

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



THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3617

Introduced by
Hon. Mauricio G. Domogan

EXPLANATORY NOTE

This bill seeks to revise the Old Charter of the City of Baguio that took effect on September 1, 1909.

The original Charter was framed with the aim of governing the city's simple economy, maintaining peace and order, delivering basic social services and providing effective political governance over its population. As it is now, the Charter is outdated and some of its provisions are often inconsistent with the present needs of the city and its constituents.

The social, economic and political situations during the early years of the City of Baguio were very different from those of the present. The conditions surrounding the implementation of programs and projects during those times were different from today's conditions. The present problems, concerns, issues, and needs of the city require a revision of its old charter.

Firstly, the city's political powers and jurisdiction then extended to the neighboring provinces of Benguet and La Union inasmuch as the territorial boundaries of the city were not then fixed.

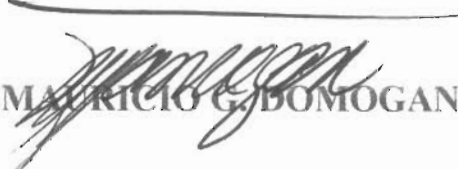
Secondly, the city, originally designed for twenty five thousand (25,000) people, has now reached three hundred thousand (300,000) residents. With transients and migrant workers from the nearby and lowland municipalities trooping the city during daytime, this number easily soars to four hundred thousand (400,000). During summer, weekends, and peak season like Holy Week, Christmas Season, and Panagbenga Flower Festival, this number balloons to seven hundred thousand (700,000) or even one million (1,000,000). The population boom has spawned various problems ranging from road traffic congestion,

zoning violation, living quarters overcrowding, garbage disposal mismanagement, health and sanitation concerns, peace and order and squatting problems – all of which are contributory to the poverty and criminality incidences in the city.

The revision of the city charter will definitely address long standing concerns including, but not limited to: 1) the final determination of the boundaries and jurisdiction of the city; 2) the enactment of policies on road traffic management, zoning (residential, commercial, educational institutions) living quarters (dormitories), garbage disposal, health and sanitation, peace and order, and squatting; 3) the creation of a more responsible taxation system and revenue generating programs and projects; 4) the regulation of commerce; and 5) the effective management and administration of lands, among others.

There is a need for the revision of the old charter of the City of Baguio to address the present needs of the city and its constituents. The development approach must be total or holistic in terms of socio-economic, political, moral, educational, and environmental development.

Approval of this measure is highly enjoined.



MAURICIO G. DOMOGAN

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Complex, Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3617

Introduced by
HON. MAURICIO G. DOMOGAN

**AN ACT REVISING THE CHARTER
OF THE CITY OF BAGUIO**

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

ARTICLE 1. GENERAL PROVISIONS

SECTION 1. *Title.* – This Act shall be known as the “Revised Charter of the City
of Baguio.”

SEC. 2. *Territory of the City of Baguio.* The City of Baguio, also popularly
known as The Summer Capital of the Philippines, hereinafter referred to as the City,
covers a total land area of FIFTY-SEVEN AND 49/100 SQUARE KILOMETERS (57.49
sq. kms). The boundaries and limits of its territory are established and described as
follows:

Beginning at point “1,” being point on large rock in the center of Irisan River in
the Province of Benguet, at the bridge site over said river on the Baguio-San
Fernando Road, thence, S. 86 deg., 12'E. 4,010.81 meters to point 2; thence, S.,
88 deg., 38'E. 1,827.65 meters to point 3; thence, S. 81 deg., 22'E., 2,367.45
meters to point 4; thence, Due East, 973.06 meters to point 5; thence, Due South,

1,477.79 meters to point 6; thence S. 7 deg., 35' E., 3,919.46 meters to point 7; thence, S. 10 deg., 42' W., 2,192.88 meters to point 8; thence, N. 79 deg., 14' W., 5,927.49 meters to point 9; thence, S. 38 meters to point 11; thence, N. 19 deg., 53'W., 2,002.11 meters to point 12; thence N. 43 deg., 19'E., 212.05 meters to point 13, thence, N. 76 deg., 40'E., 113.83 meters to point 14, thence, N. 70 deg., 33'E., 338.75 meters to point 15; thence, S. 77 deg., 06'E., 309.34 meters to point 16; thence, N. 29 deg., 27'E., 70.00 meters to point 17; thence, N. 65 deg., 14' W., 1,341.15 meters to point 18; thence, N. 19 deg., 53' W., 4,431.11 meters to point of beginning. Containing an area of FIFTY SEVEN MILLION FOUR HUNDRED NINETY SIX THOUSAND SIX HUNDRED SEVENTY (57,496,670.00) SQUARE METERS, more or less.

SEC. 3. *Incorporation Powers.* – a. The City of Baguio, a political body with the attributes that pertain to a municipal corporation, shall have the following corporate powers:

1. To have continuous succession in its corporate name;
2. To sue and be sued;
3. To have and use a corporate seal;
4. To acquire and convey real and personal property;
5. To enter into contracts;
6. To levy taxes, fees and charges;
7. To close or open any street, road, alley, park, or square, permanently or temporarily; and
8. To exercise such other powers as are granted to corporations, subject to the limitations provided in this Act and other laws.

b. The City may continue to use, modify or to change its corporate seal;

c. Unless otherwise provided by law, contracts entered into by the City Mayor in behalf of the City shall be with force and effect upon confirmation by the Sangguniang Panlungsod. A legible copy of such contract shall be posted at a conspicuous place at the City Hall.

d. The City shall enjoy full autonomy in the exercise of its proprietary functions and in the management of its economic enterprises, subject to limitations provided in this Charter and in Republic Act No. 7160, otherwise known as the Local government Code of 1991.

SEC. 4. *Jurisdiction of the City.* – a. The jurisdiction of the City, for police purposes only, shall extend over its territory; and for purposes of protecting and insuring the purity and quality of water supply of the City, such police jurisdiction shall extend over all territory within the drainage area of such water supply, and within one hundred (100) meters of any reservoir, conduit, canal, aqueduct, pumping station or watershed, used in connection with the city water service. The Regional Trial Courts and the Courts of the City shall have concurrent jurisdiction with the Regional Trial Courts and Municipal Courts of the adjoining municipalities to try crimes and other offenses committed within said drainage area, or within said spaces of one hundred (100) meters. The court first taking cognizance of such crimes or offenses shall have jurisdiction to try said cases to the exclusion of all others.

b. All alienable and disposable public lands, which are part of the Baguio Townsite Reservation, shall be titled in the name of the City. After the said alienable and disposable lands are titled in the name of the City, the same shall be subdivided in accordance with the land use plan of the City by segregating the areas needed for road systems, greenbelt areas, play lots, school sites, etc. The lots identified as residential may be awarded by the City upon the recommendation of a City Awards Committee created for the purpose, to actual and/or qualified occupants/applicants for a reasonable consideration; ***Provided***, that the needs and interest of the City and its barangays shall have priority over the needs and claims of private persons whether natural or juridical; ***Provided finally***, that consideration of the sale of the said lands shall inure to the City government.

c. A committee composed of the City Mayor as Chairman, the Chairman of the Committee on Lands, Housing and Relocation of the Sangguniang Panlungsod, as Vice Chairman, the City Planning and Development Coordinator, the Register of Deeds, and the City Assessor as members, shall award the disposable residential lots to qualified applicants in accordance with rules and regulations the City may promulgate.

ARTICLE 11. CITY OFFICIALS

SEC. 5. Officials of the City of Baguio. – a. There shall be in the City of Baguio a city mayor, a city vice-mayor, members of the Sangguniang Panlungsod with a secretary to the Sangguniang Panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city social welfare and development officer, a city environment and parks management officer, a building and architecture officer, a city population officer, a city veterinarian, a city tourism officer, a city human resource management officer, a city information officer, a city cooperatives development officer, a city librarian and a city agriculturist.

b. The City, thru the Sangguniang Panlungsod, may:

1. Maintain existing offices not mentioned in the preceding subsections hereof;
2. Create such other offices as may be necessary to carry out the purposes of the city; or

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

c. Unless otherwise provided by law, all department heads of the City shall be appointed by the City Mayor in accordance with the Civil Service Law, Rules and Regulations, subject to confirmation of the majority of all the members of the Sangguniang Panlungsod who shall act on the appointments within ten (10) days from the date of their submission, otherwise the same shall be deemed confirmed.

ARTICLE 111. QUALIFICATIONS, DISQUALIFICATIONS, ELECTION, COMPENSATION AND TERMS OF OFFICE

SEC. 6. *Qualifications of City Officials.* a. An elective city official must possess the following qualifications:

1. He or she must be a citizen of the Republic of the Philippines;
2. A resident therein for a period of at least one (1) year immediately preceding the day of the election; and
3. A registered voter in the City for a period of at least six (6) months immediately preceding the day of the election.

b. Candidates for the positions of City Mayor and City Vice-Mayor must be at least twenty-three (23) years of age while those for the position of member of the Sangguniang Panlungsod must be at least eighteen (18) years of age on the day of the election.

SEC. 7. Disqualifications of City Officials. – The following persons are disqualified from running for any elective position in the City:

- a. Those sentenced by final judgment for an offense involving moral turpitude or for an offense punishable by one (1) year or more of imprisonment, within two (2) years after serving sentence;
- b. Those removed from office as a result of an administrative case;
- c. Those convicted by final judgment for violating the oath of allegiance to the Republic of the Philippines;
- d. Fugitives from justice in criminal or nonpolitical cases here or abroad;
- e. Permanent residents in a foreign country or those who have acquired the right to reside abroad and continue to avail of the same right; and
- f. The insane or feeble-minded.

SEC. 8. Election. – All elective city officials shall be elected at large by the qualified voters of the City.

SEC. 9. Compensation. – Elective and appointive city officials shall receive such compensations, allowances and other emoluments as may be prescribed by Republic Act no. 6758, otherwise known as the “Salary Standardization Law,” or any other pertinent law enacted subsequent thereto, or by ordinance: *Provided, That,* no increase in compensation of the City Mayor, City Vice-Mayor and members of the Sangguniang Panlungsod shall take effect until after the expiration of the full term of the said local officials approving such increase.

SEC. 10. Term of Office. – The term of office of all elective city officials shall be in accordance with law, unless sooner removed.

