

EIGHTEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
Second Regular Session]



Senate
Office of the Secretary

20 JUL 27 A9:10

SENATE

S.B. No. 1737

RECEIVED

Introduced by SEN. WIN GATCHALIAN

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

EXPLANATORY NOTE

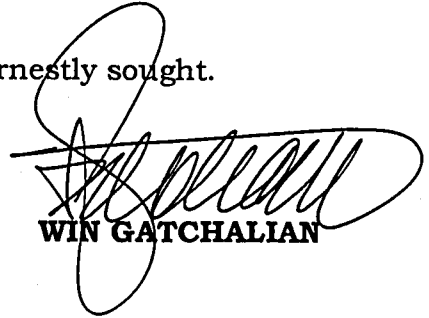
Located along the western part of Batangas province, the Municipality of Calaca has grown from a sleepy 4th class municipality in the 80's into a 1st class municipality with annual regular income of Php251.598 million and Php269.155 million at 2000 constant prices in 2017 and 2018, respectively.

Gradually emerging as the center of trade and commerce in the First District of Batangas, the municipality of Calaca has attracted major industries, such as SEM Calaca Power Corporation and Phoenix Petroterminals and Industrial Park Corp, to establish and operate their facilities in the area which has been driving agricultural and industrial development and providing employment opportunities to its residents.

As it seeks to address urbanization needs, enhance tourism potentials, integrate environmental management system and increase agricultural and industrial capacity, the municipality needs to continue towards the path of progress and sustainable growth. This development agenda necessarily requires economic viability which can only be assured by converting the municipality into a component city.

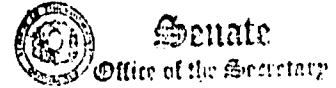
As being proposed in this measure, Calaca's conversion into a component city will provide immediate access to greater resources that would optimize its continuous growth and development.

Accordingly, the passage of this measure is earnestly sought.



WIN GATCHALIAN

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AN ACT
CONVERTING THE MUNICIPALITY OF CALACA
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KNOWN AS THE CITY OF CALACA

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

ARTICLE I

GENERAL PROVISIONS

1
2
3 **SECTION 1. Title** – This Act shall be known as the "Charter of the
4 City of Calaca."
5

6 **SEC. 2. The City of Calaca** – The Municipality of Calaca shall be
7 converted into a component city to be known as the City of Calaca, hereinafter
8 referred to as the City, which shall comprise the present jurisdiction of the
9 Municipality of Calaca, Province of Batangas.

10 The territorial jurisdiction of the City shall be within the present metes
11 and bounds of the Municipality of Calaca.

12 The foregoing provision shall be without prejudice to the resolution by
13 the appropriate agency or forum of existing boundary disputes or cases
14 involving questions of territorial jurisdiction between the City of Calaca and

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

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

- 11 (a) To have a continuous succession in its corporate name;
- 12 (b) To sue and be sued;
- 13 (c) To have and use a corporate seal;
- 14 (d) To acquire, hold and convey real or personal property;
- 15 (e) To enter into any contracts and/or agreements; and
- 16 (f) To exercise such other powers, prerogatives or authority subject to
17 the limitations provided under Republic Act No. 7160, otherwise
18 known as the “Local Government Code of 1991, as amended”, this
19 Act or laws.

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

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

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

13
14 **SEC. 6. Liability for Damages** – The City and its officials shall not be
15 exempt from liability for death or injury to persons or damage to property.

16
17 **SEC. 7. Jurisdiction of the City** – The jurisdiction of the City, for
18 police purposes only, shall be coextensive with its territorial jurisdiction and
19 for the purpose of protecting and ensuring the purity of the water supply of
20 the City, such police jurisdiction shall also extend over all the territory within
21 the drainage area of such water supply, or within one hundred meters (100
22 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in
23 connection with the city water service.

24 The city court of the City of Calaca and the city or municipal courts of
25 the adjoining cities and municipalities shall have concurrent jurisdiction to
26 try crimes and misdemeanors committed within the said drainage area or
27 areas within said spaces of one hundred meters (100 m.) of any reservoir,
28 conduit, canal, aqueduct or pumping station used in connection with the City
29 water service delivery.

30 The court first taking jurisdiction of such an offense shall have
31 jurisdiction to try cases to the exclusion of others. The police forces of the

1 municipalities and cities concerned shall have concurrent jurisdiction with
2 the police forces of the City for the maintenance of good order and the
3 enforcement of ordinances throughout said zone, area or space. Any license
4 that may be issued within said zone, area or space shall be granted by the
5 proper authorities of the city or municipality concerned, and the fees arising
6 there from shall accrue to the treasury of the said city or municipality
7 concerned and not to the City.

8
9 **ARTICLE II**

10 **CITY OFFICIALS IN GENERAL**

11 **SEC. 8. *The Officials of the City of Calaca*** – (a) There shall be in the
12 City of Calaca: a City Mayor, a City Vice Mayor, *Sangguniang Panlungsod*
13 members, a secretary to the *Sangguniang Panlungsod*, a city treasurer and an
14 assistant city treasurer, a city assessor and an assistant city assessor, a city
15 accountant, a city budget officer, a city planning and development officer, a
16 city engineer, a city health officer, a city civil registrar, a city administrator, a
17 city legal officer, a city social welfare and development officer, a city
18 veterinarian and a city general services officer.

19 (b) In addition thereto, the City Mayor may appoint a city environment
20 and natural resources officer, city architect, a city information officer, a city
21 cooperatives officer, a city population officer and a city agriculturist;

22 (c) The *Sangguniang Panlungsod* may:

23 (1) Maintain existing offices not mentioned in subsections (a) and (b)
24 hereof;

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

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

29 (d) Unless otherwise provided herein, heads of departments and offices
30 shall be appointed by the City Mayor with the concurrence of the majority of
31 all the *Sangguniang Panlungsod* members, subject to civil service law, rules

1 and regulations. The *Sangguniang Panlungsod* shall act on the appointment
2 within fifteen (15) days from the day of its submission, otherwise the same
3 shall be deemed confirmed.

4 (e) Elective and appointive city officials shall receive compensation,
5 allowances and other emoluments as may be determined by law or
6 ordinances, subject to the budgetary limitations on personal services
7 prescribed under Title Five, Book II of the Local Government Code of 1991, as
8 amended: *Provided*, That no increase in the compensation of the City Mayor,
9 City Vice Mayor and the *Sangguniang Panlungsod* member shall take effect
10 until after the expiration of the full term of the local officials approving the
11 increase.

12 13 **ARTICLE III**

14 **THE CITY MAYOR AND CITY VICE MAYOR**

15 **SEC. 9. *The City Mayor*** - (a) The City Mayor shall be the chief
16 executive of the City and shall be elected at large by the qualified voters of the
17 City.

18 The City Mayor shall, at the time of the election, be at least twenty-one
19 (21) years of age, a resident of the City for at least one (1) year immediately
20 preceding the day of the election, a qualified registered voter therein and is
21 able to read and write Filipino or any local language or dialect.

22 The City Mayor, who shall hold office for three (3) years, unless sooner
23 removed, and shall not serve for more than three (3) consecutive terms in the
24 same position, shall receive a minimum monthly compensation corresponding
25 to Salary Grade thirty (30) as prescribed under Republic Act No. 6758, as
26 amended, otherwise known as the "Compensation and Position Classification
27 Act of 1989", and the implementing guidelines issued pursuant thereto and
28 such other compensation, emoluments and allowances as may be determined
29 by law.

1 (b) The City Mayor, as the Chief Executive of the City Government, shall
2 exercise such powers and perform such duties and functions as provided for
3 by the Local Government Code of 1991, as amended, this Act and other laws.

4 (c) For efficient, effective and economical governance the purpose of
5 which is the general welfare of the City and its inhabitants, the City Mayor
6 shall:

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

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

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

15 (iii) Present the program of government and propose policies and
16 projects for the consideration of the *Sangguniang Panlungsod*
17 at the opening of the regular session of the *Sangguniang*
18 *Panlungsod* every calendar year and as often as may be deemed
19 necessary as the general welfare of the inhabitants and the
20 needs of the city government may require;

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

25 (v) Appoint all officials and employees whose salaries and wages
26 are wholly or mainly paid out of city funds and whose
27 appointments are not otherwise provided for under the Local
28 Government Code of 1991, as amended, and this Act, and
29 those whose appointment the City Mayor may be authorized by
30 law to appoint;

- 1 (vi) Represent the City in all its business transactions and sign in
2 its behalf all bonds, contracts, obligations, and such other
3 documents upon the authority of the *Sangguniang Panlungsod*
4 or pursuant to law or ordinance;
- 5 (vii) Carry out such emergency measures as may be necessary
6 during and in the aftermath of man-made and natural
7 disasters and calamities;
- 8 (viii) Determine the time, manner and place of payment of salaries
9 or wages of the officials and employees of the City, in
10 accordance with law or ordinance;
- 11 (ix) Allocate and assign office space to the City and other officials
12 and employees who, by law or ordinance, are entitled to such
13 space in the city hall and other buildings owned or leased by
14 the city government;
- 15 (x) Ensure that all executive officials and employees of the City
16 faithfully discharge their duties and functions as provided for
17 by law and the Local Government Code of 1991, as amended,
18 and cause to be instituted administrative or judicial
19 proceedings against any official or employee of the City who
20 may have committed an offense in the performance of his
21 official duties;
- 22 (xi) Examine the books, records and other documents of all offices,
23 officials, agents or employees of the City and, in aid of his
24 executive powers and authority, require all national officials
25 and employees stationed in or assigned to the City to make
26 available such books, records and other documents in their
27 custody except those classified by law as confidential;
- 28 (xii) Furnish copies of executive orders issued by the City Mayor to
29 the office of the provincial governor within seventy-two (72)
30 hours after their issuance;

