date of appointment;

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

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

23 (1) Supervise the personnel and staff of the office, formulate program
24 implementation guidelines, and rules and regulations for the operation of the office
25 for the approval of the city mayor in order to assist the city mayor in the efficient,

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

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

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

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

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

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

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

19 (iv) Recommend to the sangguniang panlungsod, through the local health
20 board, the passage of such ordinance as may be deemed necessary for the
21 preservation of public health;

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

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

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

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

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

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

SEC. 38. **Assistant City Health Officer.** – (a) The assistant city health officer must be a citizen of the Philippines, a resident of the City, of good moral character and a licensed medical practitioner. The assistant city health officer must have experience in assessment or in any related field for at least three (3) years immediately preceding the date of appointment;

(b) The assistant city health officer shall assist the city health officer and perform such other duties as the latter may assign; and

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

SEC. 39. **City Civil Registrar.** – (a) The city civil registrar must be a citizen of the Philippines, a resident of the City, of good moral character, a holder of a college degree from a recognized college or university and a first grade civil service eligible or its equivalent. The city civil registrar must have acquired experience in civil registry work for at least five (5) years immediately preceding the date of appointment;

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

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

6 (d) The city civil registrar shall take charge of the office of the city civil registrar, and
7 shall:

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

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

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

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

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

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

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

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

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

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

SEC. 40. **City Administrator.** – (a) The city administrator must be a citizen of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in public administration, law or in any other related course from a recognized college or university and a first grade civil service eligible or its equivalent. The appointee must have acquired experience in management and administrative work for at least five (5) years immediately preceding the date of appointment;

(b) The term of the city administrator is co-terminus with that of the appointing authority;

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

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

(1) Develop plans and strategies and, upon approval thereof by the city mayor, implement the same, particularly those which have to do with the management and administration-related programs and projects which the city mayor is empowered to

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

3 (2) In addition to the foregoing duties and functions, the city administrator
4 shall assist in the coordination of the work of all the officials of the City under the
5 supervision, direction and control of the city mayor and, for this purpose, the city
6 administrator may convene the chiefs of offices and other officials of the City;

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

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

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

15 SEC. 41. **City Legal Officer.** – (a) The city legal officer must be a citizen of the
16 Philippines, a resident of the City, of good moral character and a member of the Philippine
17 Bar. The city legal officer must have practiced the profession for at least five (5) years
18 immediately preceding the date of appointment;

19 (b) The term of the city legal officer shall be co-terminus with the appointing
20 authority;

21 (c) The city legal officer shall receive such compensation, emoluments and
22 allowances as may be determined by law;

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

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

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

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

10 (i) Represent the City in all civil actions and special proceedings wherein
11 the City or any official thereof, in official capacity, is a party: *Provided*, That in
12 actions or proceedings where the City is a party adverse to the provincial
13 government or to another component city or municipality, a special legal officer
14 may be employed to represent the adverse party;

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

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

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

23 (v) When directed by the city mayor or sanggunian, initiate and prosecute, in
24 the interest of the City, any civil action on any bond, lease or other contract upon
25 any breach or violation thereof; and

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

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

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

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

SEC. 42. ***City Social Welfare and Development Officer.*** – (a) The city social welfare and development officer must be a citizen of the Philippines, a resident of the City, of good moral character, a duly licensed social worker or a holder of a college degree preferably in sociology or any other related course from a recognized college or university and a first grade civil service eligible or its equivalent. The appointee must have experience in the practice of social work for at least five (5) years immediately preceding the date of appointment;

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

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

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

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

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

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

10 (ii) Provide relief and appropriate crisis intervention for victims of abuse
11 and exploitation and recommend appropriate measures to deter further abuse and
12 exploitation;

13 (iii) Assist the city mayor in implementing the barangay level program for
14 the total development and protection of children up to six (6) years of age;

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

19 (v) Initiate and support youth welfare program that enhances the role of the
20 youth in nation-building; and