ARTICLE IV. THE CITY MAYOR

SEC.11. The City Mayor. – a. The City Mayor, as chief executive of the City, shall exercise such powers and perform such duties and functions as provided by this Charter, by Republic Act No. 7160 as amended, otherwise known as the Local Government Code of 1991, and by other pertinent laws.

b. For efficient and effective governance the purpose of which is the general welfare of the city and its inhabitants, the City Mayor shall:

1. Exercise general supervision and control over all programs, projects, services, and activities of the City, and in this connection, shall:
 - a.) Determine the guidelines of the city policies and be responsible to the Sangguniang Panlungsod for the program of government;
 - b.) Direct the formulation of the city development plan, with the assistance of the city development council, and upon approval thereof by the Sangguniang Panlungsod, implement the same;
 - c.) Present the program of government and propose policies and projects for the consideration of the Sangguniang Panlungsod every calendar year and as often as may be deemed necessary as the general welfare of the inhabitants and the needs of the city government may require;

- d.) Initiate and propose legislative measures to the Sangguniang Panlungsod and as often as may be deemed necessary, provide such information and data needed or requested by said Sanggunian in the performance of its legislative functions;
- e.) Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of city funds and whose appointments are not otherwise provided for in this Chapter, as well as those he may be authorized by law to appoint;
- f.) Represent the city in all its business transactions and sign in its behalf all bonds, contracts and obligations, and such other documents subject to confirmation of the majority of all the members of the Sangguniang Panlungsod or pursuant to existing laws or ordinances;
- g.) Carry out such emergency measures as may be necessary during and in the aftermath of man-made or natural disasters and calamities;
- h.) Determine the time, manner and place of payment of salaries or wages of the officials and employees of the city, in accordance with law or ordinance;
- i.) Allow and assign office space to city and other officials and employees who, by law or ordinance, are entitled to such

space in the city hall and other buildings owned or leased by the city government;

- j.) Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided by law and this Charter, and cause to be instituted administrative or judicial proceedings against any official or employee of the city who may have committed an offense in the performance of his official duties;
- k.) Examine the books, records and other documents of all offices, officials, agents or employees of the City and, in aid of his executive powers and authority, require all national officials and employees stationed in or assigned to the City to make available to him such books, records and other documents in their custody, except those classified by law as confidential;
- l.) Furnish copies of executive orders issued by him to the Office of the President within seventy-two (72) hours after their issuance;
- m.) Visit component Barangays of the City at least once every six (6) months to deepen his understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants regarding general laws and ordinances which especially concern them, and otherwise

- conduct visits and inspections to ensure that the governance of the City will improve the quality of life of the inhabitants;
- n.) Act on leave applications of officials and employees appointed by him and the commutation of the monetary value of their leave credits in accordance with law;
- o.) Authorize officials trips of the city officials and employees outside of the City for a period not exceeding thirty (30) days;
- p.) Call upon any national official or employee stationed in or assigned to the City to advise him on matters affecting the City and to make recommendations thereon; coordinate with said officials or employees in the formulation and implementation of plans, programs and projects; and when appropriate, initiate administrative or judicial action against a national government official or employee who may have committed an offence in the performance of his official duties while stationed in or assigned to the City;
- q.) Authorize payment for medical care, necessary transportation, subsistence, hospital or medical fees of city officials and employees who are injured while in the performance of their official duties and functions, subject to the availability of funds;
- r.) Solemnize marriages;

- s.) Conduct an annual Palarong Panlungsod, which shall feature traditional sports and disciplines included in national and international games, in coordination with the Department of Education and the Philippine Sports Commission;
- t.) Conduct, with the cooperation and participation of other government non-government agencies, offices and organizations, an annual Flower Festival or any similar festival, which shall highlight and feature the flora indigenous to the City and promote awareness of their propagation and conservation, or otherwise promote its cultural identity, tourism, the protection, respect for and development of the ecological and environmental concern of the City; and
- u.) Submit to the Office of the President the following reports:
 - an annual report containing a summary of all matters pertinent to the management, administration and development of the City and all information and data relative to its political, social and economic conditions; and
 - supplemental reports when unexpected events and situations arise at any time during the year, particularly when man-made or natural disasters or calamities affect the general welfare of the City.

2. Enforce all laws and ordinances relative to the governance of the City and, in the exercise of its appropriate powers, implement all approved policies, programs, projects, services and activities of the City, and in addition to the foregoing shall:

- a.) Ensure that all acts of the City's component barangays and of its officials and employees are within the scope of their prescribed powers, duties and functions;
- b.) Call conventions, conferences, seminars or meetings of elective and appointive officials of the City, including national officials and employees stationed in or assigned to the City, at such time and place and on such subject as the mayor may deem important for the promotion of the general welfare of the local government unit and its inhabitants;
- c.) Issue such executive orders for the faithful and appropriate enforcement and execution of laws and ordinances;
- d.) Act as the deputized representative of the National Police Commission, formulate the peace and order plan of the city and, upon its approval, implement the same, and as such exercise general and operational control and supervision over the local police forces in the City in accordance with Republic Act No. 6975, as amended otherwise known as the "Department of Interior and Local Government Act of 1990;" and

- e.) Call upon the appropriate law enforcement agencies to suppress disorder, riot, lawless violence, rebellion or sedition, or to apprehend violators of the law when public interest so requires and the city police forces are inadequate to cope with the situation or the violators.
3. Initiate and maximize the generation of resources and revenues, and apply the same to the implementation of development plans, program objectives and priorities, particularly those resources and revenues programmed for agro-industrial development and countryside growth and progress, and relative thereto, shall:
- a.) Require each head of an office or department to prepare and submit an estimate of appropriations for the ensuing calendar year, in accordance with the budget preparations process as provided for in the Local Government Code of 1991;
 - b.) Prepare and submit to the Sangguniang Panlungsod for approval the executive and supplemental budgets of the City for the ensuing calendar year in the manner provided for under the Local Government Code of 1991;
 - c.) Ensure that all taxes and other revenues of the City are collected, and that City funds are applied to the payment of expenses and settlement of obligations of the City in accordance with law or ordinance;

- d.) Issue licenses and permits and suspend or revoke the same for any violation of the conditions upon which said licenses or permits had been issued, pursuant to law or ordinance;
- e.) Issue permits without need of approval from any national agency, for the holding of activities for any charitable or welfare purposes, excluding prohibited games of chance or shows contrary to law, public policy or public morals;
- f.) Require owners of illegally constructed houses, buildings or other structures to obtain the necessary permit, subject to such fines and penalties as may be imposed by law or ordinance, or to make necessary changes in the construction of the same when said construction violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance;
- g.) Adopt adequate measures to safeguard and conserve land, mineral, aquatic, forest and other resources of the City;
- h.) Provide efficient and effective property and supply management in the City, and protect the funds, credits, rights and other properties of the City; and
- i.) Institute or cause to be instituted administrative or judicial proceedings for violation of ordinances in the collection of taxes, fees or charges, and for the recovery of funds and property; and

cause the City to be defended against all suits to ensure that its interests, resources and rights shall be adequately protected.

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

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

b.) Coordinate the implementation of technical services, including public works and infrastructure programs, rendered by national offices.

5. Perform such other duties and functions and exercise such other powers as provided under the Local Government Code of 1991 and those that are prescribed by law and ordinance.

ARTICLE V - THE CITY VICE-MAYOR

SEC. 12. The City Vice-Mayor. – The City Vice-Mayor shall:

a. Act as presiding officer of the Sangguniang Panlungsod and sign all warrants drawn on the city treasury for all expenditures appropriated for the operation of the Sangguniang Panlungsod;

b. Subject to civil service law, rules and regulations, appoint all officials and employees of the Sangguniang Panlungsod, except those whose manner of appointment is specifically provided under existing laws;

c. Assume the office of the City Mayor for the unexpired term in the event of permanent vacancy;

d. Exercise the powers and perform the duties and functions of the city mayor in cases of temporary vacancy; and

e. Perform such other duties and functions and exercise such other powers as provided under the Local Government Code of 1991, and those prescribed by law or ordinance.

ARTICLE VI. THE SANGGUNIANG PANLUNGSOD

SEC.13. The Sangguniang Panlungsod. – a. The Sangguniang Panlungsod, the legislative body of the City, shall be composed of the City Vice-Mayor as Presiding Officer, twelve (12) regular and elective members, the president of the Association of Barangay Councils, the president of the Panlungsod na Pederasyon ng mga Sangguniang Kabataan and the sectoral representatives as may be determined by the Sangguniang Panlungsod, as members.

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

c. Every member of the Sangguniang Panlungsod shall, upon assumption of office, make a full disclosure of his business and financial interests.

Section 14. Full Disclosure. - Every member of the Sangguniang Panlungsod shall also disclose any business, financial or professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which he may have with any person, firm, or entity affected by any ordinance or resolution under consideration by the sanggunian of which he is member, which relationship may result in conflict of interest. Such relationship shall include:

- a. Ownership of stock or capital, or investment, in the entity or firm to which the ordinance or resolution may apply; and
- b. Contacts or agreements with any person or entity which the ordinance or resolution under consideration may affect. In the absence of a specific constitutional or statutory provision applicable to this situation, "conflicts of interest" refers in general to one where it may be reasonably deduced that a member of the sanggunian may not act in the public interest due to some private, pecuniary or other personal considerations that may tend to affect his judgment to the prejudice of the service or the public.
- c. The disclosure required under this Act shall be made in writing and submitted to the secretary of the sanggunian or the secretary of the committee of which he is a member. The disclosure shall, in all cases, form part of the record of the proceedings and shall be made in the following manner:
 1. Disclosure shall be made before the member participates in the deliberations on the ordinance or resolution under consideration:

Provided, That if the member did not participate during the deliberations, the disclosure shall be made before voting on the ordinance or resolution on second and third readings; and

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

SEC. 15. Powers, Duties and Functions. – a. The Sangguniang Panlungsod shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the City and its inhabitants pursuant to this Charter and other laws.

b. In addition, the Sangguniang Panlungsod shall:

1. Approve ordinances and pass resolutions necessary for an efficient and effective city government and, in this connection, shall:
 - a.) Review all ordinances approved by Sangguniang Barangay to determine whether these are within the scope of the prescribed powers of the said Sanggunian;
 - b.) Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for the violation of the said ordinances;
 - c.) Approve ordinances imposing a fine not exceeding five thousand pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both, at the discretion of the court, for the violation of a city ordinance;

- d.) Adopt measures to protect the inhabitants of the City from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and their return to productive livelihood following said events;
- e.) Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of houses of ill-repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, the printing, distribution, and such other activities inimical to the welfare and morals of the inhabitants of the City;
- f.) Protect the environment and impose appropriate penalties for acts which endanger the environment, such as illegal logging and smuggling of logs, smuggling of natural resource products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance;
- g.) Subject to the provisions of this Charter and of other pertinent laws, determine the powers and duties of officials and employees of the City;

- h.) Determine the positions and the salaries, wages, allowance⁵ and other emoluments and benefits of officials and employees paid wholly and mainly from city funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the City government;
- i.) Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy or grant honorarium to any qualified official or employee designated to fill up a temporary vacancy in a concurrent capacity, at the rate authorized by law;
- j.) Provide a mechanism and the appropriate funds therefore, to ensure the safety and protection of all city government property, public documents, or records such as those relating to property in inventory, land ownership, records of births, marriages, deaths, assessments, taxation, accounts, business permits, and such other records and documents of public interest in the offices and departments of the city government;
- k.) When the finances of the city government allow, provide for additional allowances and other benefits to judges, prosecutors, public elementary and high school teachers, and other national government officials stationed in or assigned to the City;
- l.) Provide legal assistance to barangay officials who, in the performance of their official duties or on the occasion thereof,

have to initiate judicial proceedings or defend themselves against legal action;

m.) Provide for group insurance or additional insurance coverage for all barangay officials, including members of barangay, tanod brigades and other service units, with public or private insurance companies, when the finances of the city government allow said coverage.

2. Generate and maximize the use of resources and revenues for the development plans, programs, objectives and priorities of the City, with particular attention to agro-industrial development and city-wide growth and progress:

- a.) Approve the annual and supplemental budgets of the city government and appropriate funds for specific programs, projects, services and activities of the City, or other purposes not contrary to law, in order to promote the general welfare of the City and its inhabitants;
- b.) Upon the majority vote of the members of the Sangguniang Panlungsod, enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes, granting tax exemptions, incentives or reliefs;
- c.) Upon the majority vote of all the members of the Sangguniang Panlungsod , authorize the City Mayor to negotiate and contact loans and other forms of indebtedness;

- d.) Upon the majority vote of all members of the Sanggunian Panlungsod, enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects;
- e.) Appropriate funds for the construction and maintenance or the rental of buildings for the use the City; and upon the majority vote of all the members of the Sangguniang Panlungsod, authorize the City Mayor to lease to private parties such public buildings held in a proprietary capacity, subject to existing laws, rules and regulations;
- f.) Prescribe reasonable limits and restraints on the use of property within the jurisdiction of the City;
- g.) Adopt a comprehensive land use plan for the City;
- h.) Reclassify land within the jurisdiction of the City, subject to pertinent provisions of the Local Government Code of 1991;
- i.) Enact integrated zoning ordinances in consonance with the approved comprehensive land use plan, subject to existing laws, rules and regulation; establish fire limits or zones, particularly in populous centers; and regulate the construction, repair or modification of buildings within said fire limits or zones in accordance with the provisions of the Fire Code;
- j.) Subject to national law, process and approve subdivision plans for residential, commercial, or industrial purposes and other

development purposes, and to collect processing fees and other charges, the proceeds of which shall accrue entirely to the City:

- k.) With the concurrence of at least two-thirds (2/3) of all the members of the Sangguniang Panlungsod, grant tax exemptions, incentives or reliefs to entities engaged in community growth-inducing industries, subject to the provisions of Chapter 5, Title I, Book II of the Local Government Code of 1991;
- l.) Grant loans or provide grants to other local government units or to national, provincial and City charitable, benevolent or educational institutions: *Provided*, That, said institutions are operated and maintained within the City;
- m.) Regulate the numbering of residential, commercial and other buildings; and
- n.) Regulate the inspection, weighing and measuring of articles of commerce.