- 1 (xiii) Visit component barangays of the City at least once every six
2 (6) months to deepen his understanding of problems and
3 conditions, listen and give appropriate counsel to local officials
4 and inhabitants, inform component barangay officials and
5 inhabitants of general laws and ordinances which especially
6 concern them, and otherwise conduct visits and inspections to
7 ensure that the governance of the City will improve the quality
8 of life of the inhabitants;
- 9 (xiv) Act on leave applications of officials and employees on the
10 commutation of the monetary value of their leave credits in
11 accordance with law;
- 12 (xv) Authorize official trips of city officials and employees outside of
13 the City for a period not exceeding thirty (30) days: *Provided*,
14 that trips abroad for a longer period may be authorized in
15 accordance with the Local Government Code of 1991, as
16 amended;
- 17 (xvi) Call upon any national official or employee stationed in or
18 assigned to the City for advise on matters affecting the City and
19 to make recommendations thereon; coordinate with said
20 officials and employees in the formulation and the
21 implementation of plans, programs and projects; and when
22 appropriate, initiate an administrative or judicial action against
23 a national government official or employee who may have
24 committed an offense in the performance of his official duties
25 while stationed in or assigned to the City;
- 26 (xvii) Authorize payment for medical care, necessary transportation,
27 subsistence, hospital or medical fees of city officials and
28 employees who are injured while in the performance of their
29 official duties and functions, subject to availability of funds;
- 30 (xviii) Solemnize marriages, any provision of law to the contrary
31 notwithstanding;

1 (xix) Conduct an annual palarong panlungsod which shall feature
2 traditional sports and disciplines included in national and
3 international games, in coordination with the Department of
4 Education (DepEd); and

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

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

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

20 (ii) Call conventions, conferences, seminars or meetings of elective
21 or appointive officials of the City, including provincial and
22 national officials and employees stationed in or assigned to the
23 City, at such time and place and on such subject he may deem
24 important for the promotion of the general welfare of the local
25 government unit and its inhabitants;

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

28 (iv) Be entitled to carry the necessary firearms within his or her
29 territorial jurisdiction;

30 (v) Act as the deputized representative of the National Police
31 Commission, formulate the peace and order plan of the City,

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

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

11 (3) Initiate and maximize the generation of resources and
12 revenues and apply the same to the implementation of development
13 plans, program objectives and priorities, particularly the resources and
14 revenues programmed for agro-industrial development and countryside
15 growth and progress, and relative thereto, shall:

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

21 (ii) Prepare and submit to the *Sanggunian* for approval the
22 executive and supplemental budgets of the City for the ensuing
23 calendar year in the manner provided for under the Local
24 Government Code of 1991, as amended;

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

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

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

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

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

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

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

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

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

1 (ii) Coordinate the implementation of technical services, including
2 public works and infrastructure programs, rendered by
3 national offices and provincial office.

4 (5) Exercise such other powers and perform such other duties and
5 functions as provided for under Republic Act No. 7160, as amended,
6 otherwise known as the Local Government Code of 1991, and those that
7 are prescribed by law or ordinance.

8 (d) The City Mayor shall hold office in the City Hall.

9
10 **SEC. 10. *The City Vice Mayor*** – (a) There shall be a City Vice Mayor
11 who shall be elected in the same manner as the City Mayor and shall at the
12 time of the election possess the same qualifications as the City Mayor. The
13 City Vice Mayor shall hold office for three (3) years, unless sooner removed,
14 and shall receive a monthly compensation corresponding to salary grade
15 twenty-six (26) as prescribed under Republic Act No. 6758, otherwise known
16 as the “Compensation and Position Classification Act of 1989”, and the
17 implementing guidelines issued pursuant thereto, and such other
18 compensation, emoluments and allowances as may be determined by law.

19 (b) The City Vice Mayor shall exercise the following duties:

20 (1) Act as presiding officer of the *Sangguniang Panlungsod* and sign
21 all warrants drawn on the City Treasury for all expenditures
22 appropriated for the operation of the *Sangguniang Panlungsod*;

23 (2) Subject to civil service law, rules and regulations, appoint all
24 officials and employees including the secretary of the
25 *Sangguniang Panlungsod*, except those whose manner of
26 appointment is specifically provided for under the Local
27 Government Code of 1991, as amended;

28 (3) Assume the office of the City Mayor for the unexpired term of the
29 latter in the event of permanent vacancy as provided for under
30 the Local Government Code of 1991, as amended;

- 1 (4) Exercise the powers and perform the duties and functions of the
2 City Mayor in cases of temporary vacancy as provided for under
3 the Local Government Code of 1991, as amended; and
4 (5) Perform such other duties and functions, and exercise such other
5 powers as provided under the Local Government Code of 1991, as
6 amended, and those that are prescribed by law or ordinance.
7

8 ARTICLE IV

9 THE SANGGUNIANG PANLUNGSOD

10 **SEC. 11. Composition** – (a) The *Sangguniang Panlungsod*, the
11 legislative body of the City, shall be composed of the City Vice Mayor as the
12 presiding officer, ten (10) regular *Sanggunian* members, the President of the
13 city chapter of the Liga ng mga Barangay, the President of the Panlungsod na
14 Pederasyon ng mga Sangguniang Kabataan and the three (3) sectoral
15 representatives, who shall come from the following sectors, as members: one
16 (1) from the women sector; and, as shall be determined by the *Sangguniang*
17 *Panlungsod* within ninety (90) days prior to the holding of the local elections;
18 one (1) from the agricultural or industrial workers sector; and one (1) from the
19 other sectors, including the urban poor, indigenous cultural communities or
20 persons with disabilities (PWDs).

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

24 (c) The members of the *Sangguniang Panlungsod* shall receive a
25 minimum monthly compensation corresponding to Salary Grade
26 Twenty Five (SG-25) as prescribed under the “Compensation and
27 Position Classification Act of 1989”, as amended, and the
28 implementing guidelines issued pursuant thereto.
29

30 **Sec. 12. Powers, Duties, Functions and Compensation** – (a) The
31 *Sangguniang Panlungsod*, as the legislative body of the City, shall enact

1 ordinances, approve resolutions and appropriate funds for the general welfare
2 of the City and its inhabitants pursuant to Section 16 of the Local Government
3 Code of 1991, as amended, and in the proper exercise of the corporate powers
4 of the City as provided for under Section 22 of the Local Government Code,
5 as amended, and shall:

6 (1) Approve ordinances and pass resolutions necessary for an
7 efficient and effective city government and relative hereto shall:

- 8 i. Review all ordinances approved by the *Sangguniang Barangay*
9 and executive orders issued by the *Punong Barangay* to
10 determine whether these are within the scope of the
11 prescribed powers of the *Sangguniang Barangay* and of the
12 *Punong Barangay*;
- 13 ii. Maintain peace and order by enacting measures to prevent
14 and suppress lawlessness, disorder, riot, violence, rebellion or
15 sedition and impose penalties for the violation of said
16 ordinances;
- 17 iii. Approve ordinances imposing a fine not exceeding Five
18 thousand pesos (P5,000) or an imprisonment for a period not
19 exceeding one (1) year, or both at the discretion of the court,
20 for violation of a city ordinance;
- 21 iv. Adopt measures to protect the inhabitants of the City from the
22 harmful effects of man-made or natural disasters and
23 calamities, and to provide relief services and assistance for
24 victims during and in the aftermath of said disasters or
25 calamities and in their return to productive livelihood
26 following said events;
- 27 v. Enact ordinances intended to prevent, suppress and impose
28 appropriate penalties for habitual drunkenness in public
29 places, vagrancy, mendicancy, prostitution, establishment
30 and maintenance of houses of ill-repute, gambling and other
31 prohibited games of chance, fraudulent devices and ways to

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

6 vi. Protect the environment. To this end, it may set aside, at
7 least, ten percent (10%) of its development funds for the
8 purpose of maintaining and enhancing the ecological balance
9 of the City. It may also impose appropriate penalties for acts
10 which endanger the environment, such as dynamite fishing
11 and other forms of destructive fishing, illegal logging,
12 smuggling of logs, smuggling of natural resources products
13 and of endangered species of flora and fauna, slash-and-burn
14 farming and such other activities which result in pollution,
15 acceleration of siltation of rivers and lakes or of ecological
16 imbalance;

17 vii. Subject to the provisions of the Local Government Code of
18 1991 and the pertinent laws, determine the powers and duties
19 of officials and employees of the City;

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

26 ix. Authorize the payment of compensation to a qualified person
27 not in the government service who fills up a temporary
28 vacancy or grant *honorarium* to any qualified official or
29 employee designated to fill a temporary vacancy in a
30 concurrent capacity at the rate authorized by law;

- 1 x. Provide a mechanism and the appropriate funds therefore, to
2 ensure the safety and protection of all city government
3 property, public documents, or records such as those relating
4 to property inventory, land ownership, record of births,
5 marriages, deaths, assessments, taxation, accounts, business
6 permits and such other records and documents of public
7 interest in the offices and departments of the city government;
8 xi. When the finances of the city government allow, provide for
9 additional allowances and other benefits to judges,
10 prosecutors, public elementary and high school teachers, and
11 other national government officials stationed in or assigned to
12 the City;
13 xii. Provide legal assistance to barangay officials who, in the
14 performance of their official duties or on the occasion thereof,
15 have to initiate judicial proceedings or defend themselves
16 against legal actions; and
17 xiii. Provide for group insurance or additional insurance coverage
18 for all barangay officials, including members of *barangay*
19 *tanod* brigades and other service units, with public or private
20 insurance companies, when the finances of the city
21 government allows said coverage.