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

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

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

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

10 SEC. 43. **City Veterinarian.** – (a) The city veterinarian must be a citizen of the
11 Philippines, a resident of the City, of good moral character and a licensed doctor of veterinary
12 medicine. The city veterinarian must have practiced the profession for at least three (3) years
13 immediately preceding the date of appointment;

14 (b) The city veterinarian shall receive such compensation, emoluments and
15 allowances as may be determined by law;

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

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

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

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

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

5 (ii) Regulate the keeping of domestic animals;

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

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

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

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

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

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

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

1 recognized college or university and a first grade civil service eligible or its equivalent. The
2 appointee must have experience in general services, including management of supply, solid
3 waste disposal and general sanitation for at least five (5) years immediately preceding the
4 date of appointment;

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

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

9 (1) Formulate measures for the consideration of the sangguniang panlungsod
10 and provide technical assistance and support to the city mayor in carrying out
11 measures to ensure the delivery of basic services and the provision of adequate
12 facilities which require general services expertise and technical support services;

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

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

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

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

1 (iii) Recommend to the city mayor the reasonable rental rates for local
2 government properties, whether real or personal, which are leased to public or
3 private entities by the local government;

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

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

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

11 (vii) Perform archival and record management with respect to records of
12 offices and development of the City; and

13 (viii) Perform all other functions pertaining to supply and property
14 management and enforce policies on records creation, maintenance and
15 disposal;

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

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

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

1 SEC. 45. *City Information Officer.* – (a) The city information officer must be a
2 citizen of the Philippines, a resident of the City, of good moral character, a holder of a college
3 degree preferably in journalism or mass communications or any related course from a
4 recognized college or university and a first grade civil service eligible or its equivalent. The
5 appointee must have acquired experience in writing articles and research papers or writing for
6 print, television, broadcast and other forms of mass media for at least five (5) years
7 immediately preceding the date of appointment;

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

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

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

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

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

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

1 (ii) Furnish information and data on the City to government agencies or
2 offices as may be required by law or ordinance and nongovernmental
3 organizations to be furnished to said agencies and organizations; and

4 (iii) Maintain effective liaison with the various sectors of the community
5 on matters and issues that affect the livelihood and the quality of life of the
6 inhabitants and encourage support for programs of the local and national
7 governments;

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

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

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

18 SEC. 46. ***City Cooperatives Officer.*** – (a) The city cooperatives officer must be a
19 citizen of the Philippines, a resident of the City, of good moral character, a holder of a college
20 degree preferably in business administration with special training on cooperatives or any
21 related course from a recognized college or university and a first grade civil service eligible
22 or its equivalent. The appointee for the position of the city cooperatives officer must have
23 experience in cooperatives development for at least five (5) years immediately preceding the
24 date of appointment;

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

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

5 (1) Formulate measures for the consideration of the sangguniang panlungsod
6 and provide technical assistance and support to the city mayor in carrying out
7 measures to ensure the delivery of basic services and the provision of facilities
8 through the development of cooperatives, and in providing access to such services and
9 facilities;

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

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

17 (i) Assist in the organization of cooperatives;

18 (ii) Provide technical and other forms of assistance to existing
19 cooperatives to enhance their viability as an economic enterprise and social
20 organization; and

21 (iii) Assist cooperatives in establishing linkages with government
22 agencies and nongovernmental organizations involved in the promotion and
23 integration of the concept of cooperatives in the livelihood of the people and
24 other community activities;

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

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

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

11 SEC. 47. **City Population Officer.** – (a) The city population officer must be a citizen
12 of the Philippines, a resident of the City, of good moral character, a holder of a college degree
13 preferably with specialized training in population development from a recognized college or
14 university and a first grade civil service eligible or its equivalent. The appointee for the
15 position of city population officer must have acquired experience in the implementation of
16 programs on population development or responsible parenthood for at least five (5) years
17 immediately preceding the date of appointment;

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

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

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

1 facilities relative to the integration of the population development principles and in
2 providing access to such services and facilities;

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

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

10 (i) Assist the city mayor in the implementation of the constitutional
11 provisions relative to population development and the promotion of responsible
12 parenthood;