3. Enact ordinances granting franchises and authorizing the issuance of permits and licenses, upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the City and pursuant to this legislative authority shall:

- a.) Fix and impose reasonable fees and charges for all services rendered by the City government to private persons and entities;
- b.) Regulate or fix license fees for any business or practice of profession within the City and the conditions under which the license for said business or practice of profession may be revoked, and enact ordinances levying taxes thereon;
- c.) Provide for and set the terms and conditions under which public utilities owned by the City shall be operated by the City government, and prescribe the conditions under which the same may be leased to private persons or entities, preferably cooperatives;
- d.) Regulate the display of and fix the license fees for signs, signboards or billboards at the place or places where the profession or business advertised thereby is, in whole or in part, conducted;
- e.) Authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks:

Provided, That, existing rights should not be prejudiced;

- f.) Upon approval of a majority vote of all the members of the Sangguniang Panlungsod: grant a franchise to any person, partnership, corporation, or cooperative to do business within

the City; establish, construct, operate and maintain markets or slaughterhouses; or undertake such other activities within the City as may be allowed by existing laws: ***Provided***, That cooperatives shall be given preference in the grant of such a franchise.

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

- a.) Declare, prevent or abate any nuisance;
- b.) Require that buildings and the premise thereof and any land within the City be kept and maintained in a sanitary condition; impose penalties for any violation thereof; or, upon failure to comply with said requirement, have the work done at the expense of the owner, administrator or tenant concerned; or require the filling up of any land or premise to a grade necessary for proper sanitation;
- c.) Regulate the disposal of clinical and other waste from hospitals, clinics and other similar establishment;
- d.) Regulate the establishment, operation and maintenance of cafes, restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses, and other similar establishments, including tourist guides and transports;

- e.) Regulate the sale, giving away or dispensing of any intoxicating malt, vino, mixed or fermented liquors at any retail outlet;
- f.) Regulate the establishment and provide for the inspection of steam boilers or any heating device in buildings and the storage of inflammable and highly combustible materials within the City;
- g.) Regulate the establishment, operation and maintenance of any entertainment or amusement facilities, including theatrical performances, circuses, billiard pools, public dancing schools, public dance halls, sauna baths, massage parlors, and other places for entertainment or amusement; regulate such other events or activities for amusement or entertainment, particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or, prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community;
- h.) Provide for the impounding of stray animals; regulate the keeping of animals in homes or as part of a business, and the slaughter, sale or disposition of the same; and adopt measures to prevent and penalize cruelty to animals; and

- i.) Regulate the establishment, operation and maintenance of funeral parlors and the burial or cremation of the dead, subject to existing laws, rules and regulations.

5. Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of the Local Government Code of 1991, and in addition to said services and facilities, shall:

- a.) Provide for the establishment, maintenance, protection, and conservation of communal forest and watershed, tree parks, greenbelts, and other similar forest development projects;
- b.) Establish markets, slaughterhouses or animal corrals and authorize the operation thereof by the City government; and regulate the construction and operation of private markets, *talipapas* or other similar buildings and structures;
- c.) Regulate the preparation and sale of meat, poultry, fish, vegetables, fruits, fresh dairy products, and other foodstuffs for public consumption;
- d.) Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approve the construction, improvement, repair and maintenance of the same; establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public; regulate garages and the operation of

conveyances for hire; designated stands to be occupied by public vehicles when not in use; regulate the putting up of signs, signposts, awning post on the streets; and provide for the lighting, cleaning, and sprinkling of streets and public places;

- e.) Regulate traffic on all streets and bridges; prohibit encroachments or obstacles thereon and, when necessary in the interest of public welfare, authorize the removal of encroachments and illegal constructions in public places;
- f.) Subject to existing laws, establish and provide for the maintenance, repair and operation of an efficient waterworks system to supply water for the inhabitants and to purify the source of the water supply; regulate the construction, maintenance, repair and use of hydrants, pumps cisterns and reservoirs; protect the purity and quantity of the water supply of the City and, for this purpose, extend the coverage of appropriate ordinances over all territory within the drainage area of said water supply and within one hundred (100) meters of the reservoir, conduit, canal, aqueduct, pumping station, or watershed used in connection with the water service; and regulate the consumption, use wastage of water and fix and collect charges therefore;

- g.) Regulate the drilling and excavation of the ground for the laying of water, gas, sewer, and other pipes and the construction, repair and maintenance of public drains, sewers, cesspools, tunnels and similar structures; regulate the placing of poles and the use of crosswalks, curbs, and gutters; adopt measures to ensure public safety against open canals, manholes, live wires and other similar hazards to life and property; and regulate the construction and use of private water closets, privies and other similar structures in buildings and homes;
- h.) Regulate the placing, stringing, attaching, installing, repair and construction of all gas mains, electric, telegraph and telephone wires, conduits, meters and other apparatus; and provide for the correction, condemnation, or removal of the same when found to be dangerous, defective or otherwise hazardous to the welfare of the inhabitants;
- i.) Subject to the availability of funds and existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and provide similar post-secondary institutions and, with the approval of the Department of Education and subject to existing laws on tuition fees, fix and collect reasonable tuition fees, and other

school charges in educational institutions supported by the City government;

- j.) Establish a scholarship fund for the poor but deserving students in schools located within its jurisdiction or for students residing within the City;
- k.) Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;
- l.) Provide for an efficient and effective system of solid waste and garbage collection and disposal; prohibit littering and the placing or throwing of garbage, refuse and other filth and waste;
- m.) Provide for the care of disabled persons, paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age; and subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons
- n.) Establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program and appropriate funds for the support and development of the same; and

o.) Establish a City Council for the elderly which shall formulate policies and adopt measures mutually beneficial to the elderly and to the community; provide incentives for non-governmental agencies and entities and, subject to the availability of funds, appropriate funds to support programs and projects for the benefit of the elderly; and

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

ARTICLE VII. SUCCESSION OF ELECTIVE CITY OFFICIALS

SEC. 16. Permanent Vacancies in the Office of the City Mayor and City

Vice-Mayor. – a. If a permanent vacancy occurs in the office of the City Mayor, the City Vice-Mayor shall become the City Mayor. If a permanent vacancy occurs in the office of the City Vice-Mayor, the highest-ranking member of the Sangguniang Panlungsod, or in case of his permanent disability, the second highest-ranking member of the Sangguniang Panlungsod shall become the City Vice-Mayor. Subsequent vacancies in the office shall be filled automatically by the other members of the Sangguniang Panlungsod according to their ranking as defined herein.

b. A tie between or among the highest-ranking members of the Sangguniang Panlungsod shall be resolved by the drawing of lots

c. The successors as defined herein shall serve only the unexpired terms of their predecessors. For the purposes of this Article, a permanent vacancy arises when an elective city official fills a higher vacant office, refuse to assume office, fails to qualify,

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

SEC. 17. Permanent Vacancies in the Sangguniang Panlungsod. -

Permanent vacancies in the Sangguniang Panlungsod where automatic successions provided above do not apply shall be filled by appointment in the following manner:

- a. The President, through the Executive Secretary;
- b. Only the nominee of the political party under which the City Vice-Mayor or a member of the Sangguniang Panlungsod concerned had been elected and whose elevation to the position next higher in rank created the last vacancy in the Sanggunian shall be appointed in the manner herein provided. The appointee shall serve the unexpired term of the vacant office. In the appointment herein mentioned, a nomination and a certificate of the appointee from the highest official of the political party concerned are conditions *sine qua non*, and any appointment without such nomination and certification shall be null and void *ab initio*.
- c. In case the permanent vacancy is caused by a member of the Sangguniang Panlungsod who does not belong to any political party, the City Mayor shall appoint a qualified person from a list of not less than three (3) persons recommended by the Sangguniang Panlungsod to fill the vacancy.
- d. In case of vacancy in the representation of the youth and the Association of Barangay Councils in the Sangguniang Panlungsod, said vacancy shall be filled by the official next in rank of the organization concerned. A tie between

or among the highest-ranking members shall be resolved by the drawing of lots.

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

b. The said temporary incapacity shall terminate upon submission to the Sangguniang Panlungsod of a written declaration by the City Mayor that he has reported back to office. In case where the temporary incapacity is due to legal causes, the City Mayor shall also submit necessary documents showing that the said legal causes no longer exist.

c. Except as provided above, the City Mayor shall in no case authorize any local official to assume the powers, duties and functions of the office, other than the City Vice-Mayor, or the highest –ranking member of the Sangguniang Panlungsod, as the case may be.

Sec. 19. Temporary Vacancy in the Office of the City Vice-Mayor. – a. When the City Vice-Mayor is temporarily incapacitated to perform his duties for physical and legal reasons such as, but not limited to, leave of absence, travel abroad, and suspension from office the highest-ranking member of the Sangguniang Panlungsod shall

automatically exercise the powers and perform the duties and function of the City Vice-Mayor.

b. The said temporary incapacity shall terminate upon submission to the Sangguniang Panlungsod of a written declaration by the City Vice-Mayor that he has reported back to the office. In case where the temporary incapacity is due to legal causes, the City Vice-Mayor shall also submit necessary document showing that the said legal causes no longer exists.

ARTICLE VIII. LOCAL LEGISLATION

SEC. 20. Local Legislative Power. The Sangguniang Panlungsod shall exercise local legislative power. a. Internal Rules of Procedure: on the first regular session following the election of its member and within ninety (90) days thereafter, the sanggunian concerned shall adopt or update its existing rules or procedure.

b. The rules of procedure shall provide for the following:

1. The organization of the sanggunian and the election of its officers as well as the creation of standing committees which shall include, but shall not be limited to, the committees on appropriations, women and family, human rights, youth and sports development, environmental protection, and cooperatives; the general jurisdiction of each committee;
2. The order and calendar or business for each session;
3. The legislative process;
4. The parliamentary procedures which include the conduct of members during sessions;

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

6. Such other rules as the sanggunian may adopt.

SEC. 21. Presiding Officer. – a. The City Vice-Mayor shall be the presiding officer of the Sangguniang Panlungsod; however, after he has called a meeting to order, he may relinquish the chair to any member of the body to preside temporarily.

b. In the event of the inability of the regular presiding officer to preside at a session of the Sangguniang Panlungsod, the members thereof present and constituting a quorum shall elect from among themselves a temporary presiding officer. He shall certify within ten (10) days from the passage of ordinances enacted and resolutions adopted by the Sangguniang Panlungsod in the session or session over which he temporarily presided over.

c. In addition to his duties as prescribed by law, the presiding officer shall have the following powers and duties:

1. Preside over all sessions and caucuses of the Sangguniang Panlungsod and call the meeting to order promptly on the date and time specified in the notice of the meeting;
2. Approve matters for inclusion in the agenda: Provided, however, that any proposed measure or matter not included in the agenda may be calendared upon written petition of a majority of the members of the Sangguniang Panlungsod;
3. Announce the business in the order in which it is to be acted upon;
4. Recognize any member who is entitled to the floor;
5. State all questions before the body can put the same to a vote, when regularly moved and seconded, and announce the result thereof;
6. Enforce at all times order and decorum;
7. Rule on all pending questions, subject to appeals by members and which appeals shall not be debatable. Any member may explain his appeal for not more than (2) minutes. Any ruling on appeal shall be submitted to the Sangguniang Panlungsod for its approval or disapproval whose decision shall be final;
8. Authenticate, whenever necessary, all orders, act and proceedings declaring its will and obeying its commands;
9. Sign all documents, resolutions and motions, as approved; and
10. Vote only in case of a tie.