22 (2) Generate and maximize the use of resources and revenues for
23 the development plans, program objectives and priorities of the City, as
24 provided for under the Local Government Code of 1991, as amended,
25 with particular attention to agro-industrial development and city-wide
26 growth and progress, and relative thereto, shall:

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

- 1 ii. Subject to the provisions of Book II of the Local Government
2 Code of 1991, as amended, and applicable laws and upon the
3 majority vote of all the members of the *Sangguniang*
4 *Panlungsod*, enact ordinance levying taxes, fees and charges,
5 prescribing the rates thereof for general and specific purposes
6 and granting tax exemptions, incentives or reliefs;
- 7 iii. Subject to the provisions of Book II of the Local Government
8 Code of 1991, as amended, and upon the majority vote of all
9 the members of the *Sangguniang Panlungsod*, authorize the
10 City Mayor to negotiate and contract loans and other forms of
11 indebtedness;
- 12 iv. Subject to the provisions of Book II of the Local Government
13 Code of 1991, as amended, and applicable laws and upon the
14 majority vote of all the members of the *Sangguniang*
15 *Panlungsod*, enact ordinances authorizing the floating of
16 bonds or other instruments of indebtedness, for the purpose
17 of raising funds to finance development projects;
- 18 v. Appropriate funds for the construction and maintenance or
19 the rental of buildings for the use of the City; and, upon the
20 majority vote of all the members of the *Sangguniang*
21 *Panlungsod*, authorize the City Mayor to lease to private
22 parties such public buildings held in a proprietary capacity,
23 subject to existing laws, rules and regulations;
- 24 vi. Prescribe reasonable limits and restraints on the use of
25 property within the jurisdiction of the City;
- 26 vii. Adopt a comprehensive land use plan for the City. Provided,
27 that, the formulation, adoption or modification of said plan
28 shall be in coordination within the approved provincial
29 comprehensive land use plan;

- 1 viii. Reclassify lands within the jurisdiction of the City subject to
2 the pertinent provisions of the Local Government Code of
3 1991, as amended;
- 4 ix. Enact integrated zoning ordinance in consonance with the
5 approved comprehensive land use plan, subject to existing
6 laws, rules and regulations; establish fire limits or zones,
7 particularly in populous centers, and regulate the
8 construction, repair or modification of buildings within said
9 fire limits or zones in accordance with the provisions of the
10 Fire Code of the Philippines;
- 11 x. Subject to national law, process and approve subdivision
12 plans for residential, commercial or industrial purposes and
13 other development purposes, and to collect processing fees
14 and other charges, the proceeds of which shall accrue entirely
15 to the City: *Provided, however,* that where approval of a
16 national agency or office is required, said approval shall not
17 be withheld for more than thirty (30) days from receipt of the
18 application. Failure to act on the application within the period
19 stated above shall be deemed as approval thereof;
- 20 xi. Subject to the provisions of Book II of the Local Government
21 Code of 1991, as amended, grant the exclusive privilege of
22 constructing fish corrals or fish pens, or the taking or
23 catching of bangus fry, prawn fry or kawag-kawag, or fry of
24 any species of fish within the city waters;
- 25 xii. With the concurrence of at least two-thirds (2/3) of all the
26 members of the *Sangguniang Panlungsod*, grant tax
27 exemptions, incentives or reliefs to entities engaged in
28 community growth-inducing industries, subject to the
29 provisions of the Local Government Code of 1991, as
30 amended;

- 1 xiii. Grant loans or provides grants to other local government units
2 or to national, provincial and city charitable, benevolent or
3 educational institutions: *Provided*, that said institutions are
4 operated and maintained within the City;
5 xiv. Regulate the numbering of residential, commercial and other
6 buildings; and
7 xv. Regulate the inspection, weighing and measuring of articles
8 of commerce.

9 (3) Subject to the provisions of the Local Government Code of
10 1991, as amended, enact ordinances granting franchises and
11 authorizing the issuance of permits or licenses, upon such conditions
12 and for such purposes intended to promote the general welfare of the
13 inhabitants of the City and pursuant to this legislative authority, shall:

- 14 i. Fix and impose reasonable fees and charges for all services
15 rendered by the city government to private persons or entities;
16 ii. Regulate or fix license fees for any business or practice of
17 profession within the City and the conditions under which the
18 license for said business or practice of profession may be
19 revoked and enact ordinances levying taxes thereon;
20 iii. Provide for and set the terms and conditions under which
21 public utilities owned by the City shall be operated by the city
22 government, and prescribe the conditions under which the
23 same may be leased to private persons or entities, preferably
24 cooperatives;
25 iv. Regulate the display of and fix the license fees for signs,
26 signboards or billboards at the place or places where the
27 profession or business advertised thereby is, in whole or in
28 part, conducted;
29 v. Any law to the contrary notwithstanding, authorize and
30 license the establishment, operation and maintenance of
31 cockpits, and regulate cockfighting and commercial breeding

1 of gamecocks. *Provided*, that existing rights should not be
2 prejudiced;

- 3 vi. Subject to the guidelines prescribed by the Department of
4 Transportation (DOTr), regulate the operation of tricycles and
5 grant franchises for the operation thereof within the territorial
6 jurisdiction of the City; and
- 7 vii. Upon approval by a majority vote of all the members of the
8 *Sangguniang Panlungsod*, grant a franchise to any person,
9 partnership, corporation or cooperative to do business within
10 the City; establish, construct, operate and maintain ferries,
11 wharves, markets or slaughterhouses; or undertake such
12 other activities within the City as may be allowed by existing
13 laws. *Provided*, That, cooperatives shall be given preference in
14 the grant of such a franchise.

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

- 18 i. Declare, prevent or abate any nuisance;
- 19 ii. With the concurrence of the majority of the members of the
20 *Sangguniang Panlungsod*, a quorum being present, deny the
21 entry of legalized gambling by ordinance into any part of the
22 City or regulate its location in the City;
- 23 iii. Require that buildings and the premises thereof and any land
24 within the City be kept and maintained in a sanitary
25 condition; impose penalties for any violation thereof; or upon
26 failure to comply with said requirement, have the work done
27 at the expense of the owner, administrator or tenant
28 concerned require the filling up of any land or premises to a
29 grade necessary for proper sanitation;
- 30 iv. Regulate the disposal of clinical and other wastes from
31 hospitals, clinics and other similar establishments;

- 1 v. Regulate the establishment, operation and maintenance of
2 cafes, restaurants, beerhouses, hotels, motels, inns, pension
3 houses, lodging houses and other similar establishments,
4 including tourist guides and transports;
- 5 vi. Regulate the sale, giving away or dispensing of any
6 intoxicating malt, *vino*, mixed or fermented liquors at any
7 retail outlets;
- 8 vii. Regulate the establishment and provide for the inspection of
9 steam boilers or any heating device in buildings and the
10 storage of inflammable and highly combustible materials
11 within the City;
- 12 viii. Regulate the establishment, operation and maintenance of
13 any entertainment or amusement facilities, including the
14 theatrical performances, circuses, billiard halls, public
15 dancing schools, public dance halls, sauna baths, massage
16 parlors and other places for entertainment or amusement;
17 regulate such other events or activities for amusement or
18 entertainment, particularly those which tend to disturb the
19 community or annoy the inhabitants, or require the
20 suspension or suppression of the same; or prohibit certain
21 forms of amusement or entertainment in order to protect the
22 social and moral welfare of the community;
- 23 ix. Regulate the establishment, operation and maintenance of
24 funeral parlors and the burial or cremation of the dead,
25 subject to existing laws, rules and regulations; and
- 26 x. Provide for the impounding of stray animals; regulate the
27 keeping of animals in homes or as part of a business, and the
28 slaughter, sale or disposition of the same; and adopt
29 measures to prevent and penalize cruelty to animals.
- 30 (5) Approve ordinances which shall ensure the efficient and
31 effective delivery of the basic services and facilities as provided for under

1 the Local Government Code of 1991, as amended, and in addition to
2 said services and facilities, shall:

- 3 i. Provide for the establishment, maintenance, protection and
4 conservation of communal forest and watersheds, tree parks,
5 greenbelts, mangroves and other similar forest development
6 projects;
- 7 ii. Establish markets, slaughterhouses or animal corrals and
8 authorize the operation thereof by the city government; and
9 regulate the construction and operation of private markets,
10 talipapas or other similar buildings and structures;
- 11 iii. Authorize the establishment, maintenance and operation by
12 the city government of ferries, wharves, and other structures
13 intended to accelerate productivity related to marine and
14 seashore or offshore activities in the preservation thereof;
- 15 iv. Regulate the preparation and sale of meat, poultry, fish,
16 vegetables, fruits, fresh dairy products, and other foodstuffs
17 for public consumption;
- 18 v. Regulate the use of streets, avenues, alleys, sidewalks,
19 bridges, parks and other public places and approve the
20 construction, improvement, repair and maintenance of the
21 same; establish bus and vehicle stops and terminals or
22 regulate the use of the same by privately-owned vehicles
23 which serve the public; regulate garages and operation of
24 conveyances for hire; designate stands to be occupied by
25 public vehicles when not in use; regulate the putting up of
26 signs, signposts, awnings and awning posts on the streets;
27 and provide for the lighting, cleaning and sprinkling of streets
28 and public places;
- 29 vi. Regulate traffic on all streets and bridges; prohibit
30 encroachments or obstacles thereon and, when necessary in

