

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

SEVENTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 4094



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*Introduced by Rep. Anna Katrina M. Enverga*

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**EXPLANATORY NOTE**

This bill seeks to convert the Municipality of Mauban into a component city of the Province of Quezon.

The municipality of Mauban, one of the many coastal municipalities of Quezon, is a first class municipality that is approximately 150kms. away from Metro Manila. It has a total land area of 415.98 square kilometers(41,598 ha), which is subdivided into 40 barangays. A regular tourist destination in the Province of Quezon, it is also home to a 440-megawatt coal power plant, the first privately built, owned, and operated power-generating facility in the Philippines. Development and urbanization has finally caught up with Mauban and this once quaint municipality is now also the site of several business ventures ranging from mining and quarrying sites to forestry, fishing, and furniture making businesses.

Needless to say, Mauban is advancing at a rapid pace thus resulting in an increase in the needs and demands of its inhabitants. Mauban has outgrown its status as a municipality and is now ready for cityhood; no less than the League of Cities of the Philippines acknowledged this fact when it included Mauban in its endorsement of twenty-one (21) towns which are now eligible for cityhood. The conversion of Mauban into a city will enable it to cope with the growing burdens accompanying growth and development now affecting its inhabitants.

In view of the foregoing, approval of the Bill is earnestly sought.



ANNA KATRINA M. ENVERGA

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3    Quezon City, Metro Manila  
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12    AN ACT CONVERTING THE MUNICIPALITY OF MAUBAN  
13    IN THE PROVINCE OF QUEZON INTO A COMPONENT CITY  
14    TO BE KNOWN AS THE CITY OF MAUBAN  
15

16

17    ARTICLE I  
18    GENERAL PROVISIONS  
19

20    SECTION 1. *Title.* – This Act shall be known as the "Charter of the City of  
21 Mauban".  
22

23    SEC. 2. *The City of Mauban.* – The Municipality of Mauban shall be converted into  
24 a component city to be known as the City of Mauban, hereinafter referred to as  
25 the City, which shall comprise the present territory of the Municipality of  
26 Mauban, Province of Quezon.  
27

28    The territorial jurisdiction of the City shall be within the present metes and  
29 bounds of the Municipality of Mauban.  
30

31    The foregoing provision shall be without prejudice to the resolution by the  
32 appropriate agency or forum of any boundary dispute or case involving  
33 questions of territorial jurisdiction between the City of Mauban and the  
34 adjoining local government units: *Provided*, That the territorial jurisdiction of the

1 disputed area or areas shall remain with the local government unit which has  
2 existing administrative supervision over said area or areas until the final  
3 resolution of the case.

4

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

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

11

12 (b) To sue and be sued;

13

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

15

16 (d) To acquire, hold, and convey real or personal property;

17

18 (e) To enter into any contract and/or agreement; and

19

20 (f) To exercise such other powers, prerogatives or authority subject to the  
21 limitations provided by law or this Act.

22

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

33

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

3

4     **SEC. 6.***Jurisdiction of the City.* – The jurisdiction of the City, for police purposes  
5     only, shall be coextensive with its territorial jurisdiction and, for the purpose of  
6     protecting and ensuring the purity of the water supply of the City, such police  
7     jurisdiction shall also extend over all the territory within the drainage area of  
8     such water supply, or within one hundred meters (100 m.) of any reservoir,  
9     conduit, canal, aqueduct or pumping station used in connection with the city  
10    water service.

11

12 The city court of the City of Mauban shall have concurrent jurisdiction with  
13 the city or municipal court of the adjoining municipalities or cities, to try crimes  
14 and misdemeanors committed within said drainage area or within said spaces of  
15 one hundred meters (100 m).

16

17 The court first taking cognizance of such an offense shall have jurisdiction  
18 to try cases to the exclusion of others. The police forces of several municipalities  
19 and cities concerned shall have concurrent jurisdiction with the police forces of  
20 the City for the maintenance of good order and the enforcement of ordinances  
21 throughout said zone, area, or spaces. But any license that may be issued within  
22 said zone, area, or spaces shall be granted by the proper authorities of the city or  
23 municipality concerned, and the fees arising therefrom shall accrue to the  
24 treasury of the said city or municipality concerned and not to the City.

25

## ARTICLE II

## CITY OFFICIALS IN GENERAL

28

29 **SEC. 7. The Officials of the City of Mauban.** – (a) There shall be in the City of  
30 Mauban: a city mayor, a city vice mayor, sangguniang panlungsod members, a  
31 secretary to the sangguniang panlungsod, a city treasurer, a city assessor, a city  
32 accountant, a city budget officer, a city planning and development officer, a city  
33 engineer, a city health officer, a city civil registrar, a city administrator, a city legal

1      officer, a city agriculturist, a city social welfare and development officer, a city  
2      veterinarian, and a city general services officer.

3

4      (b) In addition thereto, the city mayor may appoint an assistant city treasurer, an  
5      assistant city assessor, a city environmental and natural resources officer, a city  
6      architect, a city information officer, a city cooperatives officer, a city population  
7      officer, a city business permits and licensing officer, a city education officer, a city  
8      youth and sports development officer, a city public safety officer, a city tourism  
9      and cultural affairs officer, and a city human resource development officer.

10

11     (c) There shall be established in the City a city fire station to be headed by a city  
12    fire marshal, a city jail to be headed by a city jail warden, a city schools division  
13    to be headed by a city schools division superintendent and a city prosecution  
14    service to be headed by a city prosecutor.

15

16     (d) The City of Mauban may:

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

19

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

22

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

25

26     (e) Unless otherwise provided herein, heads of departments and officesshall be  
27    appointed by the city mayor with the concurrence of the majority of all the  
28    sangguniang panlungsod members, subject to civil service law, rules, and  
29    regulations.

30

31        The sangguniang panlungsod shall act on the appointment within fifteen  
32    (15) days from the day of its submission, otherwise the same shall be deemed  
33    confirmed.

1

**ARTICLE III**

2                   **THE CITY MAYOR AND CITY VICE-MAYOR**

3

4     **SEC. 8.** *The City Mayor.* – (a) The city mayor shall be the chief executive of the City  
5     and shall be elected at large by the qualified voters of the City. No person shall be  
6     eligible for the position of city mayor unless, at the time of the election, one is at  
7     least twenty-one (21) years of age, a resident of the City for at least one (1) year  
8     prior to his election and a qualified voter therein. The city mayor shall hold office  
9     for three (3) years, unless sooner removed.

10

11                 The city mayor, as the chief executive of the city government, shall exercise  
12     such powers and perform such duties and functions as provided herein.

13

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

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

20                 (i) Determine the guidelines of city policies and be responsible to the  
21                 sangguniang panlungsod for the program of government;

22                 (ii) Direct the formulation of the city development plan, with the  
23                 assistance of the city development council and, upon approval thereof  
24                 by the sangguniang panlungsod, implement the same;

25                 (iii) Present the program of government and propose policies and  
26                 projects for the consideration of the sangguniang panlungsod at the  
27                 opening of the regular session of the sangguniang panlungsod every  
28                 calendar year and as often as may be deemed necessary as the general  
29                 welfare of the inhabitants and the needs of the city government may  
30                 require;

31                 (iv) Initiate and propose legislative measures to the sangguniang  
32                 panlungsod and, as often as may be deemed necessary, provide such  
33                 information and data needed or requested by said sanggunian in the

- 1                   performance of its legislative functions;
- 2                   (v) Appoint all officials and employees whose appointments are not  
3                   otherwise provided for in this Act, as well as those he may be  
4                   authorized by law to appoint;
- 5                   (vi) Represent the City in all its business transactions and sign on its  
6                   behalf all bonds, contracts, obligations and such other documents  
7                   upon the authority of the sangguniang panlungsod or pursuant to law  
8                   or ordinance;
- 9                   (vii) Carry out such emergency measures as may be necessary during  
10                  and in the aftermath of man-made and natural disasters or calamities  
11                  calamities;
- 12                  (viii) Determine the time, manner, and place of payment of salaries or  
13                  wages of the officials and employees of the City in accordance with  
14                  law or ordinance;
- 15                  (ix) Allocate and assign office space to the City and other officials and  
16                  employees who, by law or ordinance, are entitled to such space in the  
17                  office and other buildings owned or leased by the city government;
- 18                  (x) Ensure that all executive officials and employees of the City  
19                  faithfully
- 20                  discharge their duties and functions as provided for by law and the
- 21                  Local
- 22                  Government Code of 1991, and cause to be instituted administrative
- 23                  or
- 24                  judicial proceedings against any official or employee of the City who  
25                  may
- 26                  have committed an offense in the performance of his official duties;
- 27                  (xi) Examine the books, records, and other documents of all offices,  
28                  officials, agents, or employees of the City and, in aid of executive  
29                  powers and authority, require all national officials and employees  
30                  stationed in or assigned to the City to make available to him such  
31                  books, records, and other documents in their custody, except those  
32                  classified by law as confidential;
- 33                  (xii) Furnish copies of executive orders issued to the Office of the

President and the Office of the Secretary of the DILG within seventy-two (72) hours after their issuance;

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

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

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

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

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

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

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

1 Education (DepED); and

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

10

11 2.) Enforce all laws and ordinances relative to the governance of the City  
12 and, in the exercise of its appropriate corporate powers, implement all  
13 approved policies, programs, projects, services, and activities of the City;  
14 and, in addition, shall:

- 15 (i) Ensure that the acts of the City's component barangays and of its  
16 officials and employees are within the scope of their prescribed  
17 powers, duties and functions;
- 18 (ii) Call conventions, conferences, seminars, or meetings of elective  
19 and appointive officials of the City, including national officials and  
20 employees stationed in or assigned to the City, at such time and place  
21 and on such subject as may be deemed important for the promotion of  
22 the general welfare of the local government unit and its inhabitants;
- 23 (iii) Issue such executive orders for the faithful and appropriate  
24 enforcement and execution of laws and ordinances;
- 25 (iv) Be entitled to carry the necessary firearms within the territorial  
26 jurisdiction;
- 27 (v) Act as the deputized representative of the National Police  
28 Commission, formulate the peace and order plan of the City and, upon  
29 its approval, implement the same, and as such, exercise general and  
30 operational control and supervision over police forces in the City in  
31 accordance with Republic Act No. 6975, otherwise known as the  
32 "Department of the Interior and Local Government Act of 1990"; and  
33 (vi) Call upon the law enforcement agencies to suppress disorder, riot,

1 lawless violence, rebellion, sedition, or apprehend violators of the law  
2 when public interest so requires and the city police forces are  
3 inadequate to cope with the situation or the violators;

4

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

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

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

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

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

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

29 (vi) Require owners of illegally constructed houses, buildings, or  
30 other structures to obtain the necessary permits, subject to such fines  
31 and penalties as may be imposed by law or ordinance, or to make  
32 necessary changes in the construction of the same when said  
33 construction violates any law or ordinance, or to order the demolition

1 or removal of said house, building, or structure within the period  
2 prescribed by law or ordinance;

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

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

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

13  
14 4.) Ensure the delivery of basic services and the provision of adequate  
15 facilities and, in addition thereto, shall:

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

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

23  
24 5.) Exercise such other powers and perform such other duties and  
25 functions as may be prescribed by law or ordinance.