SEC. 22. Sessions.- a. A session refers to a meeting of the Sangguniang Panlungsod which, although lasting for several hours, is one meeting. It may be regular

or special formally called by the Presiding officer or as provided by these rules. The Sangguniang Panlungsod shall hold one (1) weekly regularly session at the session hall to transact business and as many special sessions as may be necessary and authorized in accordance with the Rules and Regulations implementing the Local Government Code of 1991.

b. The session shall not be suspended or adjourned except when so directed by the Sangguniang Panlungsod but the Presiding Officer may, in his discretion, declare a recess of short interval; ***Provided, however,*** That the chair may suspend or adjourn the session when the same becomes unruly or uncontrollable.

c. The session shall be open to the public unless a closed-door session is ordered by a vote of a majority of the members of the Sangguniang Panlungsod present, for reason of security, decency or morality or for any other valid reason as determined by the body.

d. The exact hour of opening and adjourning each session shall be entered in the minutes of the Sangguniang Panlungsod.

e. Sessions may also be held in a barangay or barangay district as may be declared by a majority vote of the Sangguniang Panlungsod.

SEC. 23. Quorum. – a. A majority of all members of the Sangguniang Panlungsod who have been elected and qualified including the sectoral representative shall constitute a quorum to transact official business.

b. Should a question of quorum be raised during a session, the Presiding Officer shall immediately order a roll call of the members and thereafter announce the results.

c. Where there is no quorum, the Presiding Officer may declare a recess until such time as a quorum is constituted, or a majority of the members present may go on recess

and compel the immediate attendance of any member absent without justifiable cause by designating a member of the Sangguniang Panlungsod, to be assisted by a member or members of the Philippine National Police assigned in the territorial jurisdiction of the local government unit concerned, to arrest the absent member and present him at the session.

d. If there is still no quorum after the enforcement of the immediately preceding paragraph, no business shall be transacted. The Presiding Officer, upon proper motion duly approved by the members present, shall then declare the session adjourned for lack of quorum.

SEC.24. Conflict of Interest. – Members of the Sangguniang Panlungsod shall disclose any business, financial or professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which he may have with any person, firm, or entity affected by any ordinance or resolution under consideration by the Sangguniang Panlungsod, which relationship may result in conflict of interest, Such relationship shall include:

a. Ownership of stock or capital, or investment, in the entity or firm which the ordinance or resolution under consideration may apply; and

b. Contracts or agreements with any person or entity which the ordinance or resolution under consideration may affect.

“Conflict of interest” refers in general to one where it may be reasonably deduced that a member of the Sangguniang Panlungsod may not act in the public interest due to some private, pecuniary or other personal considerations that may tend to affect his judgment to the prejudice of the service or the public.

c. The disclosure required under this Charter shall be made in writing and submitted to the secretary of the Sangguniang Panlungsod or the secretary of the committee of which he is a member. The disclosure shall, in all cases, form part of the record of the proceedings and shall be made in the following manner:

1. Disclosure shall be before the member participates in the deliberations on the ordinance or resolution under consideration: ***Provided***, that, if the member did not participate during the deliberations, the disclosure shall be made before voting on the ordinance or resolution on second and third readings; and
2. Disclosure shall be made when a member takes a position or makes a privilege speech on any matter that may affect the business interest, financial connection, or professional relationship described herein.

SEC. 25. Order of Business. - The order of business of the Sangguniang Panlungsod shall consist of:

- a. Invocation;
- b. Pambansang Awit;
- c. Roll call of the members;
- d. Approval of the minutes of the previous session;
- e. Business not terminated during the immediately preceding session;
- f. Other business (i.e. privilege speeches), and
- g. Citizens' forum.

SEC. 26. Agenda. – a. Matters that may be taken up in the session of the Sangguniang Panlungsod shall be limited only to those items listed in the corresponding agenda, the nature and substance of which must be described.

b. The agenda shall be distributed to the members on or before the close of work hours on the Monday immediately preceding the next meeting but in no case less than one (1) day preceding the next session. Matters received after the close of office hours on the Monday immediately preceding the next session shall not be included in the agenda except that by prior consent of a majority of the members present, urgent matters may be submitted by any member. Urgent matters are those that involve public interest, the delay in the consideration of which shall prejudice activities of the government.

c. Any motion, measure or proposal appearing in the agenda for reference to the corresponding committees shall not be subject to debate or discussions; *Provided, however,* That any measure which in the opinion of the Sangguniang Panlungsod is of an urgent nature may be acted upon without reference to a committee, and may be considered immediately and be the subject of discussion, debate or amendment prior to final action. Explanatory speech by the author may be allowed following the reading of a particular matter appearing in the agenda.

SEC. 27. General Rules in the Enactment of Ordinances and Adoption of Resolutions. – The following rules shall govern the enactment of ordinances and resolutions:

- a. Within thirty (30) days after receipt by the committee concerned of a proposed ordinance, resolution, motion, petition or other matters, the said committee shall duly consider the proposed ordinance, resolution, motion,

petition or other matters and report the same to the Sangguniang Panlungsod.

- b. During the consideration of the measures mentioned in the next preceding paragraph, the same shall be subjected to debate, amendment and all proper parliamentary procedures.
- c. All ordinances, resolutions and other measures enacted or adopted by the Sangguniang Panlungsod shall be prepared in the proper form by the Secretary to the Sangguniang Panlungsod and transmitted to the presiding officer within a period of seven (7) days from the time of such enactment or adoption, and the Presiding Officer, within a period of three (3) days from his receipt thereof, authenticate said ordinances, resolutions and other measures with his signature.
- d. The Sangguniang Panlungsod may, when expediency so demands, create positions for or designate other officers, as it may deem proper:

SEC. 28. Procedure on the Enactment of Ordinances and Adoption of Resolutions.- The following procedure shall be observed in the enactment of ordinances and adoption or resolutions:

- a. Written proposed ordinances or resolutions calendared for the first time shall not be debated upon. They shall only be referred to the corresponding committee for study, comments and recommendations.

Whenever a request or proposed measure covers subject matter falling within the jurisdiction of one (1) committee, the request or proposed

measure shall be referred to that committee within whose jurisdiction the principal subject matter falls.

The committee which acquires original jurisdiction over any request or proposed measure shall be mainly responsible for submitting a report/ recommendation to the Sangguniang Panlungsod incorporating therein the appropriate recommendation of the Committee or Committees to which collateral subject matters have been referred and the results of public hearings conducted, if any, and the requisite certification of availability of funds should the request or proposed measure entail appropriation or allocation of funds.

A tax ordinance or a revenue measure shall be considered in accordance with Art. 274, 275 and 276 of the Rules and Regulations Implementing the Local government Code of 1991.

- b. The Committee concerned shall report out proposed penal or regulatory ordinances in due and proper form for publication in at least one (1) newspaper of general circulation in the City before the same shall again be calendared for second reading and be considered by the Sangguniang Panlungsod adopting the following procedure:

1. Second reading of the proposed ordinance;
2. Sponsorship by the Committee Chairman, or by any corresponding Committee or by the presiding officer;
3. If a debate or discussion ensues, turns for and against the proposed ordinance shall be taken alternately;

4. The sponsor or author of the proposed ordinance shall have the right to close the debate;
 5. The debate closed, the consideration of amendments, if any, shall be in order;
 6. After the period of amendments the voting shall be on the proposed ordinance on second reading.
- c. After printing, the proposed ordinance or resolution shall be calendared for third or last reading; ***Provided, however,*** That in the case of appropriations and/ or budget ordinances, the Sangguniang Panlungsod, by majority vote of all the members present, shall dispense with the first, second and third readings and may approve the same at the time they are presented.

If passed on third or last reading, the ordinance shall then be printed in final form to be attested by the secretary of the Sangguniang Panlungsod and signed by the Presiding Officer.

SEC. 29. Approval of Ordinances and Resolutions. – Every ordinance and resolution enacted by the Sangguniang Panlungsod shall be presented to the City Mayor. If the City Mayor approves the same, he shall affix his signature on each and every page thereof; otherwise, he shall veto it return the same with his objections to the Sangguniang Panlungsod, which may proceed to reconsider the same.

The Sangguniang Panlungsod may, when expediency so demands, create positions for or designate other officers as it may deem proper.

SEC. 30. Veto Power of the City Mayor. – a. The City Mayor may veto an ordinance or resolution only once.

b. The City Mayor may veto any Ordinance of the Sangguniang Panlungsod on the ground that it is *ultra vires* or prejudicial to the public welfare and for other valid reasons, stating his reasons therefore in writing.

c. The veto shall be communicated by the City Mayor to the Sangguniang Panlungsod within ten (10) days from receipt of the ordinance; otherwise, the ordinance shall be deemed approved as if he had signed it.

d. The Sangguniang Panlungsod may override the veto by two thirds (2/3) vote of all its members thereby making the ordinance effective for all intents and purposes: provided, that, such override by the Sangguniang Panlungsod may be exercised only once.

e. The City Mayor shall have the power to veto any particular item or items of an appropriations ordinance, an ordinance or resolution adopting a local development plan and public investment program, or an ordinance directing the payment of money or creating liability. In such a case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the Sangguniang Panlungsod overrides the veto in the manner herein provided; otherwise, the item or items in the appropriations ordinance of the previous year corresponding to those vetoed, if any, shall be deemed reenacted.

SEC. 31. Review of Barangay Ordinances by the Sangguniang Panlungsod.

a. Within ten (10) days after its enactment, the Sangguniang Barangay shall furnish copies of all barangay ordinances to the Sangguniang Panlungsod for review as to whether the ordinance is consistent with law, public policy and city ordinances.

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

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

SEC. 32. Effectivity of Ordinances or Resolutions. – a. Unless otherwise stated in the ordinance or resolution, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the City Hall and in at least two (2) other conspicuous places in the City.

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

c. The main features of the ordinance or resolution duly enacted or adopted shall, in addition to being posted, be published once in a local newspaper of general circulation within the City: *Provided, That*, in the absence thereof, the ordinance or resolution shall be published in any newspaper of general circulation.

ARTICLE IX. THE CITY DEVELOPMENT COUNCIL

SEC. 33. The City Development Council. – A City Development Council is hereby established which shall initiate a comprehensive multi-sectoral development plan

and assist the Sangguniang Panlungsod in setting the direction of economic and social development as well as in coordinating development efforts within the City's territorial jurisdiction. The City Development Council is tasked to specify the vision, mission, and goals of the City as the bases for policies in the formulation of programs, projects, and activities and their subsequent implementations.

SEC. 34. Composition of the City Development Council. – The Composition of the City Development Council shall be follows:

- a. The City Development Council shall be headed by the City Mayor and shall be composed of the following members:
 1. All punong barangays in the city;
 2. The chairman of the committee on appropriations of the Sangguniang Panlungsod concerned;
 3. The congressman or his representative; and
 4. Representatives of non-government organizations operating in the city, who shall constitute not less than one forth (1/4) of the members of the fully organized council.
- b. The City Development Council may call upon any local official concerned or any official of national agencies or offices of the local government unit to assist in the formulation of their respective development plans and public investment programs.

SEC. 35. Representatives of Non-Governmental Organizations. – Within a period of sixty (60) days from the start of the organization of the City Development Council, the non-governmental organizations shall choose from among themselves their

representatives to the said council. The local sanggunian concerned shall accredit non-governmental organizations subject to criteria as may be provided by law.

SEC. 36. Functions of the City Development Council. – The City Development Council shall exercise the following functions:

- a. Formulate long term, medium-term, and annual socio-economic development plans and policies;
- b. Formulate the medium-term and annual public investment programs;
- c. Appraise and prioritize socio-economic development programs and projects;
- d. Formulate local investment incentives to promote the inflow and directions of private investment capital;
- e. Coordinate, monitor, and evaluate the implementation of development programs and projects; and
- f. Perform such other functions as may be provided by law or competent authority.

SEC. 37. Meeting and Quorum. – The City Development Council shall meet at least once every six (6) months or as often as may be necessary.

SEC. 38. Executive Committee. – The City Development Council shall create an executive committee to represent it and act on its behalf when it is not in session.