1 the interest of public welfare, authorize the removal of
2 encroachments and illegal constructions in public places;

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

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

26 ix. Regulate the placing, stringing, attaching, installing, repair
27 and construction of all gas mains, electric telegraph and
28 telephone wires, conduits, meters and other apparatus; and
29 provide for the correction, condemnation or removal of the
30 same when found to be dangerous to the welfare of the
31 inhabitants;

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

1 availability of funds, appropriate funds for the support and
2 development of the same; and

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

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

13 **ARTICLE V**

14 **PROCESS OF LEGISLATION**

15 **SEC. 13. *Internal Rules of Procedure*** – (a) On the first regular
16 session following the election of its members and within ninety (90) days
17 thereafter, the *Sangguniang Panlungsod* shall adopt or update its existing
18 rules of procedure.
19

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

21 (1) The organization of the *Sanggunian* and the election of its officers
22 as well as the creation of standing committees which shall
23 include, but shall not be limited to, the committees on
24 Appropriations, Revenues, Engineering and Public Works,
25 Education and Health, Women and Family, Human Rights, Youth
26 and Sports Development, Environmental Protection, Peace and
27 Order and Traffic, and Cooperatives; the general jurisdiction of
28 each committee; and the election of the chairman and members
29 of each committee;

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

31 (3) The legislative process;

- 1 (4) The parliamentary procedures which include the conduct of
2 members during sessions;
- 3 (5) The discipline of members for disorderly behavior and absences
4 without justifiable cause for four (4) consecutive sessions for
5 which they may be censured, reprimanded or excluded from the
6 session, suspended for not more than sixty (60) days or expelled:
7 *Provided*, That the penalty of suspension or expulsion shall
8 require the concurrence of at least two-thirds (2/3) vote of all the
9 *Sanggunian* members: *Provided, further*, that a member
10 convicted by final judgment to imprisonment of at least one (1)
11 year for any crime involving moral turpitude shall be
12 automatically expelled from the *Sanggunian*; and
- 13 (6) Such other rules as the *Sanggunian* may adopt.
14

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

- 24 (1) Ownership of stock or capital, or investment in the entity or firm to
25 which the ordinance or resolution may apply; and
- 26 (2) Contracts or agreements with any person or entity which the
27 ordinance or resolution under consideration may affect.

28 In the absence of a specific constitutional or statutory provision
29 applicable to this situation, "conflict of interest" refers to a situation where it
30 may be reasonably deduced that a member of a *Sanggunian* may not act in
31 the public interest due to some private, pecuniary or other personal

1 considerations that may tend to affect the exercise of judgment to the
2 prejudice of the service or the public.

3 (b) The disclosure required under this Act shall be made in writing and
4 submitted to the secretary of the *Sanggunian* or the secretary of the concerned
5 committee. The disclosure shall, in all cases, form part of the record of the
6 proceedings and shall be made in the following manner:

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

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

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

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

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

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

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

4 (e) The *Sanggunian Panlungsod* shall keep a journal and record of its
5 proceedings which may be published upon resolution of the majority of its
6 members.

7
8 **SEC. 16. Quorum** – (a) A majority of all the members of the *Sanggunian*
9 who have been elected and qualified shall constitute a quorum to transact
10 official business. Should a question of quorum be raised during a session,
11 the presiding officer shall immediately proceed to call the roll of the members
12 and thereafter announce the results.

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

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
23 declare the session adjourned for lack of quorum.

24
25 **SEC. 17. Approval of Ordinances** – (a) Every ordinance enacted by the
26 *Sangguniang Panlungsod* shall be presented to the City Mayor. If the City
27 Mayor approves the same, he or she shall affix his or her signature on each
28 and every page thereof; otherwise, the ordinance shall be vetoed and return
29 the same with statements on the objections to the *Sanggunian*, which may
30 proceed to reconsider the same. The *Sanggunian* may override the veto of the

1 City Mayor by two-thirds (2/3) vote of all its members, thereby making the
2 ordinance or resolution effective for all legal intents and purposes.

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

6
7 **SEC. 18. Veto Power of the City Mayor** – (a) the City Mayor may veto
8 any ordinance of the *Sangguniang Panlungsod* on the ground that it is *ultra*
9 *vires* or prejudicial to the public welfare, stating the reasons thereof in writing.

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

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
21 of all its members, thereby making the ordinance effective even without the
22 approval of the City Mayor.

23
24 **SEC. 19. Review of City Ordinances by the Sangguniang**
25 **Panlalawigan** – (a) Within three (3) days after approval, the Secretary to the
26 *Sangguniang Panlungsod* shall forward to the *Sangguniang Panlalawigan* for
27 review, copies of approved ordinances and the resolutions approving the local
28 development plans and public investment programs formulated by the local
29 development councils.

30 (b) Within thirty (30) days after receipt of copies of such ordinances and
31 resolutions, the *Sangguniang Panlalawigan* shall examine the documents or

1 transmit them to the provincial attorney or the provincial prosecutor for
2 prompt examination. The provincial attorney or the provincial prosecutor
3 shall, within a period of ten (10) days from receipt of the documents, inform
4 the *Sangguniang Panlalawigan* in writing of his comments or
5 recommendations, which may be considered by the *Sangguniang*
6 *Panlalawigan* in making its decision.

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

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

15
16 **SEC. 20. Review of Barangay Ordinances by the Sangguniang**
17 ***Panlungsod*** – (a) Within ten (10) days after its enactment, the *Sangguniang*
18 *Barangay* shall furnish copies of all barangay ordinances to the *Sangguniang*
19 *Panlungsod* for review as to whether the ordinance is consistent with law or
20 city ordinances.

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

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

31

1 **SEC. 21. Enforcement of Disapproved Ordinances or Resolutions –**

2 Any attempt to enforce any ordinance or any resolution approving the local
3 development plan and public investment program, after the disapproval
4 thereof, shall be sufficient ground for the suspension or dismissal of the
5 official or employee concerned.

6

7 **SEC. 22. Effectivity of Ordinances or Resolutions –** (a) Unless

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

14 (b) The secretary of the *Sangguniang Panlungsod* shall cause the posting
15 of an ordinance or resolution in the bulletin board at the entrance of the City
16 Hall, and in at least two (2) conspicuous places in the City not later than five
17 (5) days after approval thereof.

18 The text of the ordinance or resolution shall be disseminated and posted
19 in Filipino or English and in the language or dialect understood by the
20 majority of the people in the City and the secretary of the *Sangguniang*
21 *Panlungsod* shall record such fact in a book kept for the purpose, stating the
22 dates of approval and posting.

23 (c) Ordinances with penal sanctions shall be posted at prominent places
24 in the City Hall, for a minimum period of three (3) consecutive weeks. Such
25 ordinances shall also be published in a newspaper of general circulation
26 within the City.

27

28

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31

- 1 (b) If a permanent vacancy occurs in the office of the *Punong Barangay*,
2 the highest ranking *Sangguniang Barangay* member or, in case of
3 his or her incapacity, the second highest *Sanggunian* member shall
4 become the *Punong Barangay*.
- 5 (c) A tie between or among the highest ranking sangguniang
6 panlungsod members shall be resolved by drawing of lots.
- 7 (d) The successors, as defined herein, shall serve only the unexpired
8 terms of their predecessors.
- 9 (e) For purposes of this Act, a permanent vacancy arises when an
10 elective local official fills in a higher vacant office, refuses to assume
11 office, fails to qualify, dies, is removed from office, voluntarily
12 resigns or is otherwise permanently incapacitated to discharge the
13 functions of his office.
- 14 (f) For purposes of succession as provided in this Act, ranking in the
15 *Sanggunian* shall be determined on the basis of the proportion of
16 votes obtained by each winning candidate to the total number of
17 registered voters in the City in the immediately preceding local
18 election.

19
20 **SEC. 25. *Permanent Vacancies in the Sangguniang Panlungsod* –**

21 Permanent vacancies in the *Sangguniang Panlungsod* where automatic
22 succession as provided above does not apply shall be filled by appointments
23 in the following manner:

- 24 (1) The provincial governor shall make the aforesaid appointments;
25 (2) Only the nominee of the political party under which the *Sanggunian*
26 member concerned had been elected and whose elevation to the
27 position next higher in rank created the last vacancy in the
28 *Sanggunian* shall be appointed in the manner provided herein. The
29 appointee shall come from the political party as that of the
30 *Sanggunian* member who caused the vacancy and shall serve the
31 unexpired term of the vacant office.

1 In the appointment herein mentioned, a nomination and a
2 certificate of membership of the appointee from the highest official
3 of the political party concerned are conditions *sine qua non*, and any
4 appointment without such nomination and certification shall be
5 null and void *ab initio* and shall be a ground for administrative
6 action against the official responsible therefore;

7 (3) In case the permanent vacancy is caused by a *Sanggunian* member
8 who does not belong to any political party, the City Mayor shall,
9 upon recommendation of the *Sangguniang Panlungsod*, appoint a
10 qualified person to fill the vacancy; and

11 (4) In case of vacancy in the representation of the youth and the
12 barangay in the *Sangguniang Panlungsod*, said vacancy shall be
13 filled automatically by the official next in rank of the organization
14 concerned.