26  
27 (c) During his incumbency, the city mayor shall hold office in the cityhall.

28  
29 (d) The city mayor shall receive a minimum monthly compensation  
30 corresponding to Salary Grade Thirty (30) as prescribed under Republic Act No.  
31 6758, otherwise known as the Salary Standardization Law, and the  
32 implementing guidelines issued pursuant thereto.

1     **SEC. 9. The City Vice Mayor.** – (a) There shall be a city vice mayor who shall be  
2     elected in the same manner as the city mayor and shall, at the time of the  
3     election, possess the same qualifications as the city mayor. The city vice mayor  
4     shall hold office for three (3) years, unless sooner removed.

5

6     (b) The city vice mayor shall:

- 7         1.) Be the presiding officer of the sangguniang panlungsod and sign all  
8         warrants drawn on the city treasury for all expenditures appropriated for  
9         the operation of the sangguniang panlungsod;
- 10
- 11         2.) Subject to civil service law, rules, and regulations, appoint all officials  
12         and employees of the sangguniang panlungsod, except those whose manner  
13         of appointment is specifically provided for under existing laws;
- 14
- 15         3.) Assume the office of the city mayor for the unexpired term of the latter  
16         in the event of permanent vacancy;
- 17
- 18         4.) Exercise the powers and perform the duties and functions of the city  
19         mayor in case of temporary vacancy; and
- 20
- 21         5.) Exercise such other powers and perform such other duties as may be  
22         prescribed by law or ordinance.

23

24     (c) The city vice-mayor shall receive a monthly compensation corresponding to  
25     Salary Grade Twenty-six (26) as prescribed under the Salary Standardization  
26     Law and the implementing guidelines issued pursuant thereto.

27

28                                  ARTICLE IV  
29    THE SANGGUNIANG PANLUNGSOD

30

31     **SEC.10. Composition.** – (a) The sangguniang panlungsod, the legislative body of  
32     the City, shall be composed of the city vice mayor as the presiding officer, the ten  
33     (10) regular sanggunian members, the president of the city chapter of the liga ng

1       mga barangay, the president of the panlungsod na pederasyon ng mga  
2       sangguniang kabataan and the sectoral representatives, as members.

3

4       (b) In addition thereto, there shall be three (3) sectoral representatives: one (1)  
5       from the women sector; and, as shall be determined by the sangguniang  
6       panlungsod within ninety (90) days prior to the holding of the local elections,  
7       one (1) from the agricultural or industrial workers sector; and one (1) from the  
8       other sectors, including urban poor, indigenous cultural communities, or persons  
9       with disabilities.

10

11      (c) The regular members of the sangguniang panlungsod and sectoral  
12       representatives shall be elected in the manner as may be provided by law.

13

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

20       1.) Approve ordinances and pass resolutions necessary for an efficient and  
21       effective city government and, in this connection, shall:

22           (i) Review all ordinances approved by the sangguniang barangay  
23       and executive orders issued by the punong barangay to determine  
24       whether these are within the scope of the prescribed powers of the  
25       sangguniang barangay and of the punong barangay;

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

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

33           (iv) Adopt measures to protect the inhabitants of the City from the

1 harmful effects of man-made or natural disasters and calamities, and  
2 to provide relief services and assistance to victims during and in the  
3 aftermath of said disasters or calamities and in their return to  
4 productive livelihood following said events;

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

15 (vi) Protect the environment and, to this end, it may set aside at least  
16 ten percent (10%) of its development funds for the purpose of  
17 maintaining and enhancing the ecological balance of the City. It may  
18 also impose appropriate penalties for acts which endanger the  
19 environment, such as illegal logging, smuggling of logs, smuggling of  
20 natural resources products and of endangered species of flora and  
21 fauna, slash-and-burn farming and such other activities which result  
22 in pollution, acceleration of siltation of rivers and lakes or of  
23 ecological imbalance;

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

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

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

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

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

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

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

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

24  
25 2.) Generate and maximize the use of resources and revenues for the  
26 development plans, program objectives and priorities of the City, with  
27 particular attention to agro-industrial development and citywide growth  
28 and progress and, relative thereto, shall:

29 (i) Approve the annual and supplemental budgets of the city  
30 government and appropriate funds for specific programs, projects,  
31 services, and activities of the City, or for other purposes not contrary  
32 to law, in order to promote the general welfare of the City and its  
33 inhabitants, *Provided*, That no annual or supplemental budget shall be

approved without deliberation and hearing to be attended by the respective heads of all the departments, units or offices of the city government and by reputable representatives of civil society, church groups, irrespective of denomination, and the media;

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

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

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

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

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

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

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

(ix) Enact integrated zoning ordinances in consonance with the

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

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

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

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

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

28 (xiv) Regulate the numbering of residential, commercial and other  
29 buildings; and

30 (xv) Regulate the inspection, weighing and measuring of articles of  
31 commerce.

33 3.) Subject to the provisions of Book II of the Local Government Code of

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

- 5             (i) Fix and impose reasonable fees and charges for all services  
6             rendered by the city government to private persons or entities;
- 7             (ii) Regulate or fix license fees for any business or practice of  
8             profession within the City and the conditions under which the license  
9             for said business or practice of profession may be revoked and enact  
10           ordinances levying taxes thereon;
- 11           (iii) Provide for and set the terms and conditions under which public  
12           utilities owned by the City shall be operated by the city government  
13           and prescribe the conditions under which the same may be leased to  
14           private persons or entities, preferably cooperatives;
- 15           (iv) Regulate the display of and fix the license fees for signs,  
16           signboards or billboards at the place or places where the profession  
17           or business advertised thereby is, in whole or in part, conducted;
- 18           (v) Any law to the contrary notwithstanding, authorize and license  
19           the establishment, operation and maintenance of cockpits, and  
20           regulate cockfighting and commercial breeding of gamecocks:  
21           *Provided*, That existing rights should not be prejudiced;
- 22           (vi) Subject to the guidelines prescribed by the Department of  
23           Transportation and Communications (DOTC), regulate the operation  
24           of tricycles and grant franchises for the operation thereof within the  
25           territorial jurisdiction of the City; and
- 26           (vii) Upon approval by a majority vote of all the members of the  
27           sangguniang panlungsod, grant a franchise to any person,  
28           partnership, corporation or cooperative to do business within the  
29           City; establish, construct, operate and maintain ferries, wharves,  
30           markets or slaughterhouses; or undertake such other activities within  
31           the City as may be allowed by existing laws: *Provided*, That  
32           cooperatives shall be given preference in the grant of such franchise.

1           4.) Regulate activities relative to the use of land, buildings, and structures  
2           within the City in order to promote the general welfare and, for said  
3           purpose, shall:

- 4           (i) Declare, prevent, or abate any nuisance;
- 5           (ii) Require that buildings and the premises thereof and any land  
6           within the City be kept and maintained in a sanitary condition;  
7           impose penalties for any violation thereof; or upon failure to comply  
8           with the said requirement, have the work done at the expense of the  
9           owner, administrator or tenant concerned; and require the filling up  
10          of any land or premises to a grade necessary for proper sanitation;
- 11          (iii) Regulate the disposal of clinical and other wastes from hospitals,  
12          clinics and other similar establishments;
- 13          (iv) Regulate the establishment, operation and maintenance of  
14          restaurants, beerhouses, hotels, motels, inns, pension houses, lodging  
15          houses and other similar establishments, including tourist guides and  
16          transports;
- 17          (v) Regulate the sale, giving away or dispensing of any intoxicating  
18          malt, vino, mixed or fermented liquors at any retail outlets;
- 19          (vi) Regulate the establishment and provide for the inspection of  
20          steam boilers or any heating device in buildings and the storage of  
21          inflammable and highly combustible materials within the City;
- 22          (vii) Regulate the establishment, operation and maintenance of any  
23          entertainment or amusement facilities, including the theatrical  
24          performances, circuses, billiard halls, public dancing schools, public  
25          dance halls, sauna baths, massage parlors and other places for  
26          entertainment or amusement; regulate such other events or activities  
27          for amusement or entertainment, particularly those which tend to  
28          disturb the community or annoy the inhabitants, or require the  
29          suspension or suppression of the same; or prohibit certain forms of  
30          amusement or entertainment in order to protect the social and moral  
31          welfare of the community;
- 32          (viii) Provide for the impounding of stray animals; regulate the  
33          keeping of animals in homes or as part of a business, and the

1                   slaughter, sale or disposition of the same; and adopt measures to  
2                   prevent and penalize cruelty to animals; and

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

6

7                   5.) Approve ordinances which shall ensure the efficient and effective  
8                   delivery of basic services and facilities as provided for under the Local  
9                   Government Code of 1991 and, in addition to said services and facilities,  
10                  shall:

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

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

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

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

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

- 1                                     (vi) Regulate traffic on all streets and bridges, prohibit  
2                                     encroachments or obstacles thereon and, when necessary in the  
3                                     interest of public welfare, authorize the removal of encroachments  
4                                     and illegal constructions in public places;
- 5                                     (vii) Subject to existing laws, establish and provide for the  
6                                     maintenance, repair and operation of an efficient waterworks system  
7                                     to supply water for the inhabitants and to purify the source of the  
8                                     water supply; regulate the construction, maintenance, repair and use  
9                                     of hydrants, pumps, cisterns and reservoirs; protect the purity and  
10                                     the quantity of the water supply of the City and, for this purpose,  
11                                     extend the coverage of appropriate ordinances over all territory  
12                                     within the drainage area of said water supply within one hundred  
13                                     meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping  
14                                     station or watershed used in connection with the water service; and  
15                                     regulate the consumption, use or wastage of water and fix and collect  
16                                     charges thereof;
- 17                                     (viii) Regulate the drilling and excavation of the ground for the laying  
18                                     of water, gas, sewer and other pipes and the construction, repair and  
19                                     maintenance of public drains, sewers, cesspools, tunnels and similar  
20                                     structures; regulate the placing of poles and the use of crosswalks,  
21                                     curbs and gutters; adopt measures to ensure public safety against  
22                                     open canals, manholes, live wires and other similar hazards to life and  
23                                     property; and regulate the construction and use of private water  
24                                     closets, privies and other similar structures in buildings and homes;
- 25                                     (ix) Regulate the placing, stringing, attaching, installing, repair and  
26                                     construction of all gas mains, electric telegraph and telephone wires,  
27                                     conduits, meters and other apparatus; and provide for the correction,  
28                                     condemnation or removal of the same when found to be dangerous to  
29                                     the welfare of the inhabitants;
- 30                                     (x) Subject to the availability of funds and to existing laws, rules and  
31                                     regulations, establish and provide for the operation of vocational and  
32                                     technical schools and similar post-secondary institutions and, with  
33                                     the approval of the Technical Education and Skills Development

