Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
Third Regular Session

House Bill No. 5914



Introduced by Representative ANTONIO M. DIAZ

EXPLANATORY NOTE

The Municipality of Botolan occupies 73, 528 hectares of land – the biggest in northern Zambales. It is divided into 33 barangays, hosts three resettlement areas -- Baquilan, Camara and Danakbunga; and is home to the biggest population of indigenous peoples – the Aetas. Together with other natives and residents of the province, they comprise the total population of 57,447.

Despite the destruction it suffered following the eruption of Mt. Pinatubo, which is located in the municipality, it has risen above adversity primarily because of its land area that gives it the biggest potential among the northern towns of the province. While its main source of livelihood is fishing and farming, it can be further developed as a prime tourist destination, with its white-sand beaches that can even surpass the quality of Boracay beaches.

The dedication of its local government officials, from the mayor down to barangay leaders, has made it impossible for *jueteng* to thrive in the area. Yet, it has shown drive and determination towards achieving its vision of a peaceful and progressive town, and in the last two years its annual income has amounted to PhP 65,374,344.00.

With its exemplary performance, the local officials have launched a campaign to seek the conversion of the municipality to a Component City of Zambales. Botolan has met all the qualifications and requirements under R.A. 7160 or the Local Government Code making it eligible for conversion as a component city.

In view of the foregoing, immediate approval of this measure is earnestly requested.

ANTONIO M. DIAZ
Representative
II District, Zambales

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AN ACT
CONVERTING THE MUNICIPALITY OF BOTOLAN INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF BOTOLAN

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

ARTICLE I. GENERAL PROVISIONS

SECTION 1. *Title.* - This Act shall be known as the Charter of the City of Botolan.

SEC. 2. *The City of Botolan.* - The Municipality of Botolan shall be converted into a component city to be known as the City of Botolan, hereinafter referred to as the City; which shall comprise the present territory of the Municipality of Botolan in the Province of Zambales over which it has jurisdiction bounded on the north by Barangays xxxxxxxx andnnnnsnn

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of existing boundary disputes on cases involving question of territorial jurisdiction with the City of Botolan.

SEC. 2. *Corporate Powers of the City.* - The City constitutes a political body corporate and as such is endowed with the attribute of perpetual succession and possessed of the powers which pertain to a municipal corporation, to be exercised in the conformity with the provisions of this Charter. The City shall have the following corporate powers:

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

(b) To sue and be sued;

(c) To acquire and convey real or personal property;

(d) To enter into contracts; and

(e) To exercise such other powers as are granted to corporations, subject to the limitations provided in this Act and other laws.

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

SEC. 5. *Jurisdiction of the City.* – The jurisdiction of the City of Botolan, for police purposes only, shall be co-extensive with its territorial jurisdiction, and for the purposes of protecting and ensuring the purity of the water supply of the City, such police jurisdiction shall also extend over all territory within the drainage area of such water supply, or within the drainage area of any water supply, or within 100 meters of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the City water service. The city court of the City shall have concurrent jurisdiction with the city or municipal court of the adjoining municipalities or cities, to try crimes and misdemeanors committed within said drainage area, or within said spaces of 100 meters. The court first taking cognizance of such an offense shall have jurisdiction to try said cases to the exclusion of others. The police force of the several municipalities and cities concerned shall have concurrent jurisdiction with the police force of the City for the maintenance of good order and enforcement throughout said zones, areas and spaces. But any license that may be issued within said zone, area or spaces shall have granted by the proper authorities of the City or municipality concerned and not to the City.

ARTICLE II. CITY OFFICIALS IN GENERAL

SEC. 6. *Officials of the City of Botolan.* – (a) There shall be in the City of Botolan a city mayor, a vice-mayor, sangguniang panlungsod members, a secretary of the sangguniang panlungsod members, a city treasurer and an assistance city treasurer, a city assessor and an assistant 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, and a city general services officer.

(b) In addition hereto, the city mayor may appoint a city architect, a city information officer, a city population officer, a city environment and natural resources officer, and a city cooperative officer.

(c) The City of Botolan shall maintain a city fire station to be headed by a city fire marshall and a city jail to be headed by a city jail warden.

(d) The City of Botolan may:

(1) Maintain existing offices not mentioned in subsections (a) and (b) thereof;

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

(3) Consolidation the functions of any office with those of anothers in the interest of efficiency and economy.