13 (ii) Establish and maintain an updated data bank for program operations,
14 development planning and an educational program to ensure people's participation
15 in and understanding of population development; and

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

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

21 SEC. 48. **City Agriculturist.** – (a) The city agriculturist must be a citizen of the
22 Philippines, a resident of the City, of good moral character, a holder of a college degree
23 preferably in agriculture or any other related course from a recognized college or university
24 and a first grade civil service eligible or its equivalent. The appointee for the position of the

1 city agriculturist must have practiced the profession in agriculture or acquired experience for
2 at least five (5) years preceding the date of appointment;

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

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

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

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

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

17 (i) Ensure that maximum assistance and access to resources in the
18 production, processing and marketing of agricultural and aquaculture products
19 are extended to farmers and local entrepreneurs;

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

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

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

(v) Coordinate with government agencies and nongovernmental organizations which promote agricultural productivity through appropriate technology compatible with environmental integrity;

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

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

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

SEC. 49. City Environment and Natural Resources Officer. – (a) The city environment and natural resources officer must be a citizen of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in environment, forestry, agriculture or any other related course from a recognized college or university and a first grade civil service eligible or its equivalent. The appointee must have experience in environment and natural resources management, conservation and utilization work for at least five (5) years immediately preceding the date of appointment;

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

1 (c) The city environment and natural resources officer shall take charge of the office
2 of the environment and natural resources, and shall:

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

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

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

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

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

21 (iii) Promote the small-scale mining and utilization of mineral resources,
22 particularly the mining of gold; and

23 (iv) Coordinate with government agencies and nongovernmental
24 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 environment
4 and natural resources, particularly in the renewal and rehabilitation of the
5 environment during and in the aftermath of man-made and natural disasters or
6 calamities;

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

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

14 SEC. 50. **City Tourism Officer.** – (a) The city tourism officer must be a citizen of the
15 Philippines, a resident of the City, of good moral character, a holder of a college degree
16 preferably with specialized training in tourism development from a recognized college or
17 university and a first grade civil service eligible or its equivalent. The appointee for city
18 tourism officer must have acquired experience in the implementation of programs on tourism
19 development for at least five (5) years immediately preceding the date of appointment;

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

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

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

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

5 (3) Develop tourist products and destinations that benefit the City and its local
6 community;

7 (4) Pursue the implementation of the national tourism master plans, the national
8 ecotourism strategy and the area specific plans of the national and local government
9 units;

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

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

15 SEC. 51. ***City Human Resource Development Officer.*** – (a) The city human resource
16 development officer must be a citizen of the Philippines, a resident of the City, of good moral
17 character, a holder of a college degree preferably in psychology or any related course from a
18 recognized college or university and a first grade civil service eligible or its equivalent. The
19 appointee city human resource development officer must have acquired experience in
20 personnel administration for at least five (5) years immediately preceding the date of
21 appointment;

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

24 (c) The city human resource development officer shall take charge of the human
25 resource development office, and shall:

1 (1) Develop a human resource management program for approval by the city
2 mayor and the sangguniang panlungsod;

3 (2) Assist the city mayor in implementing the city's policies and programs
4 relative to recruitment and selection, appointments, training, promotion, compensation
5 and other personnel actions involving officials and employees of the City;

6 (3) Recommend to the sangguniang panlungsod and advise the city mayor on all
7 matters relative to human resource management and development;

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

11 (5) Conduct a continuing organizational development of the City, with the end
12 in view of instituting effective administrative reforms; and

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

16 **ARTICLE VIII**

17 **CITY FIRE STATION SERVICE, CITY JAIL SERVICE, CITY SCHOOLS**

18 **DIVISION AND CITY PROSECUTION SERVICE**

19 **SEC. 52. *City Fire Station Service.*** – (a) There shall be established in the City at
20 least one (1) fire station with adequate personnel, firefighting facilities and equipment,
21 subject to the standards, rules and regulations that may be promulgated by the Department of
22 the Interior and Local Government. The City shall provide the necessary land or site of the
23 station;

1 (b) The city fire station service shall be headed by a city fire marshal whose
2 qualifications shall be as those provided for under Republic Act No. 6975, as amended,
3 otherwise known as the "*Philippine National Police Law*;" and

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

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

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

21 SEC. 54. **City Schools Division.** – (a) The Department of Education shall establish
22 and maintain a city schools division of the City whose area of jurisdiction covers all the
23 school districts within the City; and

24 (b) The city schools division shall be headed by a city schools division superintendent
25 who must possess the necessary qualifications required by the Department of Education.