1 Authority (TESDA), and subject to existing laws on tuition fees, fix and  
2 collect reasonable tuition fees and other school charges in educational  
3 institutions supported by the city government;

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

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

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

12 (xiv) Provide for the care of persons with disabilities (PWD), paupers,  
13 the aged, the sick, persons of unsound mind, abandoned minors,  
14 juveniledelinquents, drug dependents, abused children and the youth  
15 below eighteen (18) years of age, and subject to the availability of  
16 funds, establish and provide for the operation of centers and facilities  
17 for the said needy and disadvantaged persons;

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

22 (xvi) Establish a city council whose purpose is the promotion of  
23 culture and the arts, coordinate with government agencies and  
24 nongovernmental organizations and, subject to the availability of  
25 funds, appropriate funds for the support and development of the  
26 same; and

27 (xvii) Establish a city council for the elderly and senior citizens which  
28 shall formulate policies and adopt measures mutually beneficial to the  
29 elderly and to the community; provide incentives for  
30 nongovernmental agencies and entities and, subject to the availability  
31 of funds, appropriate funds to support programs and projects for the  
32 benefit of the elderly;

33

1       6.) Exercise such other powers and perform such other duties and  
2       functions as may be prescribed by law or ordinance.

3

4       (b) The members of the sangguniang panlungsod of the City of Mauban shall  
5       receive a minimum monthly compensation corresponding to Salary Grade  
6       twenty-five (25) as prescribed under the Salary Standardization Law and the  
7       implementing guidelines issued pursuant thereto.

8

9

10                      **ARTICLE V**

11                      **PROCESS OF LEGISLATION**

12

13       **SEC. 12. Internal Rules of Procedure.** – (a) On the first regular session following  
14       the election of its members and within ninety (90) daysthereafter, the  
15       sangguniang panlungsod shall adopt or update its existing rules of procedure.

16

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

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

25

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

27

28               3.) The legislative process;

29

30               4.) The parliamentary procedures which include the conduct ofmembers  
31               during sessions;

32

33               5.) The discipline of members for disorderly behavior and absenceswithout

1 justifiable cause for four (4) consecutive sessions for which they may be  
2 censured, reprimanded or excluded from the session, suspended for not  
3 more than sixty (60) days or expelled: *Provided*, That the penalty of  
4 suspension or expulsion shall require the concurrence of at least two-thirds  
5 (2/3) vote of all the sanggunian members: *Provided, further*, That the  
6 member convicted by final judgment to imprisonment of at least one (1)  
7 year for any crime involving moral turpitude shall be automatically  
8 expelled from the sanggunian; and

9

10 6.) Such other rules as the sanggunian may adopt.

11

12 **SEC. 13. Full Disclosure of Financial and Business Interests of**  
13 *Sangguniang Panlungsod Members.* – (a) Every sangguniang panlungsod member  
14 shall, upon assumption to office, make a full disclosure of business and financial  
15 interests. They shall also disclose any business, financial, professional  
16 relationship or any relation by affinity or consanguinity within the fourth civil  
17 degree, which they may have with any person, firm or entity affected by any  
18 ordinance or resolution under consideration by the sanggunian of which one is a  
19 member, which relationship may result in conflict of interests. Such relationship  
20 shall include:

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

23

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

26

27 In the absence of a specific constitutional or statutory provision applicable  
28 to this situation, “conflict of interest” refers, in general, to one where it may be  
29 reasonably deduced that a member of a sanggunian may not act in the public  
30 interest due to some private, pecuniary or other personal considerations that  
31 may tend to affect his judgment to the prejudice of the service or the public.

32

33 (b) The disclosure required under this Act shall be made in writing submitted to

1 the secretary of the sanggunian or the secretary of the committee of which he is a  
2 member. The disclosure shall, in all cases, form part of the record of the  
3 proceedings and shall be made in the following manner:

4 1.) Disclosure shall be made before the member participates in  
5 deliberations on the ordinance or resolution under consideration:  
6 *Provided* that if the member did not participate during the deliberations, the  
7 disclosure shall be made before voting on the ordinance or resolution on  
8 second and third readings; and

9  
10 2.) Disclosure shall be made when a member takes a position or makes a  
11 privilege speech on a matter that may affect the business interest, financial  
12 connection, or professional relationship described herein.

13  
14 **SEC. 14. Sessions.** – (a) On the first day of the session immediately following the  
15 election of its members, the sangguniang panlungsod shall, by resolution, fix the  
16 day, time, and place of its sessions. The minimum number of regular sessions  
17 shall be once a week for the sangguniang panlungsod and twice a month for the  
18 sangguniang barangay.

19  
20 (b) When the public interest so demands, special sessions may be called by the  
21 city mayor or by a majority of the members of the sanggunian.

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

26  
27 (d) In the case of special sessions of the sanggunian, a written notice to the  
28 members shall be served personally at the members' usual place of residence at  
29 least twenty-four (24) hours before the special session is held.

30  
31 Unless otherwise concurred in by two-thirds (2/3) vote of the sanggunian  
32 members present, there being a quorum, no other matters may be considered at  
33 a special session except those stated in the notice.

1  
2     (e) The sangguniang panlungsod shall keep a journal and a record of its  
3 proceedings, which may be published upon resolution of the majority of its  
4 members.

5

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

11

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

19

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

24

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

33

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

4

5       **SEC. 17. Veto Power of the City Mayor.** – (a) The city mayor may veto any  
6       ordinance of the sangguniang panlungsod on the ground that it is *ultra vires* or  
7       prejudicial to the public welfare, stating the reasons thereof in writing.

8

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

18

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

23

24       **SEC. 18. Review of City Ordinances by the Sangguniang Panlalawigan.** – (a) Within  
25      three (3) days after approval, the secretary to the sangguniang panlungsod shall  
26      forward to the sangguniang panlalawigan for review, copies of approved  
27      ordinances and the resolutions approving the local development plans and the  
28      public investment programs formulated by the local development councils.

29

30       (b) Within thirty (30) days after receipt of copies of such ordinances and  
31      resolutions, the sangguniang panlalawigan shall examine the documents or  
32      transmit them to the provincial attorney or the provincial prosecutor for prompt  
33      examination. The provincial attorney or the provincial prosecutor shall, within a

1 period of ten (10) days from receipt of the documents, inform the sangguniang  
2 panlalawigan in writing of his comments or recommendations, which may be  
3 considered by the sangguniang panlalawigan in making its decision.

4

5 (c) If the sangguniang panlalawigan finds that such an ordinance or resolution is  
6 beyond the power conferred upon the sangguniang panlungsod concerned, it  
7 shall declare such ordinance or resolution invalid in whole or in part. The  
8 sangguniang panlalawigan shall enter its action in the minutes and shall advise  
9 the corresponding city authorities of the action it has taken.

10

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

14

15 **SEC.19.***Review of Barangay Ordinances by the Sangguniang Panlungsod.* - (a)  
16 Within ten (10) days after its enactment, the sangguniang barangay shall furnish  
17 copies of all barangay ordinances to the sangguniang panlungsod for review as to  
18 whether the ordinances are consistent with law or city ordinances.

19

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

22

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

29

30

31 **SEC. 20.***Enforcement of Disapproved Ordinances or Resolutions.* - Any attempt to  
32 enforce any ordinance or any resolution approving the local development plan  
33 and the public investment program after disapproval thereof, shall be sufficient

1 ground for the suspension or dismissal of the official or employee concerned.

2

3 **SEC. 21. Effectivity of Ordinances or Resolutions.** - (a) Unless  
4 otherwise stated in the ordinance or the resolution approving the local  
5 development plan and the public investment program, the same shall take effect  
6 after ten (10) days from the date a copy thereof is posted in a bulletin board at  
7 the entrance of the City Hall of Mauban and in at least two (2) otherconspicuous  
8 places in the City of Mauban not later than five (5) days after approval thereof.

9

10 (b) The secretary of the sangguniang panlungsod shall cause the posting of an  
11 ordinance or resolution in the bulletin board at the entrance of the city hall and  
12 in at least two (2) conspicuous places in the City of Mauban not later than five (5)  
13 days after approval thereof. The text of the ordinance or resolution shall be  
14 disseminated and posted in Filipino or English, and the secretary of the  
15 sangguniang panlungsod shall record such fact in a book kept for the purpose,  
16 stating the dates of approval and posting.

17

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

24

## ARTICLE VI

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

26

27 **SEC.22. Disqualification of Elective Public City Officials.** - The following persons  
28 are disqualified from running for any elective position in the City:  
29

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

- 1       (b) Those removed from office as a result of an administrative case;
- 2
- 3       (c) Those convicted by final judgment for violating the oath of allegiance to the
- 4       Republic of the Philippines;
- 5
- 6       (d) Those with dual citizenship;
- 7
- 8       (e) Fugitives from justice in criminal or nonpolitical cases here and abroad;
- 9
- 10      (f) Permanent residents in a foreign country or those who have acquired the
- 11      right to reside abroad and continue to avail of the same right after the effectivity
- 12      of the Local Government Code of 1991; and
- 13
- 14      (g) The insane or feeble-minded.
- 15

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

17      *Mayor.* – (a) If a permanent vacancy occurs in the office of the city mayor, the city

18      vice mayor concerned shall become the city mayor. If a permanent vacancy

19      occurs in the office of the city vice mayor, the highest-ranking sangguniang

20      panlungsod member or, in case of his permanent incapacity, the second highest-

21      ranking sangguniang panlungsod member becomes the city mayor or the city

22      vice mayor, as the case may be. Subsequent vacancies in the said offices shall be

23      filled automatically by the other sanggunian members according to their ranking

24      as defined herein.