(e) Unless otherwise provided herein, all appointive city officials of the City shall be appointed by the city mayor with concurrence of the majority of all the sangguniang panlungsod members, subject to civil service law, rules and regulations. The sangguniang panlungsod shall act upon the appointment within fifteen (15) days from the day of its submission otherwise, the same shall be deemed confirmed.

ARTICLE III. THE CITY MAYOR AND VICE-MAYOR

SEC. 7. *The City Mayor.* - The city mayor shall be the chief executive of the City. He shall be elected at large by the qualified voters of the City. No person shall be eligible for the position of the City Mayor unless at the time of actual election he is at least 23 years of age, an actual resident of the City for at least one year prior to his election, and a qualified voter herein. He shall hold office for three (3) years, unless sooner removed, and shall receive a minimum monthly salary corresponding to Salary Grade 30 as prescribed under Republic Act No. 6758, otherwise known as the Salary Standardization Law and the implementing guidelines issued pursuant thereto.

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

(a) Exercise those powers expressly granted to hium by law, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for the efficient and effective governance of the City, and those which are essential to the promotion of general welfare;

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

(2) Direct the formulation of the city development plan, with the assistance of the city development council, and upon approval thereto by the sangguniang PANLUNGSOD, implement the same;

(3) Present the program of government and propose policies and projects for the consideration of the sangguniang panlungsod at the opening of the regular session 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;

(4) 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 sangguniang in the performance of its legislative functions;

(5) 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 Act, as well as thos he may be authorized by law to appoint;

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

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

(8) Determine the time, manner and place of payment of salaries or wages of the officials and employees of the City, in accordance with law and ordinance;

(9) Allocate 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 owened or leased by the city government;

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

(11) 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;

(12) Furnish copies of executive orders issued by him, to the respective council chairpersons within 72 hours after their issuance;

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

(14) 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;

(15) Authorize official trips of city officials and employees outside of the City for a period not exceeding 30 days.

(16) 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

any administrative or judicial action against a national government official or employee who may have committed an offense in the performance of his official duties when stationed in or assigned to the City;

(17) 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 availability of funds;

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

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

(20) Submit to the respective metropolitan authority council chairpersons and to the Office of the President the following reports: an annuak 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;

(b) Enforce all laws and ordinances relative to the governance of the City an in the exercise of its appropriate corporate powers, as well as implement all approved policies, programs, projects, services and activities of the City;

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

(2) 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 on such subject as he may deem important for the

promotion of the general welfare of the local government units and its inhabitants;

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

(4) Be entitled to carry the necessary firearm within his territorial jurisdiction;

(5) 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 Replublic Act 6975; and

(6) 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;

(7) Initiate and maximize the generation of resources and revenues, and apply the same to the implementation of development plans, programs, objectives and priorities, particularly those resources and revenues programmed for agro-industrial development and countryside growth and progress:

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

(2) Prepare and submit to the sanggunian 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;

(3) 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;

(4) 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;

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

(6) 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;

(7) Adopt adequate measures to safeguard and conserve land, mineral, marine and other resources of the City;

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

(9) Institute or cause to be instituted administrative or judicial proceedings for ordinances in the collection of taxes, fees of 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;

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

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

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

(3) Perform such other duties and functions and exercises such other powers, as provided for under Republic Act No. 7160, otherwise known as the Local Government Code of 1991 and those that are prescribed by law or ordinance.

SEC. 8. *The City of Vice-Mayor.* - There shall be a vice-mayor who shall be elected in the same manner as the city mayor and shall at the time of his election possess the same qualifications as the city mayor. He shall hold office for three (3) years, unless sooner removed, and shall receive a monthly compensation corresponding to Salary Grade 28 as prescribed under Republic Act No. 6758, otherwise known as the Salary Standardization Law and the implementing guidelines issued pursuant thereto.

The 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 for under existing laws;

(c) Assume the office of the city mayor for the unexpired term of the latter 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 others and functions and exercise such other powers as provided for under Republic Act No, 7160, otherwise known as the Local Government Code of 1991 and those that are prescribed by law or ordinance.