15
16 **SEC. 26. Temporary Vacancy in the Office of the City Mayor – (a)**

17 When the City Mayor is temporarily incapacitated to perform his or her duties
18 for physical or legal reasons such as, but not limited to, leave of absence,
19 travel abroad and suspension from office, the City Vice Mayor or the highest
20 ranking *Sangguniang Panlungsod* member, shall automatically exercise the
21 powers and perform the duties and functions of the City Mayor, except the
22 power to appoint, suspend or dismiss employees which can only be exercised
23 if the period of temporary incapacity exceeds thirty (30) working days.

24 (b) Said temporary incapacity shall terminate upon submission to the
25 *Sangguniang Panlungsod* of a written declaration by the City Mayor of having
26 reported to office. In case where the temporary incapacity is due to legal
27 cause, the City Mayor shall also submit the necessary documents showing
28 the said legal cause no longer exists.

29 (c) When traveling within the country but outside the territorial
30 jurisdiction of the City for a period not exceeding three (3) consecutive days,
31 the City Mayor may designate in writing the officer-in-charge of the office.

1 Such authorization shall specify the powers and functions that the local
2 official concerned shall exercise in the absence of the City Mayor except the
3 power to appoint, suspend or dismiss employees.

4 (d) If the City Mayor fails or refuses to issue such authorization, the City
5 Vice Mayor or the highest ranking *Sangguniang Panlungsod* member, as the
6 case maybe, shall have the right to assume the powers, duties and functions
7 of the said office on the fourth (4th) day of absence of the City Mayor, subject
8 to the limitations provided in subsection (c) hereof.

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

14 **ARTICLE VII**

15 **THE APPOINTIVE OFFICIALS OF THE CITY:**

16 **THEIR QUALIFICATIONS, POWERS AND DUTIES**

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

20 (b) The Secretary to the *Sangguniang Panlungsod* must be a citizen of
21 the Philippines, a resident of the City of Calaca, of good moral character, a
22 holder of a college degree preferably in law, commerce or public
23 administration from a recognized college or university, and a first grade civil
24 service eligible or its equivalent.

25 (c) The Secretary to the *Sangguniang Panlungsod* shall take charge of
26 the office of the *Sangguniang Panlungsod*, and shall:

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

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

- 1 (3) Forward to the City Mayor, for approval, copies of ordinances
2 enacted by the *Sangguniang Panlungsod* duly certified by the
3 presiding officer, in the manner provided in Section 54 of the
4 Local Government Code of 1991, as amended;
- 5 (4) Forward to the Sangguniang Panlalawigan copies of duly
6 approved ordinances in the manner provided in Sections 56 and
7 57 under Book I of the Local Government Code of 1991, as
8 amended;
- 9 (5) Furnish, upon the request of any interested party, certified copies
10 of records of public character in his or her custody, upon payment
11 to the City Treasurer of such fees as may be prescribed by
12 ordinance;
- 13 (6) Record in a book kept for the purpose, all ordinances and
14 resolutions enacted or adopted by the *Sangguniang Panlungsod*,
15 with the dates of passage and publication thereof;
- 16 (7) Keep the office and all no confidential records therein open to the
17 public during usual business hours;
- 18 (8) Translate into the dialect used by the majority of the inhabitants
19 all ordinances and resolutions immediately after their approval
20 and cause the publication of the same together with the original
21 version in the manner provided under the Local Government Code
22 of 1991, as amended;
- 23 (9) Take custody of the local archives and where applicable, the local
24 library and annually account for the same; and
- 25 (10) Perform other duties and functions and exercise such other
26 powers as provided for under the Local Government Code of 1991,
27 as amended, and those that are prescribed by law or ordinance.
28

29 **SEC. 28. *The City Treasurer*** – (a) The City Treasurer shall be
30 appointed by the Secretary of the Department of Finance (DOF) from a list of

1 at least three (3) ranking eligible recommendees of the City Mayor, subject to
2 the civil service law, rules and regulations.

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

6 (c) The City Treasurer must be a citizen of the Philippines, a resident of
7 the City of Calaca, of good moral character, a holder of a college degree in
8 commerce, public administration or law from a recognized college or
9 university, and a first grade civil service eligible or its equivalent and must
10 have acquired, for at least five (5) years, experience in treasury or accounting
11 service.

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

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

- 16 (1) Advise the City Mayor, the *Sangguniang Panlungsod* and other
17 local government and national officials concerned regarding
18 disposition of local government funds and on such other matters
19 relative to public finance;
- 20 (2) Take custody and exercise proper management of the funds of the
21 City;
- 22 (3) Take charge of the disbursement of all funds of the City and such
23 other funds the custody of which may be entrusted to the City
24 Treasurer by law or other competent authority;
- 25 (4) Inspect private commercial and industrial establishments within
26 the jurisdiction of the City in relation to the implementation of tax
27 ordinances pursuant to the provisions of the Local Government
28 Code of 1991, as amended;
- 29 (5) Maintain and update the tax information system of the City; and

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

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

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

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

- 16 (1) Ensure that all laws and policies governing the appraisal and
17 assessment of real properties for taxation purposes are properly
18 executed;
- 19 (2) Initiate, review and recommend changes in policies and
20 objectives, plans and programs, techniques, procedures and
21 practices in the evaluation and assessment of real properties for
22 taxation purposes;
- 23 (3) Establish a systematic method of real property assessment;
- 24 (4) Install and maintain real property identification and accounting
25 systems;
- 26 (5) Prepare, install and maintain a system of tax mapping, showing
27 graphically all properties subject to assessment and gather all
28 data concerning the same;
- 29 (6) Conduct frequent physical surveys to verify and determine
30 whether all real properties within the City are properly listed in
31 the assessment rolls;

- 1 (7) Exercise the functions of appraisal and assessment primarily for
2 taxation purposes of all real properties in the City;
- 3 (8) Prepare a schedule of the fair market value of the different
4 classes of real properties in accordance with the provisions of
5 the Local Government Code of 1991, as amended;
- 6 (9) Issue, upon request of any interested party, certified copies of
7 assessment records of real properties and all other records
8 relative to its assessment, upon payment of a service charge or
9 fee to the City Treasurer;
- 10 (10) Submit every semester a report of all assessments, as well as
11 cancellations and modifications of assessments to the City
12 Mayor and the *Sangguniang Panlungsod*;
- 13 (11) Attend personally or through an authorized representative all
14 sessions of the Local Board of Assessment Appeals whenever the
15 assessment is subject of appeal, and present or submit any
16 information or record in his possession as may be required by
17 the Board; and
- 18 (12) Perform such other duties and functions, and exercise such
19 other powers as provided under the Local Government Code of
20 1991, as amended, and those that are prescribed by law or
21 ordinance.

22

23 **SEC. 30. *The City Accountant*** – (a) The City Accountant must be a
24 citizen of the Philippines, a resident of the City of Calaca, of good moral
25 character, a certified public accountant and must have acquired at least five
26 (5) years experience in the treasury or accounting service immediately
27 preceding the date of the appointment.

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

30 (c) The City Accountant shall take charge of both the office of the
31 accounting and internal audit services of the City, and shall:

- 1 (1) Install and maintain an internal audit system in the City;
- 2 (2) Prepare and submit financial statements to the City Mayor and
- 3 to the *Sangguniang Panlungsod*;
- 4 (3) Appraise the *Sangguniang Panlungsod* and other officials on the
- 5 financial condition and operations of the City;
- 6 (4) Certify the availability of budgetary allotment to which
- 7 expenditures and obligations may be properly charged;
- 8 (5) Review supporting documents before preparation of vouchers to
- 9 determine the completeness of requirements;
- 10 (6) Prepare statements of cash advances, liquidations, salaries,
- 11 allowances, reimbursements and remittances pertaining to the
- 12 City;
- 13 (7) Prepare statements of journal vouchers and liquidation of the
- 14 same and other adjustments related thereto;
- 15 (8) Post individual disbursements to the subsidiary ledger and index
- 16 cards;
- 17 (9) Maintain individual ledgers for officials and employees of the City
- 18 pertaining to payrolls and deductions;
- 19 (10) Record and post in index cards details of purchased furniture,
- 20 fixtures and equipment, including disposal thereof, if any;
- 21 (11) Account for all issued requests for obligations and maintain and
- 22 keep all records and reports related thereto;
- 23 (12) Prepare journals and the analysis of obligations and maintain and
- 24 keep all records and reports related thereto; and
- 25 (13) Perform such other duties and functions, and exercise such other
- 26 powers as provided for under the Local Government Code of 1991,
- 27 as amended, and those that are prescribed by law or ordinance.
- 28 (d) The incumbent Chief Accountant in the Office of the City Treasurer
- 29 shall be given preference in the appointment to the position of
- 30 Accountant
- 31

1 **SEC. 31. The City Budget Officer** – (a) The City Budget Officer must
2 be a citizen of the Philippines, a resident of the City of Calaca, of good moral
3 character, a holder of a college degree preferably in accounting, economics,
4 public administration, or any related course from a recognized college or
5 university, and a first grade civil service eligible or its equivalent and must
6 have acquired, at least five (5) years, experience in government budgeting or
7 in any related field immediately preceding the date of appointment.