- a. The Composition of the Executive Committee shall be as follows:
 1. The City Mayor as Chairman;
 2. The Chairman of the Committee on Appropriations of the Sangguniang Panlungsod;
 3. The president of the City League of Barangays;

4. A representative of non-governmental organizations that are represented in the council; and
 5. A representative of the Congressman of the City of Baguio.
- b. The Executive Committee shall exercise the following functions:
1. Ensure that the decisions of the council are faithfully carried out and implemented;
 2. Act on matters requiring immediate attention or action by the council;
 3. Formulate policies, plans and programs based on the general principles laid down by the council; and
 4. Act on other matters that may be authorized by the council.

SEC. 39. Sectoral and Functional Committees. – The City Development Council may form sectoral or functional committees to assist them in the performance of their functions.

SEC. 40. Secretariat. – There is hereby constituted for the City Development Council a secretariat which shall be responsible for providing technical support, documentation of proceedings, preparation of reports and such other assistance as may be required in the discharge of its functions. The City Development Council may avail of the services of any non-governmental organizations or educational or research institutions for this purpose.

Sec. 41. Relation of the City Development Council to the Sangguniang Panlungsod and the Regional Development Council. –

- a. The policies, programs, and projects proposed by the City Development Council shall be submitted to the Sanggunian for appropriate action. The city

development plan approved by the Sanggunian may be integrated with the development plans of the next higher level of development council.

- b. The approved development plans of the city shall be submitted to the regional development plan for submission to the National Economic and Development Authority, in accordance with existing laws.

SEC. 42. Budget Information. – The Department of Budget and Management shall furnish the City Development Council information on financial resources and budgetary allocations applicable to the city's jurisdiction to guide said council in its planning function.

ARTICLE X. THE CITY SCHOOL BOARD

SEC. 43. Creation and Composition. – A City School Board is hereby established composed of the City Mayor and the City Superintendent of schools as co-chairmen; the chairman of the education committee of the Sangguniang Panlungsod, the city treasurer, the representative of the Pederasyon ng mga Sangguniang Kabataan in the Sangguniang Panlungsod, duly elected president of the City Federation of P.T.As, the duly-elected representative of the teachers' organizations in the city, and the duly-elected representative of the non-academic personal of public schools in the city, as members.

SEC. 44. Functions of the City School Board. – The City School Board shall:

- a. Determine, in accordance with the criteria set by the Department of Education the annual supplementary budget needs for the operation and maintenance of public schools within the city and the supplementary local cost of meeting such needs which shall be reflected in the form of an annual school board budget.

corresponding to its share of the proceeds of the special levy on real property constituting the Special Education Fund and such other sources of revenue as this Code and other laws or ordinances may provide;

- b. Authorize the city treasurer to disburse funds from the Special Education Fund pursuant to the budget prepared and in accordance with existing rules and regulations;
- c. Serve as an advisory committee to the Sangguniang Panlungsod on educational matters such as, but not limited to the necessity for and the uses of local appropriations for educational purposes; and
- d. Recommend changes in the names of public schools within the city jurisdiction for enactment by the Sangguniang Panlungsod.

The Department of Education shall consult the city school board on the appointment of the division superintendent, district supervisors, school principals, and other school officials.

SEC. 45. Meeting and Quorum; Budget. – a. The city school board shall meet at least once a month or as often as may be necessary.

b. Any of the co-chairmen may call a meeting. A majority of all its members shall constitute a quorum. However, when both co-chairmen are present in a meeting, the local chief executive concerned, as a matter of protocol, shall be given preference to preside over the meeting. The division superintendent, city superintendent or district supervisor, as the case may be, shall prepare the budget of the school board concerned. Such budget shall be supported by programs, projects, and activities of the school board for the

ensuing fiscal year. The affirmative vote of the majority of all the members shall be necessary to approve the budget.

c. The annual school board budget shall give priority to the following:

1. Construction, repair and maintenance of school buildings and other facilities of public elementary and secondary schools;
2. Establishment and maintenance of extension classes when necessary; and
3. Sport activities at the division, districts, and barangay levels.

SEC. 46. Compensation and Remuneration. – The co-chairmen and members of the city school board shall perform their duties as such without compensation or remuneration. Members thereof who are not government officials or employees shall be entitled to necessary traveling expenses and allowances chargeable against the funds of the city school board concerned, subject to existing accounting and auditing rules and regulations.

ARTICLE XI. THE CITY HEALTH BOARD

SEC.47. Creation and Composition. a. A City Health Board is hereby established composed of the city mayor as chairman, the city health officer as vice-chairman, and the chairman of the committee on health of the Sangguniang Panlungsod, a representative from the private sector or non-governmental organizations involved in health services, and a representative of the Department of Health in the city, as members.

b. The functions of the city health board shall be:

1. To propose to the Sangguniang Panlungsod in accordance with standards and criteria set by the Department of Health, annual budgetary

allocations for the operation and maintenance of health facilities and services within the city;

2. To serve as an advisory committee to the sanggunian on health matters such as, but not limited to, the necessity for, and application of, local appropriations for public health purposes; and
3. Consistent with the technical and administrative standards of the Department of Health, create committees which shall advise local health agencies on matters such as, but not limited to personnel selection and promotion, bids and awards, grievance and complaints, personnel discipline, budget review, operations review and similar functions.

SEC. 48. Meetings, Quorum. – a. The Board shall meet at least once a month or as often as may be necessary.

b. A majority of the members of the board shall constitute a quorum, but the chairman or vice-chairman must be present during meetings where budgetary proposals are being prepared or considered. The affirmative vote of all the majority of the members shall be necessary to approve such proposals.

SEC. 49. Compensation and Remuneration. – The chairman, vice-chairman and members of the city health board shall perform their duties without compensation or remuneration. Members thereof who are not government officials or employees shall be entitle to necessary traveling expenses and allowances chargeable against the fund of the city health board, subject to existing accounting and auditing rules and regulations.

SEC. 50. Direct National Supervision and Control by the Secretary of Health.
– In cases of epidemics, pestilence and other widespread public health dangers, the

Secretary of Health may, upon the direction of the President and in consultation with the City, temporarily assume direct supervision and control over health operations in the city for the duration of the emergency, but in no case exceeding a cumulative period of six (6) months. With the concurrence of the city government, the period for such direct national control and supervision may be further extended.

ARTICLE XII. THE CITY PEACE AND ORDER COUNCIL

SEC. 51. *Organization.* A City Peace and Order Council is hereby established pursuant to Executive Order Numbered Three Hundred Nine (E.O. 309), as amended, Series of 1998. The city peace and order council shall have the same composition and functions as prescribed by said executive order.

The secretariat of the City Development Council shall be headed by the City Planning and Development Coordinator.

ARTICLE XIII. DISCIPLINARY ACTIONS

SEC. 52. *Grounds for Disciplinary Actions.* – An elective local official may be disciplined, suspended, or removed from office on any of the following grounds:

- a. Disloyalty to the Republic of the Philippines;
- b. Culpable violation of the Constitution;
- c. Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
- d. Commission of any offense involving moral turpitude or an offense punishable by at least prison mayor;
- e. Abuse of authority;

- f. Unauthorized absence for fifteen (15) consecutive working days, except in the case of members of the Sangguniang Panlungsod;
- g. Application for, or acquisition of, foreign citizenship or residence or the status of an immigrant of another country; and
- h. Such other grounds as may be provided in the Local Government Code of 1991 and other laws.

An elective local official may be removed from office on the grounds enumerated above by order of the proper court.

SEC. 53. Form and Filing of Administrative Complaints. – A verified complaint against any erring local elective official shall be filed before the Office of the President.

SEC. 54. Notice of Hearing. – a. Within seven (7) days after the administrative complaint is filed, the Office of the President shall require the respondent to submit his verified answer within fifteen (15) days after receipt thereof, and commence the investigation of the case within ten (10) days after receipt of such answer of the respondent.

b. Such hearing and investigation shall be conducted in the place where he holds office.

c. No investigation shall be held within ninety (90) days immediately prior to any local election, and no preventive suspension shall be imposed within the said period. If preventive suspension has been imposed prior to the 90-day period immediately preceding local election, it shall be deemed automatically lifted upon the start of aforesaid period.

SEC. 55. Preventive Suspension. – a. Preventive suspension may be imposed by the President of the Republic of the Philippines.

b. Preventive suspension may be imposed at any time after the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence: Provided, That, any single preventive suspension of local elective officials shall not extend beyond sixty (60) days: Provided, further, That in the event that several administrative cases are filed against an elective official, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension.

c. Upon expiration of the preventive suspension, the suspended elective official shall be deemed reinstated in the office without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he was formally notified of the charges against him. However, if the delay in the proceedings of the case is due to his fault, neglect or request, other than the appeal duly filed, the duration of such delay shall not be counted in computing the time of the termination of the case.

d. Any abuse of the exercise of the power of preventive suspension shall be penalized as abuse of authority.

SEC. 56. Salary of Respondent Pending Suspension. – The respondent official preventively suspended from office shall receive no salary or compensation during such

suspension; but upon subsequent exoneration and reinstatement, he shall be paid full salary or compensation including such emoluments accruing during such suspension.

SEC. 57. Rights of the Respondent. The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him, and to require the attendance of witnesses and the production of documentary evidence in his favor through the compulsory process of subpoena or subpoena *duces tecum*.

SEC. 58. Form and Notice of Decision. – a. The investigation of the case shall be terminated within ninety (90) days from the start thereof. Within thirty (30) days after the end of the investigation, the Office of the President shall render a decision in writing stating clearly and distinctly the facts and the reasons for such a decision. Copies of the said decision shall immediately be furnished the respondent and all interested parties.

b. The penalty of suspension shall not exceed the unexpired term of the respondent or a period of six (6) months for every administrative offense, nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office.

c. The penalty of removal from office as a result of an administrative investigation shall be considered a bar to the candidacy of the respondent for any elective position.

SEC. 59. Finality of Decisions. – Decisions of the Office of the President shall be final and executory.

SEC. 60. Execution Pending Appeal. – The respondent shall be considered as having been placed under preventive suspension during the pendency of an appeal in the

event he wins such appeal. In the event the appeal results in exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

ARTICLE XIV. THE APPOINTIVE OFFICIALS OF THE CITY

SEC. 61. *The Secretary to the Sangguniang Panlungsod.* – a. There shall be a secretary to the Sangguniang Panlungsod who shall be a career official with rank and salary equal to a head of a department or office and who shall be appointed by the City Vice-Mayor. The appointment of the secretary to the Sangguniang Panlungsod shall not be subject to confirmation by the Sangguniang Panlungsod.

b. No person shall be appointed secretary to the Sangguniang Panlungsod unless he is a citizen of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in law, commerce or public administration from a recognized college or university, and a first grade civil service eligible or its equivalent.

c. The Secretary to the Sangguniang Panlungsod shall take charge of the office of the secretary to the Sanggunian and shall:

1. Attend meetings of the Sangguniang Panlungsod and keep a journal of its proceedings;
2. Keep the seal of the City and affix the same with his signature to all ordinances, resolutions and other official acts of the Sangguniang Panlungsod and present the same to the presiding officer for his signature;

3. Forward to the City Mayor, for approval, copies of ordinances enacted by the Sangguniang Panlungsod and duly certified by the presiding officer;
4. Furnish, upon request of any interested party, certified copies of records of public character in his custody, upon payment to the City Treasurer of such fees as may be prescribed by ordinances;
5. Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sangguniang Panlungsod, with the dates of passage and publication thereof;
6. Keep his office and all non-confidential records therein open to the public during the usual business hours;
7. Translate into the dialect used by the majority of inhabitants all ordinances and resolutions immediately after their approval, and cause the publication of the same together with the original version in the manner provided under the Local Government Code of 1991;
8. Take custody of the local archives and, when applicable, the local library annually account for the same; and
9. Perform such other duties and functions and exercise such other powers as provided under the Local Government Code of 1991, and those that are prescribed by law or ordinance.