- 25
- 26      (b) A tie between or among the highest-ranking sangguniang panlungsod
- 27      members shall be resolved by drawing of lots.
- 28
- 29      (c) The successors as defined herein shall serve only the unexpired terms of their
- 30      predecessors.
- 31
- 32      (d) For purposes of this Act, a permanent vacancy arises when an elective local
- 33      official fills in a higher vacant office, refuses to assume office, fails to qualify, dies,

1 is removed from office, voluntarily resigns, or is otherwise permanently  
2 incapacitated to discharge the functions of the office.

3

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

8

9 **SEC. 24. Permanent Vacancies in the Sangguniang Panlungsod.** – Permanent  
10 vacancies in the sangguniang panlungsod where automatic succession as  
11 provided above does not apply shall be filled in by appointments in the following  
12 manner:

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

14

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

25

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

30

31 (d) In case of vacancy in the representation of the youth and the barangay in the  
32 sangguniang panlungsod, said vacancy shall be filled in automatically by the  
33 official next-in-rank of the organization concerned.

1  
2   **SEC. 25. Temporary Vacancy in the Office of the City Mayor.** – (a) When the city  
3   mayor is temporarily incapacitated to perform his duties for physical or legal  
4   reasons such as, but not limited to, leave of absence, travel abroad, and  
5   suspension from office, the city vice mayor or the highest-ranking sangguniang  
6   panlungsod member shall automatically exercise the powers and perform the  
7   duties and functions of the city mayor, except the power to appoint, suspend or  
8   dismiss employees which can only be exercised if the period of temporary  
9   incapacity exceeds thirty (30) working days.

10  
11   (b) Said temporary incapacity shall terminate upon submission to the  
12   sangguniang panlungsod of a written declaration by the city mayor that he has  
13   reported back to office. In case where the temporary incapacity is due to legal  
14   cause, the city mayor shall also submit necessary documents showing that the  
15   said legal cause no longer exists.

16  
17   (c) When the city mayor is traveling within the country but outside the  
18   territorial jurisdiction for a period not exceeding three (3) consecutive days, he  
19   may designate in writing the officer-in-charge of his office. Such authorization  
20   shall specify the powers and functions that the local official concerned shall  
21   exercise in the absence of the city mayor, except the power to appoint, suspend,  
22   or dismiss employees.

23  
24   (d) In the event, however, that the city mayor fails or refuses to issue such  
25   authorization, the city vice mayor or the highest-ranking sangguniang  
26   panlungsod member, as the case may be, shall have the right to assume  
27   the powers, duties, and functions of the said office on the fourth (4th) day of  
28   absence of the city mayor, subject to the limitations provided for in subsection  
29   (c) hereof.

30  
31   (e) Except as provided above, the city mayor shall, in no case, authorize any local  
32   official to assume the powers, duties and functions of the office other than the  
33   city vice mayor or the highest-ranking member of the sangguniang panlungsod,

1 as the case may be.

2

## ARTICLE VII

3

### THE APPOINTIVE OFFICIALS OF THE CITY

4

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

8

9 (b) No person shall be appointed secretary to the sangguniang panlungsod  
10 unless one is a citizen of the Philippines, a resident of the City of Mauban, of good  
11 moral character, a holder of a college degree preferably in law, commerce or  
12 public administration from a recognized college or university and a first grade  
13 civil service eligible or its equivalent.

14

15 (c) The secretary to the sangguniang panlungsod shall take charge of the office of  
16 the sangguniang panlungsod, and shall:

17       1.) Attend meetings of the sangguniang panlungsod and keep a journal of  
18       its proceedings;

19

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

23

24       3.) Forward to the city mayor for approval, copies of ordinances enacted by  
25       the sangguniang panlungsod, duly certified by the presiding officer;

26

27       4.) Forward to the Department of Budget and Management (DBM)copies of  
28       the appropriations ordinances passed by the sangguniang panlungsod as  
29       provided for under Section 326, Book II of the Local Government Code of  
30       1991;

31

32       5.) Forward to the sangguniang panlalawigan copies of duly approved  
33       ordinances in the manner as provided for in Sections 56 and 57 of the Local

1           Government Code of 1991;

2

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

6

7         7.) Record in a book kept for the purpose all ordinances and resolutions  
8         enacted or adopted by the sangguniang panlungsod, with the dates of  
9         passage and publication thereof;

10

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

13

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

18

19         10.) Take custody of the local archives and, where applicable, the local  
20         library and annually account for the same; and

21

22         11.) Exercise such other powers and perform other duties and functions as  
23         may be prescribed by law or ordinance, or provided under the Local  
24         Government Code of 1991, which are relative to his position.

25

26         (d) The secretary to the sangguniang panlungsod shall receive such  
27         compensation, emoluments, and allowances as may be determined by law.

28

29         **SEC.27. The City Treasurer.** – (a) The city treasurer shall be appointed by the  
30         Secretary of the Department of Finance (DOF) from a list of at least three (3)  
31         ranking eligible recommendees of the city mayor, subject to civil service law,  
32         rules, and regulations.

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

4

5       (c) No person shall be appointed city treasurer unless he is a citizen of the  
6       Philippines, a resident of the City of Mauban, of good moral character, a holder of  
7       a college degree preferably in commerce, public administration, or law from a  
8       recognized college or university, and a first grade civil service eligible or its  
9       equivalent. He must have acquired experience in treasury or accounting service  
10      for at least five (5) years prior to the date of his appointment.

11

12      (d) The city treasurer shall take charge of the treasury office, perform the duties  
13      provided for under Book II of the Local Government Code of 1991, and shall:

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

17

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

19

20           3.) Take charge of the disbursement of all funds of the City and such other  
21       funds, the custody of which has been entrusted by law or other competent  
22       authority;

23

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

28

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

30

31           6.) Exercise such other powers and perform such other duties and  
32       functions as may be prescribed by law or ordinance.

33

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

3

4     **SEC.28.***The Assistant City Treasurer.* – (a) The assistant city treasurer may be  
5 appointed by the Secretary of the DOF from a list of at least three (3) ranking  
6 eligible recommendees of the city mayor, subject to civil service law, rules, and  
7 regulations.

8     (b) No person shall be appointed assistant city treasurer unless he is a citizen  
9 of the Philippines, a resident of the City of Mauban, of good moral character, a  
10 holder of a college degree preferably in commerce, public administration, or law  
11 from a recognized college or university, and a first grade civil service eligible or  
12 its equivalent. He must have acquired at least five (5) years of experience in the  
13 treasury or accounting service prior to his appointment.

14

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

21

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

24

25     **SEC. 29.***The City Assessor.* – (a) The city assessor must be a citizen of the  
26 Philippines, a resident of the City of Mauban, of good moral character, a holder of  
27 a college degree preferably in civil or mechanical engineering, commerce, or any  
28 other related course from a recognized college or university, and a first grade  
29 civil service eligible or its equivalent. He must have acquired experience in real  
30 property assessment work or in any related field for at least five (5) years prior  
31 to the date of his appointment.

32

33     (b) The city assessor shall take charge of the city assessor's office, perform the

1       duties provided for under Book II of the Local Government Code of 1991 and  
2       shall:

- 3           1.) Ensure that all laws and policies governing the appraisal and  
4           assessment of real properties for taxation purposes are properly executed;
- 5
- 6           2.) Initiate, review, and recommend changes in policies and objectives,  
7           plans and programs, techniques, procedures and practices in the evaluation  
8           and assessment of real properties for taxation purposes;
- 9
- 10          3.) Establish a systematic method of real property assessment;
- 11
- 12          4.) Install and maintain real property identification and accounting  
13          systems;
- 14
- 15          5.) Prepare, install and maintain a system of tax mapping, showing  
16          graphically all properties subject to assessment and gather all data  
17          concerning the same;
- 18
- 19          6.) Conduct frequent physical surveys to verify and determine whether all  
20          real properties within the City are properly listed in the assessment rolls;
- 21
- 22          7.) Exercise the functions of appraisal and assessment primarily for  
23          taxation purposes of all real properties in the City;
- 24
- 25          8.) Prepare a schedule of the fair market value of the different classes of  
26          real properties in accordance with the provisions Title Two of Book II of  
27          the Local Government Code of 1991;
- 28
- 29          9.) Issue, upon request of any interested party, certified copies of  
30          assessment records of real properties and all other records relative to its  
31          assessment, upon payment of a service charge or fee to the city treasurer;
- 32
- 33          10.) Submit every semester a report of all assessments, as well as

1 cancellations and modifications of assessments to the city mayor and the  
2 sangguniang panlungsod; and

3  
4 11.) Attend, personally or through an authorized representative, all  
5 sessions of the Local Board of Assessment Appeals (Board) whenever his  
6 assessment is the subject of the appeal and present or submit any  
7 information or record in his possession as may be required by the Board.

8  
9 (c) The city assessor shall exercise such other powers and perform such other  
10 duties and functions as may be prescribed by law or ordinance.

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

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

22  
23 (b) The assistant city assessor shall assist the city assessor and perform such  
24 other duties as may be assigned to him and shall have authority to administer  
25 oaths on all declarations of all real property for purposes of assessment.

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

29  
30 **SEC. 31. *The City Accountant.*** – (a) The city accountant must be a citizen of the  
31 Philippines, a resident of the City of Mauban, of good moral character, a certified  
32 public accountant, and must have acquired experience in the treasury or  
33 accounting service for at least five (5) years prior to the date of his appointment.

- 1       (b) The city accountant shall take charge of the offices of both the accounting and  
2 internal audit services of the city, and shall:
- 3           1.) Install and maintain an internal audit system in the City;
- 4
- 5           2.) Prepare and submit financial statements to the city mayor and to the  
6 sangguniang panlungsod;
- 7
- 8           3.) Apprise the sangguniang panlungsod and other officials on the financial  
9 condition and operations of the City;
- 10
- 11          4.) Certify to the availability of budgetary allotment to which expenditures  
12 and obligations may be properly charged;
- 13
- 14          5.) Review supporting documents before preparation of vouchers to  
15 determine the completeness of requirements;
- 16
- 17          6.) Prepare statements of cash advances, liquidations, salaries, allowances,  
18 reimbursements, and remittances pertaining to the City;
- 19
- 20          7.) Prepare statements of journal vouchers and liquidations of the same and  
21 other adjustments related thereto;
- 22
- 23          8.) Post individual disbursements to the subsidiary ledgers and index  
24 cards;
- 25
- 26          9.) Maintain individual ledgers for officials and employees of the City  
27 pertaining to payrolls and deductions;
- 28
- 29          10.) Record and post in index cards details of purchased furniture, fixtures,  
30 and equipment, including disposal thereof, if any;
- 31
- 32          11.) Account for all issued requests for obligations and maintain and keep  
33 all records and reports related thereto;

1  
2       12.) Prepare journals and the analysis of obligations and maintain and keep  
3       all records and reports related thereto; and

4  
5       13.) Exercise such other powers prescribed under the Local Government  
6       Code of 1991 and perform such other duties and functions as may be  
7       provided by law or ordinance.