SEC. 55. *City Prosecution Service.* – (a) There shall be established in the City a prosecution service to be headed by a city prosecutor and such number of assistant city prosecutors as may be necessary who are organizationally part of the Department of Justice, and under the supervision and control of the Secretary of Justice and whose qualifications, manner of appointment, rank, salary and benefits shall be governed by existing laws covering prosecutors in the Department of Justice;

(b) The city prosecutor shall handle the criminal prosecution in the municipal trial courts in the City as well as in the regional trial courts for criminal cases originating in the territory of the City, and shall render to or for the City such services as are required by law, ordinance or regulation of the Department of Justice; and

(c) The Secretary of Justice shall always assure the adequacy and quality of prosecution service in the City and for this purpose shall, in the absence or lack or insufficiency in number of assistant city prosecutors as provided hereinabove, designate from among the assistant provincial prosecutors a sufficient number to perform and discharge the functions of the city prosecution service as provided hereinabove.

ARTICLE IX

TRANSITORY AND FINAL PROVISIONS

SEC. 56. *Municipal Ordinances Existing at the Time of the Approval of This Act.* —

All municipal ordinances of the Municipality of Echague existing at the time of the approval of this Act shall continue to be in force and effect within the City until the sangguniang panlungsod shall provide otherwise.

SEC. 57. ***Plebiscite.*** – The City shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by the qualified voters in a plebiscite to be conducted in the present Municipality of Echague within thirty (30) days from the approval

1 of this Act. The expenses for such plebiscite shall be borne by the Municipality of Echague.
2 The Commission on Elections shall conduct and supervise such plebiscite.

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

9 SEC. 59. ***Succession Clause.*** – The City shall succeed to all the assets, properties,
10 liabilities and obligations of the Municipality of Echague.

11 SEC. 60. ***Election of Provincial Governor and Sangguniang Panlalawigan***
12 ***Members of the Province of Isabela.*** – The qualified voters of the City of Echague shall be
13 qualified to vote and run for any elective position in the elections for provincial governor,
14 provincial vice governor, sangguniang panlalawigan members and other elective offices for
15 the Province of Isabela.

16 SEC. 61. ***Jurisdiction of the Province of Isabela.*** – The City of Echague shall, unless
17 otherwise provided by law, continue to be under the jurisdiction of the Province of Isabela.

18 SEC. 62. ***Suspension of Increase in Rates of Local Taxes.*** – No increase in the rates
19 of local taxes shall be imposed by the City within the period of five (5) years from its
20 acquisition of corporate existence.

21 SEC. 63. ***Applicability of Laws.*** – The provisions of Republic Act No. 7160, as
22 amended, otherwise known as the Local Government Code, and such laws as are applicable
23 to component cities shall govern the City insofar as they are not inconsistent with the
24 provisions of this Act.

1 SEC. 64. ***Reservation.*** – Nothing herein contained shall preclude the determination by
2 the appropriate agency or forum of any boundary dispute or case involving question of
3 territorial jurisdiction between the City and any of the adjoining local government units even
4 after the effectivity of this Act.

5 SEC. 65. ***Separability Clause.*** – If, for any reason, any part or provision of this Act is
6 declared invalid or unconstitutional, the remaining parts or provisions not affected thereby
7 shall remain in full force and effect.

8 SEC. 66. ***Repealing Clause.*** – All laws, decrees, rules and regulations or parts
9 thereof inconsistent with the provisions of this Act are hereby repealed, or modified
10 accordingly.

11 SEC. 67. ***Effectivity.*** – This Act shall take effect fifteen (15) days after publication
12 in the *Official Gazette* or in a newspaper of general circulation.

13 Approved,