In addition to his duties as prescribed by law, the Secretary to the Sangguniang Panlungsod shall also perform the following duties and functions:

- a.) Attend all sessions and caucuses of the Sangguniang Panlungsod;
- b.) Prepare and certify the Minutes of Meetings of the body;
- c.) Read, or cause to be read, by himself or through a reader designated by him, all proposed ordinances, motions, memorials, petitions and other documents which he shall report to, or when required by the Sangguniang Panlungsod or by the Presiding Officer;
- d.) Notify officers and special committees of appointments or creations;
- e.) Transmit to the proper committees all matters referred to them by the Presiding Officer, or the Sangguniang Panlungsod;
- f.) Send out proper notices of all called sessions, caucuses, other meetings and public hearings;
- g.) Carry out or enforce orders of the Sangguniang Panlungsod when such duty is devolved upon him; and
- h.) Perform all other duties and functions as may be required of him by the Sangguniang Panlungsod.

SEC. 62. The City Treasurer. – a. The City Treasurer shall be appointed by the Secretary of Finance from a list of at least three (3) ranking eligible recommendees of the City Mayor, subject to civil service law, rules and regulations.

b. The City Treasurer shall be under the administrative supervision of the City Mayor, to whom he shall directly report regularly on tax collection efforts of the City.

c. No person shall be appointed treasurer unless he is a citizen of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in

commerce, public administration or law from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in treasury or accounting service for at least five (5) years.

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

e. The City Treasurer shall take charge of the Treasury Office, and shall:

1. Maintain and update the tax information system of the Office;
2. Implement local tax ordinances, presidential decrees or revenue measures in the collection of taxes and other revenues accruing to the City;
3. Maintain and update tax records of registered taxpayers and related reports needed by authorities concerned;
4. Conduct public auction sale of delinquent real properties;
5. Pre-screen job applicants for vacancies in the Office and submit qualified applicants to the Personnel Selection Board for final approval;
6. Undertake public hearings the preparation of plans and Programs for the Office;
7. Take custody and exercise proper fund management of the City;
8. Take charge of the disbursement of all funds of the City;
9. Request and procure needed accountable forms, supplies and equipment;

11. Attend executive meetings and sessions of the Sangguniang Panlungsod and other meetings called for; and

SEC. 63. The Assistant City Treasurer. – a. The Assistant City Treasurer may be appointed by the Secretary of Finance from a list of all three (3) ranking eligible recommendees of the City Mayor, subject to civil service law, rules and regulations.

b. No person shall be appointed Assistant City Treasurer unless he is a citizen of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in commerce, public administration or law from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired at least five (5) years experience in treasury or accounting.

c. The Assistant City Treasurer shall receive such compensation, emoluments and allowances as may be determined by law.

d. The Assistant City Treasurer shall assist the City Treasurer and perform such other duties as the latter may assign him. He shall have authority to administer oaths concerning notices and notifications to those delinquent in the payment of the real property tax and concerning official matters relating to the accounts of the City Treasurer or otherwise arising from the offices of the City Treasurer and the City Assessor.

SEC. 64. The City Assessor. - a.. No person shall be appointed City Assessor unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in civil or

mechanical engineering, commerce, or any other related course from a recognized college or university; and a first grade civil service eligible or its equivalent. He must have acquired experience in real property assessment work or any related field for at least five (5) years.

b. The City Assessor shall take charge of the City Assessor's Office, perform the duties provided for under Book II of the Local Government Code of 1991, and shall:

1. Initiate, review and recommend charges in policies and objectives, plans and programs, techniques and procedures and practices in the valuation and assessment of real properties for taxation purposes;
2. Install and maintain a real property identification and accounting system;
3. Prepare, install and maintain a system of tax mapping, showing graphically all property subject to assessment and gather all data concerning the same;
4. Exercise the functions of appraisal and assessment primarily for taxation purposes of all real properties within the City;
5. Prepare a schedule of the fair market value for the different classes of real properties, in accordance with Title Two under Book II of the Local Government Code of 1991;
6. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 65. The Assistant City Assessor. – a. No person shall be appointed Assistant City Assessor unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in civil or mechanical engineering, commerce, or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in assessment or any related field for at least one (1) year. The appointment of an Assistant City Assessor may be optional.

b. The Assistant City Assessor shall assist the City Assessor and perform such other duties as the latter may assign to him. He shall have the authority to administer oaths on all declarations of real property for purposes of assessment.

SEC. 66. The City Accountant. – a. No person shall be appointed City Accountant unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, and a certified public accountant. He must have acquired experience in treasury or accounting service for at least five (5) years. The appointment of the City Accountant is mandatory.

b. The City Accountant shall take charge of both the accounting and internal audit services of the City and shall:

1. Install and maintain an effective internal audit system in the City including all its barangays;
2. Prepare and submit financial statements to the City Mayor and to the Sangguniang Panlungsod and the Sangguniang Barangay as the case may be;

3. Apprise the Sangguniang Panlungsod and other local officials on the financial condition and operations of the City;
4. Certify to the availability of budgetary allotment to which expenditures and obligations may be properly charged;
5. Review supporting documents before preparation of vouchers to determine the completeness of requirements;
6. Prepare statements of cash advances, liquidation, salaries, allowances, reimbursements and remittances pertaining to the City;
7. Prepare statements of journal vouchers and liquidation of the same and other adjustments related thereto;
8. Post individual disbursements to the subsidiary ledger and index cards;
9. Maintain individual ledgers for officials and employees of the City pertaining to payrolls and deductions;
10. Record and post in index cards details of purchased furniture's, fixtures, and equipment, including disposal thereof, if any;
11. Account for all issued requests for obligations and maintain and keep all records and reports related thereto;
12. Prepare journals and the analysis of obligations and maintain and keep all records and reports related thereto; and
13. Exercise such other powers and perform such other duties and functions as may be provided by law or ordinance.

SEC. 67. The City Budget Officer. – a. No person shall be appointed City Budget Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of

good moral character, a holder of a college degree preferably in accounting, economics, public administration or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in government budgeting or in any related field for at least five (5) years.

b. The City Budget Officer shall take charge of the City Budget Office and shall:

1. Prepare forms, orders, and circulars embodying instructions on budgetary and appropriation matters for the signature of the City Mayor;
2. Supervise the preparation of the executive and supplemental budget;
3. Review allotment requests and prepare corresponding recommendations;
4. Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon;
5. Act as one of the fiscal advisers of the City Mayor and the Sangguniang Panlungsod;
6. Perform functions as a regular member of the Local Finance Committee;
7. Submit periodic budgetary reports to the Department of Budget and Management;
8. Monitor various infrastructure projects;
9. Attend to the procurement of the City's supplies and equipment;
10. Review annual/ supplemental budget proposals of barangays within the City and provide technical assistance; and

11. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 68. The City Planning and Development Coordinator. – a. No person shall be appointed City Planning and Development Coordinator unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in urban planning, development studies, economics, public administration, or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in development planning or in any related field for at least five (5) years.

b. The City Planning and Development Coordinator shall take charge of the City Planning and Development Office and shall:

1. Formulate integrated economic, social, physical, and other development plans and policies for consideration of the local government development council;
2. Conduct continuing studies, researches, and training programs necessary to evolve plans and programs for implementation;
3. Integrate and coordinate all sectoral plans and studies undertaken by the different functional groups or agencies;
4. Monitor and evaluate the implementation of the different development programs, projects, and activities in the City in accordance with the approved development plan;
5. Prepare comprehensive plans and other development planning documents for the consideration of the City Development Council;

6. Analyze the income and expenditure patterns, and formulate and recommend fiscal plans and policies for consideration of the finance committee of the City.
7. Promote people participation in development planning within the city;
8. Exercise supervision and control over the secretariat of the City Development Council; and
9. Exercise such other powers and perform such other functions and duties as may be prescribed by law or ordinance.

SEC. 69. The City Engineer. – a. No person shall be appointed City Engineer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, and a licensed civil engineer. He must have acquired experience in the practice of his profession for at least five (5) years.

b. The City Engineer shall take charge of the Engineering Office and shall also act as the local building official and shall:

1. Have over-all administrative control and general supervision over all work with respect to the mandate and objectives of the City Engineer's Office;
2. Be primarily responsible for the enforcement of the provisions of the Presidential Decree No. 1096, otherwise known as the Building Code of the Philippines, and Republic Act No. 7279, otherwise known as the Urban Housing and Development Act; and other similar laws;
3. Provide technical and staff services to the City Mayor and other local offices relative to engineering designs, materials testing and quality

control, relocations and surveys and other public works projects of the City;

4. Advise the City Mayor and the Sangguniang Panlungsod on all matters relative to infrastructure, public works and other engineering matters; and
5. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 70. The City Health Officer. – a. No person shall be appointed City Health Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, and a licensed medical practitioner. He must have acquired experience in the practice of his profession for at least five (5) years.

b. The City Health Officer shall take charge of the City Health Office and shall:

1. Take charge of the office on health services, supervise the personnel and staff of the said office, formulate program implementation guidelines and rules and regulations for the operation of the said office for the approval of the City Mayor in order to assist him in the effective and efficient implementation of a health services program geared to implementation of health-related projects and activities;
2. Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out activities to ensure the delivery of basic services and provision of adequate facilities relative to health services provided under Section 17 (b) of paragraph (4) of the Local Government Code of 1991;

3. Develop plans and strategies and upon approval thereof the City Mayor, implement the same, particularly those which have to do with health programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code of 1991;
4. In addition to the foregoing duties and functions, the City Health officer shall:
 - a. Ensure equitable and quality access to health care;
 - b. Formulate and implement policies, plans, programs and projects to promote the health of the people in the City;
 - c. Maintain proper sanitation and cleanliness of the City in accordance with the Sanitation Code;
 - d. Maintain a Health Information System that provides vital health statistics, health status indicators and demographic profile of the City;
 - e. Enjoin various sector to get involved and actively participate in health and related activities;
 - f. Coordinate, link and network with other government and non-government organizations involved in the promotion and delivery of health services;
 - g. Execute and enforce all laws, ordinances and regulations relating to public health;

- h. Be in the frontline of health services delivery, particularly during and in the aftermath of man-made and natural disasters and calamities; and
 - i. Take charge of the Office on Population Development of the City;
- 5. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 71. The City Civil Registrar. – a. No person shall be appointed City Civil Registrar unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in civil registry work for at least five (5) years. The appointment of a City Civil Registrar shall be mandatory.

b. The City Civil Registrar shall be responsible for the civil registration program in the City, pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws, rules and regulations issued to implement them.

c. The City Civil Registrar shall take charge of the Office of the Civil Registry and shall:

- 1. Develop plans and strategies and upon approval thereof by the City Mayor, implement the same, particularly those which have to do with civil registry programs and projects which the mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code of 1991;

2. In addition to the foregoing duties and functions, the City Civil Registrar shall:
 - a.) Accept all registrable documents and judicial decrees affecting the civil status of persons;
 - b.) File, keep and preserve in a secure place the books required by law;
 - c.) Transcribe and enter immediately upon receipt all registrable documents and judicial decrees affecting the civil status of persons in the appropriate civil registry books;
 - d.) Transmit to the Office of the Civil Registrar-General, within the prescribed period, duplicate copies of registered documents upon payment of the prescribed fees to the City Treasurer;
 - e.) Receive applications for the issuance of marriage license and, after determining that the requirements and supporting certificates and publication thereof for the prescribed period have been complied with, issue the license upon payment of the authorized fee to the City Treasurer;
 - f.) Coordinate with the National Statistics Office in conducting educational campaigns for vital registration and assist in the preparation of demographic and other statistics for the City; and
3. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 72. The City Administrator. – a. No person shall be appointed City Administrator unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in public administration, law or any other related course from a recognized college or university and a first grade civil service eligible or its equivalent. He must have acquired experience in management and administration work for at least five (5) years.