ARTICLE IV. THE SANGGUNIANG PANLUNGSOD

SEC 9. The Sangguniang Panlungsod. - The sangguniang panlungsod, the legislative body of the City, shall be composed of the city vice-mayor as

presiding officer, the regular sanggunian members, the president of the city chapter of the liga ng mga barangay, the president of the panlungsod na pederasyon ng nga sangguniang kabataan, and the sectoral representatives, as members.

In additional thereto, there shall be three (3) sectoral representatives: one (1) from the women; and, as shall be determined by the sangguniang panlungsod within 90 days prior to the holding of the local elections; one (1) from the other sectors, including the urban poor, or differently abled persons.

The regular members of the sangguniang panlungsod and the sectoral representatives shall be elected in the manner as may be provided for by law. The elective members of the sangguniang panlungsod shall possess the same qualifications as that of the city mayor and vice-mayor.

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

The *sangguniang panlungsod* shall:

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

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

(2) 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 said ordinance;

(3) Approve ordinances imposing a fine not exceeding Five Thousand Pesos (PhP 5,000.00) or an imprisonment for a period not exceeding one (1) year, or both in the discretion of the court, for the violation of a city ordinance;

(4) 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 in their return to productive livelihood following said events;

(5) 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, maintenance of drug dens, drug pushing, juvenile delinquency, the printing, distribution or exhibition or obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the City;

(6) Protect the environment and impose appropriate penalties for acts, which endanger the environment, such as smuggling of natural resources products and of endangered species of flora and fauna, and such other activities which result to pollution, acceleration of eutrophication of rivers and lakes or of ecological imbalances.

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

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

(9) 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 a temporary vacancy in a concurrent capacity at the rate authorized by law;

(10) 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 inventory, land ownership, record 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;

(11) When 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;

(12) 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 actions; and

(13) 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.

(b) Generate and maximize the use of recources and revenues for the development plans, program objectives and priorities of the City, with particular attention to agro-industrial development and city-wide growth and progress:

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

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

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

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

(5) Appropriate funds for the construction and maintenance or the rental of buildings for the use of the City; and upon the majority vote of all 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;

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

(7) Adopt a comprehensive land use for the City;

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

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

(10) 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: *Provided, however*, that where approval shall not be withheld for more than 30 days from receipt of the application. Failure to act on the application within the period stated above shall be deemed as approval thereof;

(11) With the concurrence of at least two-thirds (2/3) of all the members of the sangguniang panlungsod, grant tax exemptions, incentives or relieves to entities engaged in

community growth-inducing industries, subject to the provisions of the Local Government Code;

(12) 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;

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

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

(c) Subject to the provisions of the Local Government Code of 1991, enact ordinances granting franchises and authorizing the issuance of permits or 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:

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

(2) 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;

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

(4) 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;

(5) Any law to the contrary notwithstanding, authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breedings of gamecocks; Provided, That existing rights should not be prejudiced;

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

(7) Upon approval by a majority vote of all 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 ferries, wharves, markets or slaughterhouses; or undertake such activities within the City; 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 franchise;

(d) Regulate the 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:

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

(2) Require that buildings and the premises thereof and any land within the City be kept and maintained in a sanitary condition; impose penalties on 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 premises to a grade necessary for proper sanitation;

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

(4) Regulate the establishment, operation and maintenance of cafes, restaurants, beer houses, hotels, motels, inns, pension houses, lodging houses, and other similar establishment, including tourist guides and transports;

(5) Regulate the sale, giving away or dispensing of any intoxicating malt, mixed or fermented liquors at any retail outlet;

(6) Regulate the establishment and provide for the inspection of

steam boilers or any heating device in buildings and the storage of flammable and highly combustible materials within the City;

(7) Regulate the establishment, operation, and maintenance of any entertainment or amusement facilities, including the theatrical performances, circuses, billiard pools, public dancing schools, public dance halls, sauna baths, massage parlors, and other events or activities for amusement or entertainment, particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension of the same; or prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community;

(8) 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;

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

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

(1) Provide for the establishment, maintenance, protection, and conservation of watersheds, tree parks, green belts, mangroves;

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

(3) Authorize the establishment, maintenance and operation by the city government of ferries, wharves, and other structures intended to accelerate productivity related to marine life and the preservation thereof;

(4) Regulate the preparation and the sale of meat, poultry, fish,

vegetables, fruits, fresh dairy products, and other foodstuffs for public consumption;