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

10 (c) The City Budget Officer shall take charge of the City Budget
11 Department, and shall:

- 12 (1) Prepare forms, orders and circulars embodying instructions on
13 budgetary and appropriation matters for the signature of the City
14 Mayor;
- 15 (2) Review and consolidate the budget proposals of different
16 departments and offices of the City;
- 17 (3) Assist the City Mayor in the preparation of the budget and during
18 and after budget hearings;
- 19 (4) Study and evaluate budgetary implications of proposed legislation
20 and submit comments and recommendations thereon;
- 21 (5) Submit periodic budgetary reports to the Department of Budget
22 and Management (DBM);
- 23 (6) Coordinate with the City Treasurer, the City Accountant and the
24 City Planning and Development Officer for the purpose of
25 budgeting;
- 26 (7) Assist the *Sangguniang Panlungsod* in reviewing the approved
27 budgets of component barangays;
- 28 (8) Coordinate with the City Planning and Development Officer in the
29 formulation of the development plan of the City; and

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

5 **SEC. 32. *The City Planning and Development Officer*** – (a) The City
6 Planning and Development Officer must be a citizen of the Philippines, a
7 resident of the City of Calaca, of good moral character, a holder of a college
8 degree preferably in urban planning, development studies, economics, public
9 administration, or in any related course from a recognized college or
10 university, and a first grade civil service eligible or its equivalent and must
11 have acquired, at least five (5) years, experience in development planning or
12 in any related field for immediately preceding the date of the appointment.

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

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

- 17 (1) Formulate integrated economic, social, physical and other
18 development plans and policies for consideration of the City;
- 19 (2) Conduct continuing studies, researches and training programs
20 necessary to evolve plans and programs for implementation;
- 21 (3) Integrate and coordinate all sectoral plans and studies
22 undertaken by the different functional groups or agencies;
- 23 (4) Monitor and evaluate the implementation of the different
24 development programs, projects and activities in the City in
25 accordance with the approved development plan;
- 26 (5) Prepare comprehensive plans and other development planning
27 documents for the consideration of the local development council;
- 28 (6) Analyze the income and expenditure patterns, and formulate and
29 recommend fiscal plans and policies for consideration of the
30 finance committee of the City as provided for under the Local
31 Government Code of 1991;

- 1 (7) Promote people's participation in development planning within
2 the City;
- 3 (8) Exercise supervision and control over the secretariat of the Local
4 Development Council; and
- 5 (9) Perform such other functions and duties and exercise such other
6 powers as provided for under the Local Government Code of 1991,
7 as amended, and those that are prescribed by law or ordinance.
8

9 **SEC. 33. *The City Engineer*** – (a) The City Engineer must be a citizen
10 of the Philippines, a resident of the City of Calaca, of good moral character
11 and a licensed civil engineer and must have acquired at least five (5) years
12 experience in the practice of profession.

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

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

- 17 (1) Initiate, review and recommend changes in policies and
18 objectives, plans and programs, techniques, procedures and
19 practices in infrastructure development and public works in
20 general of the City;
- 21 (2) Advise the City Mayor on infrastructure, public works and other
22 engineering matters;
- 23 (3) Administer, coordinate, supervise and control the construction,
24 maintenance, improvement and repair of roads, bridges, other
25 engineering and public works projects of the City;
- 26 (4) Provide engineering services to the City, including investigation
27 and survey, engineering designs, feasibility studies and project
28 management; and
- 29 (5) Perform such other duties and functions, and exercise such other
30 powers as provided for under the Local Government Code of 1991,
31 as amended, and those that are prescribed by law or ordinance.

1 SEC. 36. **The City Health Officer** – (a) The City Health Officer must
2 be a citizen of the Philippines, a resident of the City of Calaca, of good moral
3 character, and a licensed medical practitioner and must have acquired at
4 least five (5) years experience in the practice of profession.

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

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

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

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

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

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

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

30 (ii) Advise the City Mayor and the *Sangguniang Panlungsod* on
31 matters pertaining to health;

- 1 (iii) Execute and enforce all laws, ordinances and regulations
2 relating to public health;
- 3 (iv) Recommend to the *Sangguniang Panlungsod* through the
4 Local Health Board the passage of such ordinances as he
5 may deem necessary for the preservation of public health;
- 6 (v) Recommend the prosecution of any violation of sanitary
7 laws, ordinances or regulations;
- 8 (vi) Direct the sanitary inspection of all business establishments
9 selling food items or providing accommodation such as
10 hotels, motels, lodging houses, pension houses, and the like,
11 in accordance with the Sanitation Code;
- 12 (vii) Conduct health information campaigns and render health
13 intelligence services;
- 14 (viii) Coordinate with other government agencies and
15 nongovernmental organizations involved in the promotion
16 and delivery of health services;
- 17 (ix) Be in the frontline of the delivery of health services,
18 particularly during and in the aftermath of man-made and
19 natural disasters and calamities; and
- 20 (5) Perform such other duties and functions, and exercise such other
21 powers as provided under the Local Government Code of 1991,
22 and those that are prescribed by law or ordinance.
- 23

24 **SEC. 35. *The City Civil Registrar*** – (a) The City Civil Registrar must
25 be a citizen of the Philippines, a resident of the City of Calaca, of good moral
26 character, a holder of a college degree from a recognized college or university,
27 and a first grade civil service eligible or its equivalent and must have acquired,
28 at least five (5) years, experience in civil registry work.

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

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

5 (d) The City Civil Registrar shall take charge of the office of the city civil
6 registry, and shall:

7 (1) Develop plans and strategies, and upon approval thereof by the
8 City Mayor, implement the same, particularly those which have to
9 do with the management and administration-related programs and
10 projects which the City Mayor is empowered to implement and
11 which the *Sangguniang Panlungsod* is empowered to provide for
12 under the Local Government Code of 1991, as amended;

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

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

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

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

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

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

28 (vi) Receive applications for the issuance of a marriage license and,
29 after determining that the requirements and supporting
30 certificates and publication thereof for the prescribed period

1 have been complied with, issue the license upon payment of
2 the authorized fee to the City Treasurer; and

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

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

10
11 **SEC. 38. *The City Administrator*** – (a) The City Administrator must
12 be a citizen of the Philippines, a resident of the City of Calaca, of good moral
13 character, a holder of a college degree preferably in public administration,
14 law, or any other related course from a recognized college or university, and
15 a first grade civil service eligible or its equivalent and must have acquired at
16 least five (5) years experience in management and administrative work.

17 (b) The term of the City Administrator is coterminous with that of the
18 appointing authority.

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

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

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

29 (2) Assist in the coordination of the work of all the officials of the City
30 under the supervision, direction and control of the City Mayor,

1 and for this purpose, he may convene the chiefs of offices and
2 other officials of the local government unit;

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

6 (4) Conduct a continuing organizational development of the City with
7 the end in view of instituting effective administrative reforms.

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

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

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

19 **SEC. 39. The City Legal Officer** – (a) The City Legal Officer must be
20 a citizen of the Philippines, a resident of the City of Calaca, of good moral
21 character, and a member of the Philippine Bar and must have practiced the
22 profession for at least five (5) years.

23 (b) The term of the City Legal Officer shall be coterminous with that of
24 his appointing authority.

25 (c) The City Legal Officer shall receive such compensation, emoluments
26 and allowances as may be determined by law.

27 (d) The City Legal Officer, the chief legal counsel of the City, shall take
28 charge of the Office of the City Legal Service, and shall:

29 (1) Formulate measures for the consideration of the *Sangguniang*
30 *Panlungsod* and provide legal assistance and support to the City

1 Mayor in carrying out the delivery of basic services and provisions
2 of adequate facilities;

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

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

15 (4) When required by the City Mayor or *Sanggunian*, draft
16 ordinances, contracts, bonds, leases and other instruments
17 involving any interest of the City and provide comments and
18 recommendations on any instruments already drawn;

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

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

25 (7) Investigate or cause to be investigated any person, firm or
26 corporation holding any franchise of exercising any public
27 privilege for failure to comply with any term or condition in the
28 grant of such franchise or privilege, and recommending
29 appropriate action to the City Mayor or *Sanggunian*, as the case
30 may be;

- 1 (8) When directed by the City Mayor or Sanggunian, initiate and
2 prosecute, in the interest of the City, any civil action on any bond,
3 lease or other contract upon any breach or violation thereof;
4 (9) Review and submit recommendations on ordinances approved
5 and executive orders issued by component units;
6 (10) Recommend measures to the *Sangguniang Panlungsod* and
7 advise the City Mayor on all matters related to upholding the rule
8 of law;
9 (11) Be in the frontline of protecting human rights and prosecuting
10 any violations thereof, particularly those which occur during and
11 in the aftermath of man-made and natural disasters or
12 calamities; and
13 (12) Perform such other duties and functions, and exercise such other
14 powers as provided for under the Local Government Code of 1991,
15 as amended, and those that are prescribed by law or ordinance.
16

17 **SEC. 38. *The City Social Welfare and Development Officer*** – (a)
18 The City Social Welfare and Development Officer must be a citizen of the
19 Philippines, a resident of the City of Calaca, of good moral character, a duly
20 licensed social worker or a holder of a college degree preferably in social work,
21 sociology, or any other related course from a recognized college or university,
22 and a first grade civil service eligible or its equivalent and must have acquired
23 at least five (5) years experience in the practice of social work immediately
24 preceding the date of appointment.