The term of the City Administrator is co-terminus with that of his appointing authority. The appointment of the City Administrator shall be mandatory.

b. The City Administrator shall take charge of the Office of the City Administrator and shall:

1. Develop plans and strategies and upon approval thereof by the City Mayor, implement the same particularly those which have to do with the management and administration-related programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code of 1991;
2. Assist in the coordination of the work of all the officials of the City, under the supervision, direction, and control of the City Mayor, and for this purpose, he may convene the chiefs of offices and other officials of the City;
3. Establish and maintain a sound personnel program for the City, promote career development and uphold the merit principle in the local government service;

SEC. 72. The City Administrator. – a. No person shall be appointed City Administrator unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in public administration, law or any other related course from a recognized college or university and a first grade civil service eligible or its equivalent. He must have acquired experience in management and administration work for at least five (5) years.

The term of the City Administrator is co-terminus with that of his appointing authority. The appointment of the City Administrator shall be mandatory.

b. The City Administrator shall take charge of the Office of the City Administrator and shall:

1. Develop plans and strategies and upon approval thereof by the City Mayor, implement the same particularly those which have to do with the management and administration-related programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code of 1991;
2. Assist in the coordination of the work of all the officials of the City, under the supervision, direction, and control of the City Mayor, and for this purpose, he may convene the chiefs of offices and other officials of the City;
3. Establish and maintain a sound personnel program for the City, promote career development and uphold the merit principle in the local government service;

4. Institute effective administrative reforms;
5. Provide administrative support services, particularly those related to the situations during and in the aftermath of man-made and natural disasters and calamities;
6. Take charge of tourism, sports and other special events;
7. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other matters relative to the management and administration of the City; and
8. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 73. The City Legal Officer. – a. No person shall be appointed City Legal Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, and a member of the Philippine Bar. He must have practiced his profession for at least five (5) years.

The term of the City Legal Officer shall be co-terminus with that of his appointing authority.

b. The City Legal Officer who is also the Chief Legal Counsel of the City, shall take charge of the City Legal Office and shall:

1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide legal assistance and support to the City Mayor in carrying out the delivery of basic services and provisions of adequate facilities as provided for under Section 17 (b) paragraph (4) of the Local Government Code of 1991;

2. Develop plans and strategies and upon approval thereof by the City Mayor, implemented the same, particularly those which have to do with programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide;
3. In addition to the foregoing duties and functions, the City Legal Officer shall:
 - a.) Represent the City in all civil actions and special proceedings wherein the City or any official thereof, in his official capacity, is a party;
 - b.) When required by the City Mayor or the Sangguniang Panlungsod, draft ordinances, contracts, bonds, leases and other instruments, involving any interest of the City; and provide comments and recommendations on any instrument already drawn;
 - c.) Render his opinion in writing on any question of law when requested to do so by the City Mayor or the Sangguniang Panlungsod;
 - d.) Investigate or cause to be investigated any local official or employee for administrative neglect or misconduct in office, and recommend appropriate action to the City Mayor or the Sangguniang Panlungsod, as the case may be;

- e.) Investigate or cause to be investigated any person, firm or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege, and recommend appropriate action to the City Mayor or the Sangguniang Panlungsod, as the case may be;
 - f.) When directed by the City Mayor or Sangguniang Panlungsod, initiate and prosecute in the interest of the City any civil action on any bond, lease or other contract upon any breach or violation thereof; and
 - g.) Review and submit recommendations on executive orders issued by the City Mayor and on ordinances approved by the Sangguniang Panlungsod and by component units.
- 4. Recommend measures to the Sangguniang Panlungsod and advise the City Mayor on all matters related to upholding the rule of law;
 - 5. Be in the frontline of protecting human rights and prosecuting any violations thereof, particularly those which occur during and in the aftermath of man-made or natural disasters or calamities; and
 - 6. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 74. The City Social Welfare and Development Officer. – a. No person shall be appointed City Social Welfare and Development Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a duly

licensed social worker or a holder of a college degree preferably in sociology or any other related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in the practice of social work for at least five (5) years.

b. The City Social Welfare and Development Officer shall take charge of the Office of Social Welfare and Development Services and shall:

1. Formulate measures for the approval of the Sangguniang Panlungsod and provide technical assistance and support to the City mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to social welfare and development services as provided for under Section 17 of the Local Government Code of 1991;
2. Develop plans and strategies and upon approval thereof by the City Mayor implemented the same particularly those which have to do with social welfare programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code of 1991;
3. In addition to the foregoing duties, the City Social Welfare and Development Officer shall:
 - a.) Identify the basic needs of the needy, the disadvantaged and the impoverished and develop and implement appropriate measures to alleviate their problems and improve their living conditions;

- b.) Provide relief and appropriate crisis intervention for victims of abuse and exploitation and recommend appropriate measures to deter further abuse and exploitation;
 - c.) Assist the City Mayor in implementing the barangay level program for the total development and protection of children up to six (6) years of age;
 - d.) Facilitate the implementation of welfare programs for the disabled, elderly, and victims of drug addiction, the rehabilitation of prisoner and parolees, the prevention of juvenile delinquency and such other activities which would eliminate or minimize the ill-effects of poverty;
 - e.) Initiate and support youth welfare programs that will enhance the role of the youth in nation-building;
 - f.) Coordinate with government agencies and non-governmental organizations which have for their purpose the promotion and the protection of all needy, disadvantaged, underprivileged or impoverished groups or individuals, particularly those identified to be vulnerable and high-risk to exploitation, abuse and neglect.
- 4. Be in the frontline of service delivery, particularly those which have to do with immediate relief during and assistance in the aftermath of man-made and natural calamities;
 - 5. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other matters related to social welfare and development

services which will improve the livelihood and living conditions of the inhabitants; and

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

SEC. 75. The City Environment and Parks Management Officer. – a. No person shall be appointed City Environment and Parks Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in environment and engineering or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in environmental and natural resources management, conservation, and utilization, or engineering for at least five (5) years. The appointment of a City Environment and Parks Officer is optional

b. The City Environment and Parks Officer shall take charge of the Office of City Environment and parks management. He shall:

1. Initiate the formulation, recommend charges and implement a comprehensive and integrated Environment Management and Monitoring Plan (EMMP) for the city in accordance with parameters of sustainable urban development and management set for the city and all related national and local environment laws, standards and issuances.
 - a.) Develop and recommend specific policies, guidelines, plans and programs, practices, techniques and measures to implement components/ details of the Environment Management Plan.

- b.) Consult and coordinate with all concerned sectors of the city in the formulation, implementation and monitoring of the EMP and its components as follows:
1. solid waste management
 2. liquid waste management
 3. air ambient
 4. water quality
 5. forest and watershed management
- c.) Enforce regulatory measures to conserve and protect the environment and natural resources of the city as provided for in national and local legal issuances.
- d.) Source out assistance in all forms from international, national and local partners to ensure the implementation of EMP and its components subject to the approval and guidelines set by the City Government.
2. operate and maintain facilities and equipment related to the following:
- a.) solid waste management (MRC, composting and dumpsite, etc.)
 - b.) liquid waste management (STP, sewer lines, communal septic tanks)
 - c.) air ambient quality management
 - d.) water quality management
 - e.) forest and watershed management (nursery, firebreaks, fire lines)
3. Manage and maintain the parks and other related public places of the city.

- a.) Formulate and submit development concepts on landscape and parks development to the Office Architect for architectural planning and design.
 - b.) Maintain the upkeep and improvement of the public cemetery of the city.
- 4. Review sewerage plans submitted to the office of the Building Official for the issuance of building permits and endorse the application if the result of the review is favorable.
 - 5. Exercise other powers and perform other functions and duties as may be prescribed by law or ordinances or assigned by the city government from time to time.

SEC. 76. Building and Architecture Officer. – a. No person shall be appointed City Building and Architecture Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a duly licensed architect. He must have practiced his profession for at least five (5) years.

b. The City Building and Architecture Officer shall take charge of the City Building and Architecture Office, and shall:

- 1. Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures, practices and guidelines on vertical infrastructure development and other related public works for the city.
- 2. Administer, coordinate, supervise and control the construction, maintenance, improvement and repair of vertical infrastructure

development and other related public works (i.e. signages and billboards, fences, etc.) in the city. He shall:

- a.) Enforce the provisions of the National Building Code of the Philippines and other issuances relevant to vertical infrastructure development.
 - b.) Undertake the investigation and recommend appropriate actions on violations of the Building Code and relevant issuances.
 - c.) Provide support or assistance in the enforcement of sanctions/decisions i.e. demolition of illegal structures, when necessary.
3. Prepare detailed engineering plans for vertical infrastructure development projects and other related public works for the city.
 4. Ensure compliance by all entities and individuals with the approved zoning plan for the city.
 5. Participate in the planning of special projects for the city and implement components within its scope of responsibility.
 6. Manage and maintain all city government-owned vertical structures and other facilities and structures i.e. hydro plant that may be assigned by the city government from time to time.
 7. Exercise such other powers and perform other functions and duties as may be prescribed by law or ordinance or assigned by the city government from time to time.

SEC. 77. The City Population Officer. – a. No person shall be appointed City Population Officer unless he is citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree preferably in business administration with special training in population management and development from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have experience in the implementation of programs on population development or responsible parenthood for at least five (5) years. The appointment of the City Population Officer is optional.

b. The City Population Officer shall take charge of the City Population Office and shall:

1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to the integration of population development principles and in providing access to said services and facilities;
2. Develop plans and strategies and, upon approval thereof by the City Mayor implement the same, particularly those which have to do with the integration of population development principles and methods in programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the City Population Officer shall:

- a. Assist the City Mayor in the implementation of the Constitutional provisions relative to population development and the promotion of responsible parenthood;
 - b. Establish and maintain an updated data bank for program operations development planning and an educational program to ensure the people's participation in and understanding of population development;
 - c. Implement appropriate training programs responsive to the cultural heritage of the inhabitants; and
4. Exercise such other powers and perform such other duties and functions as may be prescribe by law or ordinance.

SEC. 78. The City Veterinarian. a. No person shall be appointed City Veterinarian unless he as a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a licensed doctor of veterinary medicine. He must have practiced his profession for at least five (5) years.

- b. The City Veterinarian shall take charge of the City Veterinary Office and shall:
1. Formulate and develop plans and strategies, particularly those which have to do with the veterinary-related activities;
 2. Provide technical advise to the City Mayor and the Sangguniang Panlungsod in the formulation of policies and ordinances on matters pertaining to slaughter of animals for human consumption, regulation

of domestic animals, poultry, milk and products to ensure the protection of the consuming public;

3. Be in the frontline of veterinary-related activities, such as the outbreak of highly-contagious and deadly disease, and in situations resulting in the depletion of animals for work and consumption, particularly those arising from and in the aftermath of man-made and natural calamities and disasters; and
4. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 79. The City Tourism Officer. – a. No person shall be appointed City Tourism Officer unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree on tourism, public administration, business administration and management from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in tourism for at least five (5) years.

b. The City Tourism Officer shall take charge of the City Tourism Office and shall:

1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out measures to promote and develop the tourism industry in the city;
2. Develop and implement plans and strategies upon approval by the City Mayor, particularly on the tourism industry;

3. Oversee the implementation of the rules and regulations regarding tourism plans, programs and projects in the City;
4. Develop and implement operating procedures concerning all aspects of tourism in the City;
5. Be in the frontline of tourism-related activities, such as the possible or imminent destruction or damage to properties and structures and the orderly and sanitary clearing up of waste materials or debris, particularly during and in the aftermath of man-made and natural calamities and disasters;
6. Recommended to the Sangguniang Panlungsod and advise the City Mayor on all other matters relative to tourism; and

c. Exercise such other powers and perform such duties and functions as may be prescribed by law or ordinance.