(5) 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 conveyance for hire; designate stands to be occupied by public vehicles when not in use; regulate the putting up of signs, signposts, awnings and awning posts on the streets, and provide for the lighting, cleaning and sprinkling of streets and public places;

(6) 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 encroachment and illegal constructions in public places;

(7) Subject to existing law, 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 reservoir; 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 100 meters of the reservoir, conduit, canal, aqueduct, pumping station, or watershed in connection with the water service; and regulate the consumption, use or wastage of water and fix and collect charges therefore;

(8) 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 other 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;

(9) 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;

(10) Subject to the availability of funds and to existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Department of Education and subject to the existing law on tuition fees, fix and collect reasonable tuition increases and other school charges in educational institutions supported by the city government;

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

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

(13) Provide for an efficient and effective system of solid waste and garbage collection and prohibit littering and the placing and throwing of garbage, refuse and other filth and wastes;

(14) Provide for the care of disabled person, paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and youth below 18 years of age; and subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantageous persons;

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

(16) Establish a city council whose purpose is the promotion of culture and the arts, coordinate with government agencies and none-governmental organizations and, subject to the availability of funds, appropriate funds for the support and development of the same; and

(17) 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

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

ARTICLE V. PROCESS OF LEGISLATION

SEC. 10. *Internal Rule of Procedure.* - On the first regular session following the election of its members and within 90 days thereafter, the sangguniang panlungsod shall adopt or update its existing rule of procedure.

The rules of procedure shall provide for the following:

(a) The organization of the sanggunian ang 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, revenues, engineering and public works, education and health, women and family, human rights, youth and sports development, peace and order and traffic, and cooperatives; the general jurisdiction of each committee; and the election of the chairman and members of each committee;

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

(c) The legislative process:

(d) The parliamentary procedures which include the conduct of members during sessions;

(e) The discipline of members for disorderly behavior and absence 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 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 the sanggunian members: Provided, further, That a member convicted by final judgement to imprisonment of at least one (1) year for any crime involving moral turpitude shall be automatically expelled from the sanggunian; and

(f) Such other rules as the sanggunian may adopt.

SEC. 11. *Full disclosure of Financial and Business Interest of Sangguniang Panlungsod Members.* - Every sangguniang panlungsod member shall, upon assumption to office, make a full disclosure of his/her business and financial interest. He/She shall also disclose any business, financial or professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which he/she may have with any person, firm or entity affected by any ordinance or resolution under consideration by sanggunian of which he is a 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) Contracts 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, "conflict of interest" refers in general to one where it may be reasonably deduced that a member of a sanggunian may not act in the public interest due to some private, pecuniary or other personal considerations that may tend to affect his/her judgement to the prejudice of the service or the public.

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/she 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:

(a) 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

(b) 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. 12. *Sessions.* - On the first day of the session immediately following the election of its members, the sangguniang panlungsod shall, by resolution, fix the day, time and place of its regular sessions. The minimum number of regular sessions shall be once a week for the sangguniang panlungsod, and twice a month for the sangguniang barangay.

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

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

In the case of special sessions of the sanggunian, a written notice to the members shall be served personally at the member's usual place of residence of at least 24 hours before the special session is held.

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

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

SEC. 13. *Quorum.* - A majority of all members of the sanggunian who have been elected and qualified shall constitute a quorum to transact official business. Should a question of quorum be raised during a session, the presiding officer shall immediately proceed to call the roll of the members and thereafter announce the results.

When there is no quorum, the presiding officer may declare a recess until such a time as a quorum is constituted, or a majority of the members present may adjourn from day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the sanggunian, to be assisted by a member or members of the police force assigned in the territorial jurisdiction of the City of Botolan, to arrest the absent member and present him/her at the session.

If there is still no quorum despite the enforcement of the immediately preceding sub-section, 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. 14. *Approval of Ordinances.* - Every ordinance enacted by the sangguniang panlungsod shall be presented to the city mayor. If the city mayor approves the same, he/she shall affix his/her signature on each and every page thereof; otherwise, he/she shall veto it and return the same with his objections to the sanggunian, which may proceed to reconsider the same. The sanggunian may override the veto of the city mayor by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective for all legal intents and purposes.

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

SEC. !5. *Veto Power of the City Mayor.* - 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, stating his reasons therefor in writing.