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

11  
12      **SEC. 32. *The City Budget Officer.*** – (a) The city budget officer must be a citizen of  
13      the Philippines, a resident of the City of Mauban, of good moral character, holder  
14      of a college degree preferably in accounting, economics, public administration, or  
15      any related course from a recognized college or university, and a first grade civil  
16      service eligible or its equivalent. He must have acquired experience in  
17      government budgeting or in any related field for at least five (5) years prior to  
18      the date of his appointment.

19  
20      (b) The city budget officer shall take charge of the city budget office, and shall:  
21           1.) Prepare forms, orders and circulars embodying instructions on  
22           budgetary and appropriation matters for the signature of the city mayor;

23  
24           2.) Review and consolidate the budget proposals of different departments  
25           and offices of the City;

26  
27           3.) Assist the city mayor in the preparation of the budget and during and  
28           after the budget hearings;

29  
30           4.) Study and evaluate budgetary implications of proposed legislation and  
31           submit comments and recommendations thereon;

32  
33           5.) Submit periodic budgetary reports to the DBM;

1       6.) Coordinate with the city treasurer, the city accountant and the city  
2       planning and development officer for the purpose of budgeting;

4       7.) Assist the sangguniang panlungsod in reviewing the approved budgets  
5       of the component barangays;

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

10      (c) The city budget officer shall exercise such other powers and perform such  
11      other duties and functions as may be prescribed by law or ordinance.

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

16      **SEC. 33. *The City Planning and Development Coordinator.*** - (a) The city planning  
17      and development coordinator must be a citizen of the Philippines, a resident of  
18      the City of Mauban, of good moral character, a holder of a college degree  
19      preferably in urban planning, development studies, economics, public  
20      administration, or any related course from a recognized college or university,  
21      and a first grade civil service eligible or its equivalent. He must have acquired  
22      experience in development planning or in any related field for at least five (5)  
23      years prior to the date of his appointment.

25      (b) The city planning development coordinator shall take charge of the city  
26      planning and development office, and shall:

27       1.) Formulate integrated economic, social, physical, and other development  
28       plans and policies for consideration of the city development council;

30       2.) Conduct continuing studies, researches, and training programs  
31       necessary to evolve plans and programs for implementation;

33       3.) Integrate and coordinate all sectoral plans and studies undertaken by

1           the different functional groups or agencies;

2

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

6

7       5.) Prepare comprehensive plans and other development planning  
8       documents for the consideration of the local development council;

9

10      6.) Analyze the income and expenditure patterns, and formulate and  
11      recommend fiscal plans and policies for the consideration of the finance  
12      committee of the sangguniang panlungsod;

13

14      7.) Promote people participation in development planning within theCity;

15      and

16

17      8.) Exercise supervision and control over the secretariat of the local  
18      development council.

19

20      (c) The city planning and development coordinator shall exercise such other  
21      powers and perform such other functions and duties as may be prescribed by  
22      law or ordinance.

23

24      (d) The city planning and development officer shall receive such compensation,  
25      emoluments, and allowances as may be determined by law.

26

27      **SEC. 34. *The City Engineer.*** - (a) The city engineer must be a citizen of the  
28      Philippines, a resident of the City of Mauban, of good moral character and a  
29      licensed civil engineer. He must have acquired experience in the practice of his  
30      profession for at least five (5) years prior to the date of his appointment.

31

32      (b) The city engineer shall take charge of the city engineering office, and shall:

33       1.) Initiate, review, and recommend changes in policies and objectives,

1 plans and programs, techniques, procedures and practices in infrastructure  
2 development and public works in general of the City;

3  
4 2.) Advise the city mayor on infrastructure, public works, and other  
5 engineering matters;

6  
7 3.) Administer, coordinate, supervise, and control the construction,  
8 maintenance, improvement, and repair of roads, bridges, other engineering  
9 and public works projects of the City; and

10  
11 4.) Provide engineering services to the City, including investigations and  
12 surveys, engineering designs, feasibility studies, and project management.

13  
14 (c) The city engineer shall exercise such other powers and perform such other  
15 functions and duties as may be prescribed by law or ordinance.

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

19  
20 **SEC. 35. *The City Health Officer.*** – (a) The city health officer must be a citizen of  
21 the Philippines, a resident of the City of Mauban, of good moral character and a  
22 licensed medical practitioner. He must have acquired experience in the practice  
23 of his profession for at least five (5) years prior to the date of his appointment.

24  
25 (b) The city health officer shall take charge of the office of the city health  
26 services, and shall:

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

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

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

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

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

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

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

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

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

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

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

32           (viii) Coordinate with other government agencies and  
33           nongovernmental organizations involved in the promotion and

1 delivery of health services; and

2  
3 5.) Be in the frontline of the delivery of health services, particularly during  
4 and in the aftermath of man-made and natural disasters or calamities.

5  
6 (c) The city health officer shall exercise such other powers and perform such  
7 otherduties and functions as may be prescribed by law or ordinance.

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

11  
12 **SEC. 36. *The City Civil Registrar.*** – (a) The city civil registrar must be a citizen of  
13 the Philippines, a resident of the City of Mauban, of good moral character, a  
14 holder of a college degree from a recognized college or university, and a first  
15 grade civil service eligible or its equivalent. He must have acquired experience in  
16 civil registry work for at least five (5) years prior to the date of his appointment.

17  
18 (b) The city civil registrar shall be responsible for the civil registration program  
19 in the City of Mauban, pursuant to the Civil Registry Law, the Omnibus Election  
20 Code, and other pertinent laws, rules, and regulations issued to implement them.

21  
22 (c) The city civil registrar shall take charge of the office of the city civil registry  
23 and shall:

24 1.) Develop plans and strategies and, upon approval thereof by the city  
25 mayor, implement the same, particularly those which have to do with the  
26 management and administration-related programs and projects which the  
27 city mayor is empowered to implement and which the sangguniang  
28 panlungsod is empowered to provide for under the Local Government Code  
29 of 1991;

30  
31 2.) In addition to the foregoing duties and functions, the city civil registrar  
32 shall:

33 (i) Accept all registrable documents and judicial decrees affecting the

1                   civil status of persons;

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

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

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

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

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

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

22

23                  3.) The city civil registrar shall exercise such other powers and perform  
24                  such other duties and functions as may be prescribed by law or ordinance.

25

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

28

29                  **SEC. 37. *The City Administrator.*** – (a) The city administrator must be a citizen of  
30                  the Philippines, a resident of the City of Mauban, of good moral character, a  
31                  holder of a college degree preferably in public administration, law, or any other  
32                  related course from a recognized college or university, and a first grade civil  
33                  service eligible or its equivalent. He must have acquired experience in

1 management and administration work for at least five (5) years prior to the date  
2 of his appointment.

3

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

6

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

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

15

16 2.) In addition to the foregoing duties and functions, the administrator  
17 shall:

18 (i) Assist in the coordination of the work of all the officials of the City  
19 under the supervision, direction, and control of the city mayor, and  
20 for this purpose, he may convene the chiefs of offices and other  
21 officials of the City;

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

25 (iii) Conduct a continuing organizational development of the City with  
26 the end view of instituting effective administrative reforms;

27

28 3.) Be in the frontline of the delivery of administrative support services,  
29 particularly to those related to the situations during and in the aftermath of  
30 man-made and natural disasters and calamities;

31

32 4.) Recommend to the sangguniang panlungsod and advise the city mayor  
33 on all other matters relative to the management and administration of

1           the City; and

3           5.) Exercise such other powers and perform such other duties and  
4       functions as may be prescribed by law or ordinance.

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

9           **SEC. 38. The City Legal Officer.** – (a) The city legal officer must be a citizen of the  
10      Philippines, a resident of the City of Mauban, of good moral character and a  
11      member of the Philippine Bar. He must have practiced his profession for at least  
12      five (5) years prior to the date of his appointment.

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

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

19           1.) Formulate measures for the consideration of the sangguniang  
20       panlungsod and provide legal assistance and support to the city mayor in  
21       carrying out the delivery of basic services and the provisions of adequate  
22       facilities as provided for under Section 17 of the Local Government Code of  
23       1991;

25           2.) Develop plans and strategies and, upon approval thereof by the city  
26       mayor, implement the same, particularly those which have to do with  
27       programs and projects related to legal services which the city mayor is  
28       empowered to implement and which the sangguniang panlungsod is  
29       empowered to provide;

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

- (i) Represent the City in all civil actions and special proceedings wherein the City or any official thereof is, in his official capacity, a party: *Provided* that, in actions or proceedings where the City is a party adverse to the provincial government or to another component city or municipality, a special legal officer may be employed to represent the adverse party;
  - (ii) When required by the city mayor or sangguniang panlungsod, draft ordinances, contracts, bonds, leases, and other instruments involving any interest of the City and provide comments and recommendations on any instruments already drawn;
  - (iii) Render his opinion in writing on any question of law when requested to do so by the city mayor or sangguniang panlungsod;
  - (iv) Investigate or cause to be investigated any local official or employee for administrative neglect or misconduct in office and recommend appropriate action to the city mayor or sangguniang panlungsod, as the case may be;
  - (v) Investigate or cause to be investigated any person, firm, or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege and recommend appropriate action to the city mayor or the sangguniang panlungsod, as the case may be;
  - (vi) When directed by the city mayor or the sangguniang panlungsod, initiate and prosecute, in the interest of the City, any civil action on any bond, lease, or other contract upon any breach or violation thereof; and
  - (vii) Review and submit recommendations on ordinances approved and execute orders issued by component units;

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

Be in the frontline of protecting human rights and prosecuting any violation thereof, particularly those which occur during and in the

1                   aftermath of man-made and natural disasters or calamities; and

2

3                   6.) Exercise such other powers and perform such other duties and

4                   functions as may be prescribed by law or ordinance.

5

6                   (d) The city legal officer shall receive such compensation, emoluments, and

7                   allowances as may be determined by law.