SEC. 80. The City Human Resource Management Officer. – a. No person shall be appointed City Human Resources Management unless he is a citizen of the Republic of the Philippines, a resident of the City, of good moral character, a holder of a college degree on human resource managements from a recognized college or university, and a first grade civil service eligible or its equivalents. He must have acquired experience in human resource management for at least (5) years.

b. The City Human Resource Management Officer shall take charge of the Office of Human Resource Human Resource Management and shall:

1. Formulate measure for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in

carrying out measures to ensure the delivery of basic services and provision of adequate facilities which require human resource management expertise and technical support services;

2. Develop and implement plans and strategies upon approval by the City Mayor, particularly on human resource management supportive of the welfare of the inhabitants;
3. Oversee the implementation of the rules and regulations regarding the human resource management operations of the City;
4. Develop and implement operating procedures concerning all aspects of human resource management operation of the City;
5. Plan, develop and implement a comprehensive and balanced city personnel development program;
6. Provide personnel services to all departments and offices of the city;
7. Assist and advice the City Mayor and other city officials in the formulation and execution of personnel policies, rules and regulations;
8. Enforce the Civil Service Law, Rules and regulations as regards personnel actions, administration of the Salary Standardization Law, performance standards and evaluation, incentives and awards, training and development, employee welfare and benefits, grievance machinery and personnel discipline; and
9. Provide active support, cooperation and participation in the programs and activities of the Civil Service Commission and Council of Personnel Officers

c. Be in the frontline of general-services related activities, such as the possible or imminent destruction or damage to records, supplies, properties, and structures and the orderly and sanitary clearing up of waste materials or debris, particularly during and in the aftermath of man-made and natural calamities and disasters;

d. Recommended to the Sangguniang Panlungsod and advise the City Mayor on all other matters relative to general services; and

e. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 81. The City Public Information Officer. a. The City Public Information Officer must be a citizen of the Republic of the Philippines, a resident of the City of Baguio, of good moral character, a holder of a college degree in journalism, mass communications or any other related course from a recognized college or university, and a first civil service eligible or its equivalent. He must have experience in writing articles and research papers, or in writing for print, television or broadcast media for at least five (5) years immediately preceding his appointment.

b. The City Public Information Officer shall take charge of the City Public Information Office and shall:

1. Manage, maintain and supervise personnel and office operations of the City Public Information Office.
2. Take charge in providing information required for the delivery of basic services and provisions to the general public.
3. Maintain effective liaison with the various sectors of the community on matters and issues that affect the livelihood and the quality of life

of the inhabitants and encourage support for programs of the local and national government.

4. Review statements of policy and projected programs of the city government to secure favorable public image.
5. Do frontline services in providing information during and in the aftermath of calamities and disasters.
6. Perform other related duties that may be assigned to his/her from to time.

SEC. 82. The City Cooperatives Development Officer. a. No person shall appointed as City Cooperatives Officer unless he is a citizen of the Republic of the Philippines, of good moral character, a resident of the city of Baguio, and a degree holder in Education or Commerce, major in Cooperatives or Community Development. He shall have at least (5) years experience in cooperatives management.

b. The Cooperatives Development Officer shall take charge of the City Cooperatives Development Office and shall:

- 1 Formulate, develop, implement city cooperative thrust, programs and plans geared towards the realization of the vision and mission of the Cooperative Development Authority and perform supervision of cooperatives in the city;
- 2 Supervise and coordinate the activities of the staff in the promotion, development and supervision of cooperatives in the city;
- 3 Evolve appropriate research, education, information and programs for cooperative development.

- 4 Provide supervisory guidance in the formulation of workable methods, techniques and approaches for cooperative training programs;
- 5 Evaluate education and training programs and in the preparation of guidelines, determine their effectiveness and recommended shifts or modifications wherever necessary;
- 6 Recommended assignments, coordinate the work of the staff in the promotion, organization and supervision of cooperatives;
- 7 Implement special assignments to subordinates and assist them on difficult aspects of the work;
- 8 Effect centralized administrative controls through the implementation of policy rules and regulations established by the Community Development Authority and the City Government;
- 9 Conduct supervisory field work to monitor the progress of cooperatives in the city; and
- 10 Perform other functions as may be assigned to him/her from time to time.

SEC. 83. The City Librarian. a. No person shall be appointed City Library Officer unless he is a citizen of the Republic of the Philippines, a resident of the city, of good moral character of a college degree on library science from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in library management for at least five (5) years.

b. The City Library Officer shall take charge of the Office of the City Library and shall:

1. Formulate plans and programs to carry out a responsive and effective delivery of free library services to students, professionals and general public.
2. Determine policies, rules and regulations on the operation and management of the Baguio City Library.
3. Acquire library facilities and equipment.
4. Manage the procurement of books, periodicals, documents and papers of research value thru purchase, donation, or allocation from The National Library for the collection development of the Baguio City Library either in print or in digitized format.
5. Maintain and continually upgrade the operation of the Internet and Electronic Library (e-library) services of the Baguio City Library in order to make it abreast with the fast changing trends in information science and technology for fast and global access to unlimited information.
6. Maintain and continually upgrade the operation of the On-line Public Access Catalog (OPAC) or computerized catalog for easier and faster access to the various collections of the Baguio City Library.
7. Adopt and administer a system of classifying, cataloguing, filing, indexing and methods of labeling in the preparation of library reading materials, in print and digitized format in accordance with the modern trends of library science.

8. Prepare the annual budget of the Baguio City Library, submit appropriate reports, rate efficiency rating of subordinates, attend meetings, conferences, seminars etc.
9. Provide technical assistance in the establishment and operation of Barangay Libraries in the City of Baguio pursuant to R.A. 7743.
10. Maintain the upkeep of the Baguio City Library building and its premises and safeguard and preserve its contents.

SEC. 84. The City Agriculturist Officer. a. No person shall be appointed City Agriculturist Officer unless he is a citizen of the Republic of the Philippines, a resident of the city, of good moral character, a holder of a college degree in agriculture or in any related course from a recognized agriculture college degree or university, and a first grade civil service eligible or its equivalent. He must have practiced his profession in agriculture or acquired experience in a related field for at least five (5) years. The position of the agriculturist shall be mandatory for the city.

b. The City Agriculturist Officer shall take charge of the Office of the City Agriculturist and shall:

1. Formulate measures for the approval of the Sangguniang Panlungsod and provide technical assistance and support to the mayor, as the case may be, in carrying said measures to ensure the delivery of basic services and provision of adequate facilities relative to agricultural services as provided for under Section 17 of the Government Code.
2. Develop plans and strategies and upon approval thereof by the mayor, implement the same, particularly those which have to do with

agricultural programs and projects with the mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the Local Government Code.

3. In addition to the foregoing duties and functions, the City Agriculturist shall:

- a) Supervise, coordinate and monitor the implementation of agricultural development plans, programs and projects in accordance with the basic needs, resources and potentials of the city;
- b) Participate in the preparation of integrated city agricultural plans in accordance with other line agencies;
- c) Provide technical assistance to the City Council and development staff in the preparation and operationalization of an integrated development programs for the City, supervise and coordinate the activities of extension workers in the barangays in accordance with a deployment plan developed and adopted by the city development staff, monitor the performance of extension workers in the identification of agricultural problems;
- d) Conduct trainings, seminars, and conferences to disseminate the latest agriculture and aquaculture technology to clientele, including workers, farmers and fishermen as participants, submit periodic accomplishment reports and related matters;

- e) Be in the frontline of delivery of basic agricultural services, particularly those needed for the survival of the inhabitants during and in the aftermath of man-made and natural disasters;
 - f) Recommended to the Sangguniang Panlungsod and advise the Mayor in all matters related to agriculture and aquaculture which will improve the livelihood and living conditions of city inhabitants; and
 - g) Exercise such other powers and perform such other duties and functions as may be prescribed by law and ordinance.
- 4. Be in the frontline in the delivery of basic agricultural services, particularly those needed for the survival of the inhabitants during and in the aftermath of man-made and natural disasters;
 - 5. Recommended to the Sangguniang Panlungsod and advise the Mayor, as the case may be, on all other matters related to agriculture and aquaculture which will improve the livelihood and living conditions of inhabitants; and
 - 6. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

ARTICLE XV. SOURCES OF REVENUE

SEC. 85. Power to Create Sources of Revenue. – The City shall exercise its power to create its own source of revenue and to levy taxes, fees and charges, subject to the provisions of the Local Government Code of 1991, and consistent with the basic

policy of local autonomy. Such taxes, fees, and charges shall accrue exclusively to the City.

SEC. 86. Scope of Power. Subject to the provisions of the Local Government Code of 1991, the City may impose taxes and fees including but not limited to the following:

- a. Real property tax
- b. Tax on the sale, donation, transfer, or on any other mode of transferring ownership or title of real property;
- c. Tax on the following businesses:
 1. Those engaged in the printing and/ or publication of books, cards, posters, leaflets, handbills, certificates, receipts, pamphlets, and others of similar nature;
 2. Notwithstanding any exemption granted by any law or other special law, those enjoying a franchise;
 3. Manufacturers, assemblers, repackers, processors, brewers, distillers, rectifiers, and compounders of liquors, distilled spirits and wines or manufacturers of any article of commerce of whatever kind or nature; and
 4. Wholesalers, distributors or dealers in any article of commerce of whatever kind or nature;
- d. An annual professional tax on each person engaged in the exercise or practice of his profession requiring government examination at such amount and reasonable classification;

e. An amusement tax to be collected from proprietors, lessees, or operators of theaters, cinemas, concert halls, circuses, boxing stadia, and other places of amusement;

f. Toll fees or charges for the use of any public road, bridge, or telecommunication system funded and constructed by the local government unit concerned;

g. Tax on delivery trucks and vans;

h. Tax on printing and publication;

i. Tax on the operation of public utilities owned, operated and maintained by them within the City;

j. Community tax; and

k. Reasonable fees and charges, such as but not limited to those accruing from sanitary inspections, garbage collations, parking, mayor's permits, building, occupancy, electrical, and plumbing permits, etc.

SEC. 87. Exemption of Real Property of the National Government Located within the City from Taxation. – Any provision of law to the contrary notwithstanding, the extensive real estate holdings of the National Government Located within the City shall be exempt from taxation by the City.

In consideration of this exemption and the expense of improvements which the City is required to make by reason of the location therein of offices of National Government, and of free service in connection with said offices, there is hereby created a permanent continuing appropriation in the annual General Appropriations Act of PESOS: _____ (P _____), or such amounts as may be certified by City equivalent to fifty percent (50%) of the expenses of the City exclusive of those accounts which appear as expenses by reason of inter-

departmental charges and charges against the National Government for services and supplies.

ARTICLE XVI. TRANSITORY PROVISIONS

SEC. 88. Ordinances Existing at the Time of the Approval of this Act. – All ordinances of the City of Baguio existing at the time of the approval of this act shall continue to be in force until the Sangguniang Panlungsod shall provide otherwise.

SEC. 89. Plebiscite and Effectivity. – This Charter shall take effect on the first day of September following its ratification by a majority of the votes cast by the qualified voters in a plebiscite to be conducted in the City within sixty (60) days from the approval of this Act. The Commission on Election shall conduct and supervise such plebiscite.

The sum of Pesos: _____ (P _____)
is hereby appropriated for the use of the Commission on Election for the conduct of the publication, information campaign and the holding of the plebiscite as herein provided.

The Commission on Elections shall determine the manner of campaigning and the deputization of government agencies and non-government organizations for purposes of conducting an impartial campaign on the required plebiscite.

SEC. 90. Officials of the City of Baguio. – The present elective and appointive officials of the City shall continue to exercise their powers and function during their terms or tenure pursuant to existing laws and this Charter.

SEC. 91. Representative District. – Until otherwise provided by law, the City shall continue to exist as separate congressional district and represented as such in the Congress of the Republic of the Philippines.

SEC. 92. *Identity of the City.* – The City shall retain its identity as a highly-urbanized, autonomous, non-component city, and form part of the Cordillera Administrative Region.

ARTICLE XVII. FINAL PROVISIONS

SEC. 93. *Separability Clause.* – If any part or provision of this Charter is declared invalid or unconstitutional, the other parts or provision thereof shall remain valid and effective.

SEC. 94. *Applicability of Laws.* – The provisions of the Local Government Code of 1991 and such laws as are applicable to highly urbanized and non-component cities shall govern the City of Baguio insofar as they are not inconsistent with the provisions of this Charter.

SEC. 95. *Repealing Clause.* – All laws, decrees, rules or regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly. The present Charter of the City of Baguio as provided in Section 2540 to 2574 of the Revised Administrative Code of 1997, as amended is accordingly repealed, insofar as it is inconsistent with this Charter.

Approved,