The city mayor shall have the power to veto any particular item or items of an appropriate ordinance, an ordinance or resolution adopting a local development plan and public investment program, or an ordinance directing the payment of money or creating a liability. In such a case, the veto shall not affect the item or items 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.

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

SEC. 16. *Review of Barangay Ordinances by the Sangguniang Panlungsod.* - 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 and city ordinances.

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

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. 17. Enforcement of Disapproved Ordinances or Resolutions. - Any attempt to enforce any ordinance or resolution approving the local development plan and public investment program, after the disapproval thereof, shall be sufficient ground for the suspension or dismissal of the official or employee concerned.

SEC. 18. Effectivity of Ordinances or Resolutions. - Unless otherwise stated in the ordinance or the resolution approving the local development plan and public investment program, 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 of Botolan, and in at least two (2) other conspicuous places in the City of Botolan.

The secretary of the sangguniang panlungsod shall cause the posting of an ordinance or resolution in the bulletin board at the entrance of the City Hall of Botolan in at least two (2) conspicuous places in the City of Botolan, not later than five (5) days after approval thereof.

The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and the secretary of the sangguniang panlungsod shall record such fact in a book kept for the purpose, stating the dates of approval and posting.

The main provisions 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: *Provided, further,* That the gist of all ordinances with panel sanctions shall also be published in a newspaper of general circulation.

ARTICLE VI. DISQUALIFICATIONS AND SUCCESSION OF ELECTIVE CITY OFFICIALS

SEC. 19. *Disqualifications for Elective Public 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 imprisonment of six (6) years or more, within two (2) years after serving sentence;

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

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

(d) Those convicted by final judgment in criminal or non-political cases here and abroad;

(e) Those with dual citizenship;

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

(g) The insane or feeble-minded.

SEC. 20. *Permanent Vacancy in the Office of the City Mayor and City Vice-Mayor.* - If a permanent vacancy occurs in the office of the city mayor, the city vice-mayor concerned shall become the city mayor. If a permanent vacancy occurs in the office of the vice-mayor, the highest ranking sangguniang panlungsod member, or in case of his/her permanent incapacity, the second highest ranking sangguniang panlungsod member shall become the city mayor or city vice-mayor, as the case may be. Subsequent vacancies in the said offices shall be filled automatically by the other sanggunian members according to their ranking as defined herein.

A tie between the highest ranking sangguniang panlungsod members shall be resolved by the drawing of lots.

The successors as defined herein shall serve only the unexpired terms of their predecessors.

For purposes of this Act, a permanent vacancy arises when an elective local official fills a higher vacant office, voluntarily resigns or is otherwise permanently incapacitated to discharge the functions of his office.

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

SEC. 21. *Permanent Vacancies in the Sanggunian.* - Permanent vacancies in the sangguniang panlungsod where automatic succession as provided above does not apply shall be filled by appointment in the following:

(a) The President, through the Executive Secretary, shall make the aforementioned appointment;

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

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

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

SEC. 22. *Temporary Vacancy in the Office of the City 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 sangguniang panlungsod member 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 or temporary incapacity exceeds thirty (30) working days.

(b) Said temporary incapacity is terminated upon submission to the sangguniang panlungsod of a written declaration by the city mayor that he has reported back to office. In cases where the temporary incapacity is due to legal causes, the city mayor shall also submit necessary documents showing the said legal causes no longer exists.

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

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

(e) 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.

ARTICLE VII. CITY OFFICES IN GENERAL

SEC. 23. *City Offices.* - There shall be established in the city government of the City of Botolan the following offices for its elective officials:

(a) The office of the city mayor

(b) The office of the city vice-mayor

(c) The individual office of the members of the sangguniang panlungsod.

The City shall likewise establish the following offices:

(a) The office of the city administrator;

(b) The finance department;

(c) The engineering and public service department;

(d) The legal department;

(e) The health department;

(f) The assessment department;

(g) The budget department;

(h) The urban development department;

(i) The international relations department;

(j) The social welfare department;

(k) The community relations department;

(l) The youth and sports development department;

(m) The education department;

(n) The environmental services department; and

(o) The public safety department.

The city mayor, as the chief executive of the City, shall have the power to designate the heads of the aforementioned departments, subject to the approval of the members of the sangguniang panlungsod.