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

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

- 29 (1) Formulate measures for the approval of the *Sangguniang*
30 *Panlungsod* and provide technical assistance and support to the
31 City Mayor in carrying out measures to ensure delivery of basic

1 services and provision of adequate facilities relative to social
2 welfare and development services;

3 (2) Develop plans and strategies, and upon approval thereof by the
4 City Mayor, implement the same, particularly those which have
5 to do with social welfare programs and projects which the City
6 Mayor is empowered to implement and which the *Sangguniang*
7 *Panlungsod* is empowered to provide;

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

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

14 (5) Assist the City Mayor in implementing the barangay level program
15 for the total development and protection of children up to six (6)
16 years of age;

17 (6) Facilitate the implementation of welfare programs for the
18 disabled, elderly and victims of drug addiction, the rehabilitation
19 of prisoners and parolees, the prevention of juvenile delinquency
20 and such other activities which would eliminate and minimize the
21 ill-effects of poverty;

22 (7) Initiate and support youth welfare program that will enhance the
23 role of youth in nation-building;

24 (8) Coordinate with government agencies and non-governmental
25 organizations whose purpose is the promotion and the protection
26 of all the needy, disadvantaged, underprivileged or impoverished
27 groups or individuals, particularly those identified to be
28 vulnerable and high risk to exploitation, abuse and neglect;

29 (9) Be in the frontline of the delivery of services particularly those
30 which have to do with immediate relief and assistance during and

1 in the aftermath of man-made and natural disasters and
2 calamities;

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

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

10
11 **SEC. 39. The City Veterinarian** – (a) The City Veterinarian must be a
12 citizen of the Philippines, a resident of the City of Calaca, of good moral
13 character, and a licensed doctor of veterinary medicine and must have
14 practiced the profession for at least three (3) years.

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

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

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

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

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

31 (4) Regulate the keeping of domestic animals;

- 1 (5) Regulate and inspect poultry, milk and dairy products for public
2 consumption;
- 3 (6) Enforce all laws and regulations for the prevention of cruelty to
4 animals;
- 5 (7) Take the necessary measures to eradicate, prevent or cure all
6 forms of animal diseases.
- 7 (8) Be in the frontline of veterinary-related activities, such as the
8 outbreak of highly contagious and deadly diseases and in
9 situations resulting in the depletion of animals for work and for
10 human consumption, particularly those arising from and in the
11 aftermath of man-made and natural disasters or calamities;
- 12 (9) Recommend to the *Sangguniang Panlungsod* and advise the City
13 Mayor on all matters relative to veterinary services which will
14 increase the number and improve the quality of livestock, poultry
15 and other domestic animals used for work or human
16 consumption; and
- 17 (10) Perform such other duties and functions, and exercise such other
18 powers as provided for under the Local Government Code of 1991,
19 as amended, and those that are prescribed by law or ordinance.
20

21 **SEC. 40. *The City General Services Officer*** – (a) The City General
22 Services Officer must be a citizen of the Philippines, a resident of the City of
23 Calaca, of good moral character, a holder of a college degree in public
24 administration, business administration or management from a recognized
25 college or university, and a first grade civil service eligible or its equivalent
26 and must have acquired at least five (5) years experience in general services,
27 including management of supply, property, solid waste disposal and general
28 sanitation.

29 (b) The City General Services Officer shall receive such compensation,
30 emoluments and allowances as may be determined by law.

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

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

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

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

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

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

24 (6) Recommend to the City Mayor reasonable rental rates of private
25 properties which may be leased for the official use of the City;

26 (7) Maintain and supervise janitorial, security, landscaping and
27 other related services in all local government public buildings
28 and other real property, whether owned or leased by the local
29 government unit;

- 1 (8) Collate and disseminate information regarding prices, shipping
2 and other costs of supplies and other items commonly used by
3 the local government unit;
- 4 (9) Perform archival and record management with respect to
5 records of offices and departments of the local government unit;
- 6 (10) Perform all other functions pertaining to supply and
7 property management heretofore performed by the local
8 government treasurer and enforce policies on records creation,
9 maintenance and disposal;
- 10 (11) Be in the frontline of general services-related activities,
11 such as the possible and imminent destruction or damage to
12 records, supplies, properties, and structure materials or debris,
13 particularly during and in the aftermath of man-made and
14 natural disasters and calamities;
- 15 (12) Recommend to the *Sangguniang Panlungsod* and advise the
16 City Mayor on all matters relative to general services; and
- 17 (13) Perform such other duties and functions, and exercise
18 such other powers as provided for under the Local Government
19 Code of 1991, as amended, and those that are prescribed by law
20 or ordinance.
- 21

22 **SEC. 41. *The City Environment and Natural Resources Officer –***

23 (a) The City Environment and Natural Resources Officer must be a citizen of
24 the Philippines, a resident of the City of Calaca, of good moral character, a
25 holder of a college degree preferably in environment, forestry, agriculture or
26 any other related course from a recognized college or university, and a first
27 grade civil service eligible or its equivalent and must have acquired at least
28 five (5) years experience in the environment and natural resources
29 management, conservation and utilization work.

1 (b) The City Environment and Natural Resources Officer shall receive
2 such compensation, emoluments and allowances as may be determined by
3 law.

4 (c) The City Environment and Natural Resources Officer shall take
5 charge of the Office of the Environment Service Department, and shall:

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

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

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

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

23 (5) Manage and maintain seed banks and produce seedlings for
24 forest and tree parks;

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

29 (7) Coordinate with government agencies and nongovernmental
30 organizations in the implementation of measures to prevent and

1 control land, air and water pollution with the assistance of the
2 Department of Environment and Natural Resources (DENR);

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

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

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

15
16 **SEC. 42. *The City Architect*** – (a) The City Architect must be a citizen
17 of the Philippines, a resident of the City of Calaca, of good moral character,
18 and a duly licensed architect and must have practiced the profession for at
19 least five (5) years.

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

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

24 (1) Formulate measures for the consideration of the *Sangguniang*
25 *Panlungsod* and provide technical assistance and support to the
26 City Mayor in carrying out measures to ensure the delivery of
27 basic services and provision of adequate facilities relative to
28 architectural planning and design;

29 (2) Develop plans and strategies, and upon approval thereof by the
30 City Mayor, implement the same, particularly those which have
31 to do with architectural planning and design programs and

- 1 projects which the City Mayor is empowered to implement and
2 which the *Sangguniang Panlungsod* is empowered to provide;
- 3 (3) Prepare and recommend for consideration of the *Sangguniang*
4 *Panlungsod* the architectural plan and design for the local
5 government unit or a part thereof, including the renewal of slums
6 and blighted areas, land reclamation activities, the greening of
7 land, and appropriate planning of marine and foreshore areas;
- 8 (4) Review and recommend for appropriate action of the *Sanggunian*
9 *Panlungsod* or City Mayor, as the case maybe, the architectural
10 plans and design submitted by governmental and non-
11 governmental entities or individuals, particularly those for
12 undeveloped, underdeveloped and poorly designed areas;
- 13 (5) Coordinate with government and non-government entities and
14 individuals involved in the aesthetics and the maximum
15 utilization of the land and water within the jurisdiction of the local
16 government unit, to implement plans and programs that shall
17 preserve environmental integrity and ecological balance.
- 18 (6) Be in the frontline of the delivery of services involving
19 architectural planning and design, particularly those related to
20 the redesigning of spatial distribution of basic facilities and
21 physical structures during and in the aftermath of man-made and
22 natural disasters or calamities;
- 23 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
24 Mayor on all matters relative to architectural planning and design
25 as it relates to the total socio-economic development of the City;
- 26 (8) Perform such other duties and functions, and exercise such other
27 powers as provided for under the Local Government Code of 1991,
28 as amended, and those that are prescribed by law or ordinance.

29
30 **SEC. 43. *The City Information Officer*** – (a) The City Information
31 Officer must be a citizen of the Philippines, a resident of the City of Calaca, of

1 good moral character, a holder of a college degree preferably in journalism,
2 mass communications, or any related course from a recognized college or
3 university, and a first grade civil service eligible or its equivalent and must
4 have at least three (3) years experience in writing articles and research papers,
5 or writing for print, television or broadcast media.

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

8 (c) The term of the City Information Officer shall be coterminous with
9 that of his or her appointing authority;

10 (d) The City Information Officer shall take charge of the Office of the
11 City Information and Community Relations Department, and shall:

12 (1) Formulate measures for the consideration of the *Sangguniang*
13 *Panlungsod* and provide technical assistance and support to the
14 City Mayor in providing the information and research data
15 required for the delivery of basic services and provision of
16 adequate facilities so that the public becomes aware of said
17 services and may fully avail of the same;

18 (2) Develop plans and strategies, and upon approval thereof by the
19 City Mayor, implement the same, particularly those which have
20 to do with public information and research data to support
21 programs and projects which the City Mayor is empowered to
22 implement and which the *Sangguniang Panlungsod* is
23 empowered to provide;

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

26 (4) Furnish information and data on the local government agencies
27 or offices as may be required by law or ordinance; and non-
28 governmental organizations to be furnished to said agencies and
29 organizations;

30 (5) Maintain effective liaison with the various sectors of the
31 community on matters and issues that affect the livelihood and

1 the quality of life of the City's inhabitants and encourage
2 support for programs of the local and national government.

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

8 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
9 Mayor on all matters relative to public information and research
10 data as it relates to the total socioeconomic development of the
11 City; and

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

16
17 **SEC. 44. *The City Cooperatives Officer*** – (a) The City Cooperatives
18 Officer must be a citizen of the Philippines, a resident of the City of Calaca, of
19 good moral character, a holder of a college degree preferably in business
20 administration with special training on cooperatives or any related course
21 from a recognized college or university, and a first grade civil service eligible
22 or its equivalent and must have at least five (5) years experience on
23 cooperatives development, organization and management.