8

9                   **SEC. 39. *The City Agriculturist.*** – (a) The city agriculturist must be a citizen of the

10                  Philippines, a resident of the City of Mauban, of good moral character, a holder of

11                  a college degree in agriculture or any related course from a recognized college or

12                  university, and a first grade civil service eligible or its equivalent. He must have

13                  practiced his profession in agriculture or acquired experience in a related field

14                  for at least five (5) years prior to the date of his appointment.

15

16                  (b) The city agriculturist shall take charge of the office for agricultural services,

17                  and shall:

18                  1.) Formulate measures for the approval of the sangguniang panlungsod

19                  and provide technical assistance and support to the city mayor in carrying

20                  out measures to ensure the delivery of basic services and the provision of

21                  adequate facilities relative to agricultural services;

22

23                  2.) Develop plans and strategies and, upon approval thereof by the city

24                  mayor, implement the same, particularly those which have to do with the

25                  agricultural programs and projects which the city mayor is empowered to

26                  implement and which the sangguniang panlungsod is empowered to

27                  provide;

28

29                  3.) Be in the frontline of the delivery of basic agricultural services,

30                  particularly those needed for the survival of the inhabitants during and in

31                  the aftermath of man-made and natural disasters or calamities;

32

33                  4.) Recommend to the sangguniang panlungsod and advise the city mayor

1       on all other matters related to agriculture and aquaculture which will  
2       improve the livelihood and the living conditions of the inhabitants;

3

4       5.) In addition to the foregoing duties and functions, the city agriculturist,  
5       shall:

6                     (i) Ensure that maximum assistance and access to resources in the  
7                     production, processing and marketing of agricultural and aqua-  
8                     cultural and marine products are extended to farmers, fishermen and  
9                     local entrepreneurs;

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

15                  (iii) Assist the city mayor in the establishment of demonstration  
16                  farms or aquaculture and marine products;

17                  (iv) Enforce rules and regulations relating to agriculture and aqua-  
18                  culture; and

19                  (v) Coordinate with government agencies and nongovernmental  
20                  organizations, which promote agricultural productivity through  
21                  appropriate technology compatible with environmental integrity.

22

23       (c) The city agriculturist shall exercise such other powers and perform such  
24       other duties and functions as may be prescribed by law or ordinance.

25

26       (d) The city agriculturist shall receive such compensation, emoluments, and  
27       allowances as may be provided by law.

28

29       **SEC. 40. The City Social Welfare and Development Officer.** – (a) The city social  
30       welfare and development officer must be a citizen of the Philippines, a resident  
31       of the City of Mauban, of good moral character, a licensed social worker or a  
32       holder of a college degree preferably in social work or in any other related  
33       course from a recognized college or university, and a first grade civil service

1 eligible or its equivalent. He must have acquired experience in social work for at  
2 least five (5) years prior to the date of his appointment.

3

4 (b) The city social welfare and development officer shall take charge of the  
5 office on social welfare and development services, and shall:

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

10

11 2.) Develop plans and strategies and, upon approval thereof by the city  
12 mayor, implement the same, particularly those which have to do with social  
13 welfare programs and projects which the city mayor is empowered to  
14 implement and which the sangguniang panlungsod is empowered to  
15 provide;

16

17 3.) Be in the frontline of the delivery of services particularly those which  
18 have to do with the immediate relief and assistance during and in the  
19 aftermath of man-made and natural disasters or calamities; and

20

21 4.) Recommend to the sangguniang panlungsod and advise the city mayor  
22 on all other matters related to social welfare and development services  
23 which will improve the livelihood and the living conditions of the  
24 inhabitants;

25

26 (c) The city social welfare and development officer shall exercise such other  
27 powers and perform such other duties and functions and as may be prescribed  
28 by law or ordinance.

29

30 (d) The city social welfare and development officer shall receive such  
31 compensation, emoluments, and allowances as may be determined by law.

32

33 **SEC. 41. *The City Environment and Natural Resources Officer.*** -(a) The city

1 environment and natural resources officer must be a citizen of the Philippines, a  
2 resident of the City of Mauban, of good moral character, a holder of a college  
3 degree preferably in environment, forestry, agriculture or in any other related  
4 course from a recognized college or university, and a first grade civil service  
5 eligible or its equivalent. One must have acquired experience in environment and  
6 natural resources management, conservation, and utilization work for at least  
7 five (5) years prior to the date of his appointment.

8

9 (b) The city environment and natural resources officer shall take charge of the  
10 city environment service department, and shall:

11 1.) Formulate measures for the consideration of the sangguniang  
12 panlungsod and provide assistance and support to the city mayor in  
13 carrying out measures to ensure the delivery of basic services and the  
14 provision of adequate facilities relative to environment and natural  
15 resources services as provided for under Section 17 of the Local  
16 Government Code of 1991;

17

18 2.) Develop plans and strategies and, upon approval thereof by the city  
19 mayor, implement the same, particularly those which have to do with the  
20 environment and natural resources programs and projects which the city  
21 mayor is empowered to implement and which the sangguniang panlungsod  
22 is empowered to provide;

23

24 3.) Be in the frontline of the delivery of services concerning the  
25 environment and natural resources, particularly in the renewal and  
26 rehabilitation of the environment during and in the aftermath of man-made  
27 and natural disasters or calamities;

28

29 4.) Recommend measures to the sangguniang panlungsod and advise the  
30 city mayor on all matters relative to the protection, conservation, maximum  
31 utilization, application of appropriate technology and other matters related  
32 to the environment and natural resources;

33

1       5.) In addition to the foregoing duties and functions, the city environment  
2       and natural resources officer shall:

- 3           (i) Establish, maintain, protect and preserve communal forests,  
4           watersheds, tree parks, mangroves, greenbelts, commercial forests,  
5           and similar forest projects like industrial tree farms and agro-forestry  
6           projects;
- 7           (ii) Provide extension services to beneficiaries of forest development  
8           projects and technical, financial, and infrastructure assistance;
- 9           (iii) Manage and maintain seed banks and produce seedlings for  
10          forests and tree parks;
- 11          (iv) Provide extension services to beneficiaries of forest development  
12          projects and render assistance for natural resources-related  
13          conservation and utilization activities consistent with ecological  
14          balance;
- 15          (v) Promote the small-scale mining and utilization of mineral  
16          resources; and
- 17          (vi) Coordinate with government agencies and nongovernmental  
18          organizations in the implementation of measures to prevent and  
19          control land, air, and water pollution with the assistance of the  
20          Department of Environment and Natural Resources.

21  
22       (c) The city environment and natural resources officer shall exercise such other  
23       powers and perform such other duties and functions as may be prescribed by  
24       law or ordinance.

25  
26       (d) The city environment and natural resources officer shall receive such  
27       compensation, emoluments, and allowances as may be determined by law.

28  
29       **SEC. 42. *The City Architect.*** – (a) The city architect must be a citizen of the  
30       Philippines, a resident of the City of Mauban, of good moral character, and a duly  
31       licensed architect. He must have practiced his profession for at least five (5)  
32       years prior to the date of his appointment.

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

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

8

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

14

15           3.) Be in the frontline of the delivery of services involving architectural  
16 planning and design, particularly those related to the redesigning of spatial  
17 distribution of basic facilities and physical structures during and in the  
18 aftermath of man-made and natural disasters or calamities;

19

20           4.) Recommend to the sangguniang panlungsod and advise the city mayor  
21 on all other matters relative to architectural planning and design as it  
22 relates to the total socioeconomic development of the City;

23

24           5.) In addition to the foregoing duties and functions, the city architect shall:

25              (i) Prepare and recommend for consideration of the sangguniang  
26 panlungsod the architectural plan and design for the City or a part  
27 thereof, including the renewal of slums and blighted areas, land  
28 reclamation activities, the greening of land, and appropriate planning  
29 of marine and foreshore areas;

30              (ii) Review and recommend for appropriate action of the sangguniang  
31 panlungsod or the city mayor the architectural plans and design  
32 submitted by governmental and nongovernmental entities or  
33 individuals, particularly those for undeveloped, underdeveloped, and

1           poorly-designed areas; and  
2           (iii) Coordinate with government and nongovernment entities and  
3           individuals involved in the aesthetics and the maximum utilization of  
4           the land and water within the jurisdiction of the City, compatible with  
5           environmental integrity and ecological balance.

6

7           (c) The city architect shall also exercise such other powers and perform such  
8           other duties and functions as may be prescribed by law or ordinance.

9

10          (d) The city architect shall receive such compensation, emoluments, and  
11          allowances as may be determined by law.

12

13          **SEC. 43. *The City Information Officer.*** – (a) The city information officer must be a  
14          citizen of the Philippines, a resident of the City of Mauban, of good moral  
15          character, a holder of a college degree preferably in journalism, mass  
16          communications, or any related course from a recognized college or university,  
17          and a first grade civil service eligible or its equivalent. He must have acquired  
18          experience in writing articles and research papers, or in writing for print,  
19          television, or broadcast media for at least three (3) years prior to the date of his  
20          appointment.

21

22          (b) The term of the information officer shall be coterminous with that of his  
23          appointing authority.

24

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

- 27           1.) Formulate measures for the consideration of the sangguniang  
28           panlungsod and provide technical assistance and support to the city mayor  
29           in providing the information and research data required for the delivery of  
30           basic services and the provision of adequate facilities so that the public  
31           becomes aware of said services and may fully avail of the same;
- 32
- 33           2.) Develop plans and strategies and, upon approval thereof by the city

1 mayor, implement the same, particularly those which have to do with  
2 public information and research data to support programs and projects  
3 which the city mayor is empowered to implement and which the  
4 sangguniang panlungsod is empowered to provide under the Local  
5 Government Code of 1991;

6

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

11

12 4.) Recommend to the sangguniang panlungsod and advise the city mayor  
13 on all other matters relative to public information and research data as it  
14 relates to the total socio-economic development of the City;

15

16 5.) In addition to the foregoing duties and functions, the city information  
17 officer shall:

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

20 (ii) Furnish information and data to City agencies or offices as may be  
21 required by law or ordinance; and

22 (iii) Maintain effective liaison with the various sectors of the  
23 community on matters and issues that affect the livelihood and the  
24 quality of life of the inhabitants and encourage support for programs  
25 of the City and national government.

26

27 (d) The city information officer shall exercise such other powers and perform  
28 such other duties and functions as may be prescribed by law or ordinance.

29 (e) The city information officer shall receive such compensation, emoluments,  
30 and allowances as may be determined by law.

31

32 **SEC. 44. The City Cooperatives Officer.** – (a) The city cooperatives officer must be  
33 a citizen of the Philippines, a resident of the City of Mauban, of good moral

1 character, a holder of a college degree preferably in business administration with  
2 special training in cooperatives or any related course from a recognized college  
3 or university, and a first grade civil service eligible or its equivalent. He must  
4 have acquired experience in cooperatives organization and management for at  
5 least five (5) years prior to the date of his appointment.

6

7 (b) The city cooperatives officer shall take charge of the office for the  
8 development of cooperatives, and shall:

9 1.) Formulate measures for the consideration of the sangguniang  
10 panlungsod and provide technical assistance and support to the city mayor  
11 in carrying out measures to ensure the delivery of basic services and the  
12 provision of facilities through the development of cooperatives and in  
13 providing access to such services and facilities;

14

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

20

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

25

26 4.) Recommend to the sangguniang panlungsod and advise the city mayor  
27 on all other matters relative to cooperatives development and viability  
28 enhancement which will improve the livelihood and the quality of life of the  
29 inhabitants;

30

31 5.) In addition to the foregoing duties and functions, the city cooperatives  
32 officer shall:

33 (i) Assist in the organization of cooperatives;

1   (ii) Provide technical and other forms of assistance to existing  
2 cooperatives to enhance their viability as an economic enterprise and  
3 social organization; and

4   (iii) Assist cooperatives in establishing linkages with government  
5 agencies and non-government organizations involved in the  
6 promotion and integration of the concept of cooperatives in the  
7 livelihood of the people and other community activities.

8  
9   (c) The city cooperatives officer shall exercise such other powers and perform  
10 such other duties and functions as may be prescribed by law or ordinance.

11  
12   (d) The city cooperatives officer shall receive such compensation, emoluments  
13 and allowances as may be determined by law.

14  
15   **SEC. 45. *The City Population Officer.*** – (a) The city population officer must be a  
16 citizen of the Philippines, a resident of the City of Mauban, of good moral  
17 character, a holder of a college degree preferably with specialized training in  
18 population development from a recognized college or university, and a first  
19 grade civil service eligible or its equivalent. He must have acquired experience in  
20 the implementation of programs on populationdevelopment or responsible  
21 parenthood for at least five (5) years prior to the date of his appointment.

22  
23   (b) The city population officer shall take charge of the office of the population  
24 development, and shall:

25   1.) Formulate measures for the consideration of the sangguniang  
26 panlungsod and provide technical assistance and support to the city mayor  
27 in carrying out measures to ensure the delivery of basic services and the  
28 provision of adequate facilities relative to the integration of the population  
29 development principles and in providing access to said services and  
30 facilities.

31  
32   2.) Develop plans and strategies and, upon approval thereof by the city  
33 mayor, implement the same, particularly those which have to do with the

1 integration of population development principles and methods in programs  
2 and projects which the city mayor is empowered to implement and which  
3 the sangguniang panlungsod is empowered to provide;

4

5 3.) In addition to the foregoing duties and functions, the city population  
6 officer

7 shall:

- 8 (i) Assist the city mayor in the implementation of the Constitutional  
9 provisions relative to population development and the promotion of  
10 responsible parenthood;
- 11 (ii) Establish and maintain an updated data bank for program  
12 operations, development planning, and an educational program to  
13 ensure the people's participation in and understanding of population  
14 development; and
- 15 (iii) Implement appropriated training programs responsive to the  
16 cultural heritage of the inhabitants.

17

18 (c) The city population officer shall exercise such other powers and perform such  
19 other duties and functions as may be prescribed by law or ordinance.

20

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

23

24 **SEC. 46. The City Veterinarian.** – (a) The city veterinarian must be a citizen of the  
25 Philippines, a resident of the City of Mauban, of good moral character and a  
26 licensed doctor of veterinary medicine. One must have practiced his profession  
27 for at least three (3) years prior to the date of his appointment.

28

29 (b) The city veterinarian shall take charge of the office for veterinary services  
30 and shall:

- 31 1.) Formulate measures for the consideration of the sangguniang  
32 panlungsod and provide technical assistance and support to the city mayor  
33 in carrying out measures to ensure the delivery of basic services and the

1 provision of adequate facilities;

2  
3 2.) Develop plans and strategies and, upon approval thereof by the city  
4 mayor, implement the same, particularly those which have to do with  
5 veterinary-related activities which the city mayor is empowered to  
6 implement and which the sangguniang panlungsod is empowered to  
7 provide;

8  
9 3.) Be in the frontline of the veterinary-related activities, such as in the  
10 outbreak of highly-contagious and deadly diseases, and in situations  
11 resulting in the depletion of animals for work and for human consumption,  
12 particularly those arising from and in the aftermath of man-made and  
13 natural disasters or calamities;

14  
15 4.) Recommend to the sangguniang panlungsod and advise the city mayor  
16 on all other matters relative to veterinary services which will increase the  
17 number and improve the quality of livestock, poultry, and other domestic  
18 animals used for work or for human consumption;

19  
20 5.) In addition to the foregoing duties and functions, the city veterinarian  
21 shall:

- 22 (i) Advise the city mayor on all matters pertaining to the slaughter of  
23 animals for human consumption and the regulation of slaughter  
24 houses;
- 25 (ii) Regulate the keeping of domestic animals;
- 26 (iii) Regulate and inspect poultry, milk and dairy products for public  
27 consumption;
- 28 (iv) Enforce all laws and regulations for the prevention of cruelty to  
29 animals; and
- 30 (v) Take the necessary measures to eradicate, prevent, or cure all  
31 forms of animal diseases;

32  
33 (c) Exercise such other powers and perform such other duties and functions as

1 may be prescribed by law or ordinance.

2

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

5

6 **SEC. 47. *The City General Services Officer.*** – (a) The city general services officer  
7 must be a citizen of the Philippines, a resident of the City of Mauban, of good  
8 moral character, a holder of a college degree in public administration, business  
9 administration, or management from a recognized college or university, and a  
10 first grade civil service eligible or its equivalent. He must have acquired  
11 experience in general services, including the management of supply, property,  
12 solid waste disposal, and general sanitation for at least five (5) years prior to the  
13 date of his appointment.

14

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

17 1.) Formulate measures for the consideration of the sangguniang  
18 panlungsod and provide technical assistance and support to the city mayor  
19 in carrying out measures to ensure the delivery of basic services and the  
20 provision of adequate facilities pursuant to Section 17 of the Local  
21 Government Code of 1991, and which require general services expertise  
22 and technical support services;

23

24 2.) Develop plans and strategies and, upon approval thereof by the city  
25 mayor, implement the same, particularly those which have to do with  
26 general services supportive of the welfare of the inhabitants of the City  
27 which the city mayor is empowered to implement and which the  
28 sangguniang panlungsod is empowered to provide;

29

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

33

- 1           4.) Be in the frontline of general services-related activities, such as the  
2           possible and imminent destruction or damage to records, supplies,  
3           properties, and structures, and the orderly and sanitary clearing up of  
4           waste materials or debris, particularly during and in the aftermath of man-  
5           made and natural disasters or calamities;
- 6
- 7           5.) Recommend to the sangguniang panlungsod and advise the city mayor  
8           on all matters relative to general services;
- 9
- 10          6.) In addition to the foregoing duties and functions, the general services  
11          officer shall:
- 12           (i) Take custody of and be accountable for all properties, real or  
13           personal, owned by the local government unit and those granted to it  
14           in the form of donation, reparation, assistance, and counterpart of  
15           joint projects;
- 16           (ii) With the approval of the city mayor, assign building or land spaces  
17           to local officials or other public officials who, by law, are entitled to  
18           such space;
- 19           (iii) Recommend to the city mayor reasonable rental rates for local  
20           government properties, whether real or personal, which will be  
21           leased to public or private entities by the City;
- 22           (iv) Recommend to the city mayor reasonable rental rates of private  
23           properties, which may be leases for the official use of the local  
24           government unit;
- 25           (v) Maintain and supervise janitorial, security, landscaping, and other  
26           related services in all local government public buildings and other  
27           real property, whether owned or leased by the City;
- 28           (vi) Collate and disseminate information regarding prices, shipping  
29           and other costs of supplies, and other items commonly used by the  
30           City;
- 31           (vii) Perform archival and record management with respect to  
32           records of offices and departments of the City; and
- 33           (viii) Perform all other functions pertaining to supply and property

1 management heretofore performed by the city treasurer and enforce  
2 policies on records creation, maintenance, and disposal.

3

4 (c) The city general services officer shall also exercise such other powers and  
5 perform such other duties and functions as may be prescribed by law or  
6 ordinance.

7

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

10

11 **SEC. 48. Other City Officials.** – In addition to the officials enumerated above, the  
12 City of Mauban shall also have the following officials with corresponding  
13 qualifications, duties, functions, and compensation:

14 *A. The City Business Permits and Licensing Officer*–(a) The city business  
15 permits and licensing officer must be a citizen of the Philippines, a  
16 resident of the City of Mauban, of good moral character, a holder of a  
17 college degree preferably in business administration or in any related  
18 course from a recognized college or university, and a first grade civil  
19 service eligible or its equivalent. He must have acquired experience in  
20 management for at least five (5) years prior to the date of his  
21 appointment.

22

23 (b) The city business and licensing officer shall take charge of the office for the  
24 business permits and licensing, and shall:

25 1.) Supervise the conduct of spot/post inspection of all business  
26 establishments, gaming and other entities requiring permits and licenses  
27 for compliance with existing laws and ordinances;

28 2.) Review the application for permits and licenses and recommend its  
29 approval/disapproval to the city mayor or his authorized representative;  
30 and

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

32 (c) The city business and licensing officer shall receive such compensation,  
33 emoluments, and allowances as may be determined by law.

2           *B. The City Education Officer.* -(a) The city education officer must be a citizen of  
3           the Philippines, a resident of the City of Mauban, of good moral character, a  
4           holder of a college degree in education or in any other related course from a  
5           recognized college or university, and a first grade civil service eligible or its  
6           equivalent. He must have practiced his profession for at least five (5) years prior  
7           to the date of his appointment.

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

- 10           1.) Formulate measures for the consideration of the sangguniang  
11           panlungsod and provide technical assistance and support to the city mayor  
12           in carrying out measures to ensure the delivery of basic services and  
13           provision of adequate facilities relative to education;
- 14
- 15           2.) Develop plans and strategies and, upon approval thereof by the city  
16           mayor, implement the same, particularly those which have to do with  
17           education supportive of the welfare of the inhabitants of the City which the  
18           city mayor is empowered to provide;
- 19
- 20           3.) Liaison with teachers and principals assigned in the City;
- 21
- 22           4.) Sit as additional member of the city school board;
- 23
- 24           5.) Study, evaluate, and recommend the allocation of the Special Education  
25           Fund (SEF); and
- 26
- 27           6.) Perform such other duties and functions and exercise such other powers  
28           as may be prescribed by law or ordinance.