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

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

28 (1) Formulate measures for the consideration of the *Sangguniang*
29 *Panlungsod* and provide technical assistance and support to the
30 City Mayor in carrying out measures to ensure the delivery of
31 basic services and the provision of facilities through the

1 development of cooperatives, and in providing access to such
2 services and facilities;

3 (2) Develop plans and strategies, and upon approval thereof by the
4 City Mayor, implement the same, particularly those which have
5 to do with the integration of cooperatives principles and methods
6 in programs which the City Mayor is empowered to implement
7 and which the *Sangguniang Panlungsod* is empowered to provide;

8 (3) Assist in the organization of cooperatives;

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

12 (5) Assist cooperatives in establishing linkages with government
13 agencies and nongovernment organizations involved in the
14 promotion and integration of the concept of cooperatives in the
15 livelihood of the people and other community activities.

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

20 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
21 Mayor on all other matters relative to cooperatives development
22 and viability enhancement which will improve the livelihood and
23 quality of life of the inhabitants; and

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

27
28 **SEC. 47. The City Population Officer** – (a) The City Population Officer
29 must be a citizen of the Philippines, a resident of the City of Calaca, of good
30 moral character, a holder of a college degree preferably with specialized
31 training in population development from a recognized college or university,

1 and a first grade civil service eligible or its equivalent and must have at least
2 five (5) years experience in the implementation of programs on population
3 development or responsible parenthood.

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

6 (c) The City Population Officer shall take charge of the Office on
7 Population Development, and shall:

8 (1) Formulate measures for the consideration of the *Sangguniang*
9 *Panlungsod* and provide technical assistance and support to the
10 City Mayor in carrying out measures to ensure the delivery of
11 basic services and provision of adequate facilities relative to the
12 integration of the population development principles and in
13 providing access to said services and facilities;

14 (2) Develop plans and strategies, and upon approval thereof by the
15 City Mayor, implement the same, particularly those which have
16 to do with the integration of population development principles
17 and methods in program and projects which the City Mayor is
18 empowered to implement and which the *Sangguniang Panlungsod*
19 is empowered to provide; and

20 (3) Assist the City Mayor in the implementation of the constitutional
21 provisions relative to population development and the promotion
22 of responsible parenthood;

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

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

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

1 **SEC. 46. *The City Agriculturist*** – (a) The City Agriculturist must be
2 a citizen of the Philippines, a resident of the City of Calaca, of good moral
3 character, a holder of a college degree in agriculture or any other related
4 course from a recognized college or university, and a first grade civil service
5 eligible or its equivalent and must have practiced the profession in agriculture
6 or acquired at least five (5) years the experience in a related field.

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

9 (c) The City Agriculturist shall take charge of the Office for Agricultural
10 Services, and shall:

11 (1) Formulate measures for the approval of the *Sangguniang*
12 *Panlungsod* and provide technical assistance and support to the
13 City Mayor in carrying out said measures to ensure the delivery
14 of basic services and provision of adequate facilities relative to
15 agricultural services;

16 (2) Develop plans and strategies, and upon approval thereof by the
17 City Mayor, implement the same, particularly those which have
18 to do with agricultural programs and projects which the City
19 Mayor is empowered to implement and which the *Sangguniang*
20 *Panlungsod* is empowered to provide;

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

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

27 (ii) Conduct or cause to be conducted location-specific
28 agricultural researches and assist in making available the
29 appropriate technology arising out of and disseminating
30 information on basic research on crops, prevention and

1 control of plant diseases and pests, and other agricultural
2 matters which will maximize productivity;

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

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

8 (v) Coordinate with government agencies and non-governmental
9 organizations which promote agricultural productivity
10 through applied technology compatible with environmental
11 integrity.

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

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

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

23
24 **SEC. 47. *The City Business Permits and Licensing Officer*** – (a) The
25 City Business Permits and Licensing Officer must be a citizen of the
26 Philippines, a resident of the City of Calaca, of good moral character, a holder
27 of a college degree preferably in business administration or in any related
28 course from a recognized college or university, and a first grade civil service
29 eligible or its equivalent and must have at least five (5) years experience in
30 management.

1 (b) The City Business Permits and Licensing Officer shall receive such
2 compensation, emoluments and allowances as may be determined by law;

3 (c) The City Business Permits and Licensing Officer shall take charge
4 of the Business Permits and Licensing Office, and shall:

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

8 (2) Review the application for permits and licenses and recommend
9 its approval/disapproval to the City Mayor or his authorized
10 representatives; and

11 (3) Exercise over-all supervision in the City Business Permits and
12 Licensing Office.

13
14 **ARTICLE VIII**

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

17 **SEC. 48. *The City Fire Station Service*** – (a) There shall be
18 established in the City at least one (1) fire station with adequate personnel,
19 firefighting facilities and equipment, subject to the standards, rules and
20 regulations that may be promulgated by the Department of the Interior and
21 Local Government (DILG). The City shall provide the necessary site of the
22 station.

23 (b) The city fire station service shall be headed by a City Fire Marshal
24 whose qualifications shall be as those provided for under Republic Act No.
25 9263, as amended, otherwise known as the "*Bureau of Fire Protection and*
26 *Bureau of Jail Management and Penology Professionalization Act of 2004*".

27 (c) The City Fire Station shall be responsible for the provision of various
28 emergency services such as rescue and evacuation of injured people related
29 to fire incidents and, in general, fire prevention and suppression measures to
30 secure the safety of life and property of the citizenry.

1 **SEC. 49. *The City Jail Service*** – (a) The DILG shall, at least five (5)
2 months from the commencement of the corporate existence of the City,
3 establish and maintain a secured, clean, adequately equipped and sanitary
4 jail facility for the custody and safekeeping of prisoners, any fugitive from
5 justice, or person detained awaiting investigation or trial and/or transfer to
6 the National Penitentiary, or a violent mentally ill person who may endanger
7 oneself or the safety of others, as duly certified by the proper medical health
8 officer, prior to the transfer of such person to a mental institution.

9 (b) The City Jail Service shall be headed by a City Jail Warden whose
10 qualifications shall be as those provided for under Republic Act No. 9263, as
11 amended, otherwise known as the "*Bureau of Fire Protection and Bureau of*
12 *Jail Management and Penology Professionalization Act of 2004*". The
13 Provincial Jail Warden shall assist in the immediate rehabilitation of
14 individuals or detention of prisoners. Great care must be exercised so that
15 human rights of these prisoners are respected and protected, and their
16 spiritual and physical well-being are properly and promptly attended to.

17
18 **SEC. 50. *The City Schools Division*** – (a) The Department of
19 Education (DepEd) shall establish and maintain a city schools division of the
20 City of Calaca whose area of jurisdiction will cover all the school districts
21 within the City; and

22 (b) The city school division shall be headed by a City Schools Division
23 Superintendent who must possess the necessary qualifications required by
24 the DepEd.

25
26 **SEC. 51. *The City Prosecution Service*** – (a) The Department of
27 Justice (DOJ) shall, within two (2) months from the commencement of the
28 corporate existence of the City, establish and maintain a prosecution service.
29 It shall be headed by a city prosecutor, who shall be assisted by such number
30 of assistant prosecutors as may be necessary, and whose qualification,
31 manner of appointment, rank salary and benefits shall be governed by

1 existing laws covering prosecutors in the DOJ. The City Prosecution Service
2 shall be organizationally part of the DOJ, and under the supervision and
3 control of the Secretary of the DOJ.

4 (b) The City Prosecutor shall handle the criminal prosecution in the
5 municipal trial courts in the City as well as in the regional trial courts for
6 criminal cases originating in the territory of the City, and shall render to or
7 for the City such services as are required by law, ordinance or regulation of
8 the DOJ.

9
10 **SEC. 52. Succession Clause** – The City of Calaca shall succeed to all
11 the assets, properties, liabilities and obligations of the Municipality of Calaca.

12
13 **SEC. 53. Election of Provincial Governor and Sangguniang**
14 **Panlalawigan Members of the Province of Batangas** – The qualified voters
15 of the City of Calaca shall be qualified to vote and run for any elective position
16 in the elections for provincial governor, provincial vice governor, *Sangguniang*
17 *Panlalawigan* members and other elective offices for the Province of Batangas.

18
19 **SEC. 54. Jurisdiction of the Province of Batangas** – The City of
20 Calaca shall, unless otherwise provided by law, continue to be under the
21 jurisdiction of the Province of Batangas.

22
23 **SEC. 55. Suspension of Increase in Rates of Local Taxes** – No
24 increase in the rates of local taxes shall be imposed by the City within the
25 period of five (5) years from its acquisition of corporate existence.

26
27 **SEC. 56. Legislative District** – Until otherwise provided by law, the
28 City of Calaca shall continue to be a part of the First Legislative District of the
29 Province of Batangas.

30

1 **SEC. 57. *Applicability of Laws*** – The provisions of the Local
2 Government Code of 1991, as amended, and such other laws as are applicable
3 to component cities shall govern the City of Calaca insofar as they are not
4 inconsistent with the provisions of this Act.

5
6 **SEC. 58. *Separability Clause*** – If, for any reason or reasons, any part
7 or provision of this charter shall be held unconstitutional, invalid or
8 inconsistent with the Local Government Code of 1991, as amended, the other
9 parts or provisions hereof which are not affected shall continue to be in full
10 force and effect.

11
12 **SEC. 59. *Effectivity*** – This Act shall take effect fifteen (15) days after
13 its complete publication in the *Official Gazette* or in at least two (2)
14 newspapers of general circulation.

15
16 Approved,