29

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

32

33           *C. The City Youth and Sports Development Officer* -(a) The city youth and sports

1 development officer must be a citizen of the Philippines, a resident of the City of  
2 Mauban, of good moral character, a holder of a college degree from a recognized  
3 college or university, and a first grade civil service eligible or its equivalent. One  
4 must have acquired experience in sports development or in any related field for  
5 at least three (3) years prior to the date of his appointment.

6

7 (b) The city youth and sports development officer shall take charge of the office  
8 of the youth and sports development department, and shall:

9 1.) Develop plans and strategies and, upon the approval thereof by the city  
10 mayor, implement the same, particularly those which have to do with youth  
11 and sports programs and projects which the city mayor is empowered to  
12 implement and which the sangguniang panlungsod is empowered to  
13 provide; and

14

15 2.) Perform such other duties and functions and exercise such other powers  
16 as may be prescribed by law or ordinance.

17

18 (c) The city youth and sports development officer shall receive such  
19 compensation, emoluments, and allowances as may be determined by law.

20

21 *D. The City Public Safety Officer* - (a) The city public safety officer must be a  
22 citizen of the Philippines, a resident of the City of Mauban, of good moral  
23 character, a holder of a college degree from a recognized college or university,  
24 and a first grade civil service eligible or its equivalent. He must have acquired  
25 experience in public safety management for at least three (3) years prior to the  
26 date of his appointment.

27

28 (b) The city public safety officer shall take charge of the office of the public safety  
29 department, and shall:

30 1.) Develop plans and strategies and, upon the approval thereof by the  
31 city mayor, implement the same, particularly those which have to do with  
32 public safety plans and programs which the city mayor is empowered to  
33 implement and which the sangguniang panlungsod is empowered to

1 provide; and

2  
3 2.) Perform such other duties and functions and exercise such other powers  
4 as may be prescribed by law or ordinance.

5  
6 (c) The city public safety officer shall receive such compensation, emoluments,  
7 and allowances as may determined by law.

8  
9 *E. The City Tourism and Cultural Affairs Officer* – (a) The city tourism and cultural  
10 affairs officer must be a citizen of the Philippines, a resident of the City of  
11 Mauban, of good moral character, a holder of a college degree, and a first grade  
12 civil service eligible or its equivalent. One must have acquired experience in  
13 tourism and cultural affairs work for at least three (3) years prior to the date of  
14 his appointment.

15  
16 (b) The city tourism and cultural affairs officer shall take charge of the office of  
17 the city tourism and cultural affairs, and shall:

18 1.) Develop plans and strategies and, upon the approval thereof by the city  
19 mayor, implement the same, particularly those which have to do with  
20 tourism and cultural affairs programs and projects which the city mayor is  
21 empowered to implement and which the sangguniang panlungsod is  
22 empowered to provide;

23  
24 2.) Be in the frontline of the delivery of repair and reconstruction work  
25 related to tourism and cultural affairs, particularly during and in the  
26 aftermath of man-made and natural disasters or calamities;

27  
28 3.) Recommend to the sangguniang panlungsod and advise the city mayor  
29 on all matters relative to the cultural affairs of the City; and

30  
31 4.) Perform such other duties and functions and exercise such other powers  
32 as may prescribed by law or ordinance.

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

3

4       *F. The City Human Resource Development Officer -* (a) The city human resource  
5       development officer must be a citizen of the Philippines, a resident of the City of  
6       Mauban, of good moral character, a holder of a college degree preferably in  
7       psychology or in any related course from a recognized college or university, and  
8       a first grade civil service eligible or its equivalent. One must have acquired  
9       experience in personnel administration for at least three (3) years prior to the  
10      date of his appointment.

11

12       (b) The city human resource development officer shall take charge of the human  
13       resource development office, and shall:

14           1.) Develop a human resource management program for approval by the  
15       city mayor and the sangguniang panlungsod;

16

17           2.) Assist the city mayor in implementing the City's policies and programs  
18       relative to recruitment and selection, appointments, training, promotion,  
19       compensation, and other personnel actions involving officials and  
20       employees of the City;

21

22           3.) Recommend to the sangguniang panlungsod and advise the city mayor  
23       on all matters relative to human resource management and development;

24

25           4.) Establish and maintain a sound personnel program for the City designed  
26       to promote career development and uphold the merit principle in the  
27       local government service;

28

29           5.) Conduct a continuing organizational development of the City, with the  
30       end in view of instituting effective administrative reforms; and

31

32           6.) Perform such other duties and functions and exercise such other powers  
33       as may be prescribed by law or ordinance.

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

## ARTICLE VIII

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

8   **SEC.49. The City Fire Station Service.** - (a) There shall be established in the City at  
9   least one (1) fire station with adequate personnel, firefighting facilities and  
10   equipment, subject to the standards, rules and regulations that may be  
11   promulgated by the Department of the Interior and Local Government (DILG).  
12   The City shall provide the necessary land or site of the station.

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

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

23     **SEC. 50.***The City Jail Service.* – (a) There shall be established and maintained in  
24     the City a secure, clean, adequately equipped, and sanitary jail for the custody  
25     and safekeeping of prisoners, fugitives from justice, persons detained awaiting  
26     investigation and/or trial, and mentally ill persons who endanger himself or the  
27     safety of others, duly certified as such by the proper medical health officer,  
28     pending his transfer to a mental institution.

30 (b) The city jail service shall be headed by a city jail warden who must be a  
31 graduate of a four (4)-year course in psychology, psychiatry, sociology, nursing,  
32 social work, or criminology who shall assist in the immediate rehabilitation of  
33 individuals or detention of prisoners. Great care shall be exercised to ensure that

1 the basic human rights of these prisoners are respected and protected, and that  
2 their spiritual and physical well being are properly and promptly attended to.

3

4 **SEC. 51. *The City Schools Division.*** – (a) There shall be established and maintained  
5 by the Department of Education (DepED), a city schools division of the City of  
6 Mauban whose area of jurisdiction will cover all the school districts within the  
7 City.

8

9 (b) The city schools division shall be headed by a city schools division  
10 superintendent who must posses the necessary qualifications required by the  
11 DepED.

12

13 **SEC. 52. *The City Prosecution Service.*** – (a) There shall be established in the City a  
14 city prosecution service to be headed by a city prosecutor and such number of  
15 assistant city prosecutors as may be necessary, who shall be organizationally  
16 part of the Department of Justice (DOJ), be under the supervision and control of  
17 the Secretary of Justice, and whose qualifications, manner of appointment, rank,  
18 salary, and benefits shall be governed by existing laws covering prosecutors in  
19 the DOJ.

20

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

25

26 The Secretary of Justice shall always ensure the adequacy and the quality of  
27 the prosecution service in the City and, for this purpose shall, in the absence or  
28 lack or insufficiency in number of assistant city prosecutors as provided  
29 hereinabove, designate from among the assistant provincial prosecutors a  
30 sufficient number to perform and discharge the functions of the city prosecution  
31 service as provided hereinabove.

32

33

1

ARTICLE IX

TRANSITORY AND FINAL PROVISIONS

2

3

4     **SEC. 53.***Municipal Ordinances Existing at the Time of the Approval of this Act.* – All  
5     municipal ordinances of the Municipality of Mauban existing at the time of the  
6     approval of this Act shall continue to be in force within the City of Mauban until  
7     the sangguniang panlungsod shall declare otherwise.

8

9     **SEC. 54.***Plebiscite.* – The City of Mauban shall acquire corporate existence upon  
10    the ratification of its creation by a majority of the votes cast by the qualified  
11    voters in a plebiscite to be conducted in the present Municipality of Mauban  
12    within sixty (60) days from the approval of this Act. The Commission on  
13    Elections shall conduct and supervise such plebiscite.

14

15    The expenses for such plebiscite shall be borne by the Municipality of Mauban.

16

17     **SEC. 55.***Officials of the City of Mauban.* – The present elective officials of the  
18    Municipality of Mauban shall continue to exercise their powers and functions  
19    until such time that a new election is held and the duly-elected officials shall  
20    have already qualified and assumed their offices. Appointive officials and  
21    employees of the municipality shall likewise continue exercising their functions  
22    and duties and they shall be automatically absorbed by the city government of  
23    the City of Mauban.

24

25     **SEC. 56.***Succession Clause.* – The City of Mauban shall succeed to all the assets,  
26    properties, liabilities, and obligations of the Municipality of Mauban.

27

28

29     **SEC. 57.***Election of Provincial Governor and Sangguniang Panlalawigan Members  
30    of the Province of Quezon.* – The qualified voters of the City of Mauban shall be  
31    qualified to vote and run for any elective position in the elections for provincial  
32    governor, provincial vice governor, sangguniang panlalawigan members and  
33    other elective officials for the Province of Quezon.

1   **SEC. 58.***Jurisdiction of the Province of Quezon.* – The City of Mauban shall, unless  
2   otherwise provided by law, continue to be under the jurisdiction of the Province  
3   of Quezon.

4

5   **SEC. 59.***Suspension of Increase in Rates of Local Taxes.* – No increase in the rates  
6   of local taxes shall be imposed by the City within the period of five (5) years from  
7   its acquisition of corporate existence.

8

9   **SEC. 60.***Representative District.* – Until otherwise provided by law, the City of  
10   Mauban shall continue to be a part of the First Congressional District of the  
11   Province of Quezon.

12

13   **SEC. 61.***Reservation.* – Nothing herein contained shall preclude the  
14   determination by the appropriate agency or forum of boundary disputes or cases  
15   involving questions of territorial jurisdiction between the City of Mauban and  
16   any of the adjoining local government units even after the effectivity of this Act.

17

18   **SEC.62.***Applicability of Laws.* – The provisions of the Local Government Code of  
19   1991, and other laws pertaining to the Province of Quezon and such laws as are  
20   applicable shall govern the City of Mauban insofar as they are not inconsistent  
21   with the provisions of this Act.

22

23   **SEC. 63.***Separability Clause.* – If, for any reason or reasons, any part or provision  
24   of this Charter is declared unconstitutional, invalid, or inconsistent with the  
25   Local Government Code of 1991, the other parts or provisions hereof which are  
26   not affected thereby shall continue to be in full force and effect.

27

28   **SEC. 64.***Effectivity.* – This Act shall take fifteen (15) days following its complete  
29   publication in any newspaper of general and local circulation.

30

31   Approved,