ARTICLE VII. THE APPOINTIVE OFFICIALS OF THE CITY; THEIR QUALIFICATIONS, POWERS AND DUTIES

SEC. 24. *The Secretary of the Sangguniang Panlungsod.* - There shall be a secretary of the sangguniang panlungsod with the rank and salary equal to a head of a department or office, who shall be appointed by the city mayor.

No person shall be appointed secretary to the sangguniang panlungsod unless he/she is a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree, preferably in political science, legal management, commerce or public administration from a recognized college or university, and a first grade civil service eligible or its equivalent.

The term of the secretary to the sangguniang panlungsod is co-terminous with that of the appointing authority.

The secretary to the sangguniang panlungsod shall take charge of the office of the sangguniang panlungsod and shall:

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

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

(c) Forward to the city mayor for approval, and to the members of the sangguniang panlungsod copies of the ordinances enacted by the sangguniang panlungsod duly certified by the presiding officer;

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

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

(f) Keep his/her office and all non-confidential records therein open to the public during the usual business hours;

(g) Translate into the dialect used by the majority of the 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;

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

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

SEC. 25. *The City Treasurer.* – 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 the civil service law, rules and regulations.

The city treasurer shall be under the administrative supervision of the city mayor, to whom he shall report regularly on the tax collection efforts of the City.

No person shall be appointed treasurer unless he is a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in commerce or public administration from a

recognized college or university, and be first grade civil service eligible or its equivalent. He/she must have acquired experience in treasury or accounting service for at least five (5) years.

The city treasurer shall receive such compensation, emoluments and allowances as may be determined by law.

The city treasurer shall take charge of the treasury office and shall:

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

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

(c) Take charge of the disbursement of all funds of the City and such other funds the custody of which may be entrusted to him/her by law or other competent authority;

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

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

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

SEC. 26. *The Assistant City Treasurer.* - The assistant city treasurer may be appointed by the Secretary of Finance from a list of at least three (3) ranking eligible recommendees of the city mayor, subject to the civil service law, rules and regulations.

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

The assistant city treasurer shall receive such compensation, emoluments and allowances as may be determined by law.

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 payment of real property tax concerning official matter relating to the accounts of the city treasurer or otherwise the offices of the city treasurer and the city assessor.

SEC. 27. *The City Assessor.* - The city assessor must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in civil or mechanical engineering, commerce or related course from a recognized college or university; and be first grade civil service eligible or its equivalent. He must have acquired experience in real property assessment work in any related field for at least five (5) years immediately preceding the day of his appointment.

The city assessor shall receive such compensation, emoluments and allowances as may be determined by law.

The city assessor shall take chare of the city assessor's office, and shall:

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

(b) Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in the valuation and assessment of real properties for taxation purposes;

(c) Establish a systematic method of real property assessment;

(d) Install and maintain a real property identification and accounting system;

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

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

(g) Exercise the functions of appraisal and assessment primarily for taxation purposes of all properties in the City;

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

(i) Issue, upon request of any interested party, certified copies of assessment records of real property and all other records relative to its assessment, upon payment of a service charge of fee to the city treasurer;

(j) Submit every semester a report of all assessments, as well as the cancellations and modifications of assessments, to the city mayor and the sangguniang panlungsod; and

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

SEC. 28. *The Assistant City Assessor.* - The assistant city assessor must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in civil or mechanical engineering, commerce or 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 in any related field for at least three (3) years immediately preceding the day of his/her appointment.

The assistant city assessor shall receive such compensation, emoluments and allowances as may be determined by law.

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. 29. *The City Accountant.* - The city accountant must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a certified public accountant and is first grade civil service eligible or its equivalent. He must have acquired experience in treasury or accounting for at least five (5) years immediately preceding the day of his/her appointment.

The city accountant shall receive such compensation, emoluments and allowances as may be determined by law.

The city accountant shall take charge of both the office on accounting and internal audit services and shall:

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

(b) Prepare and submit financial statements to the city mayor, and to the sangguniang panlungsod ;

(c) Update the sangguniang panlungsod and other officials on the financial condition and operations of the City;

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

(e) Review supporting documents before preparation of vouchers to determine completion of requirements;

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

(g) Post individual disbursements to the subsidiary ledger and index cards;

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

(i) record and post in index cards details of purchased furniture, fixtures and equipment, including disposal thereof, if any;

(j) Account for all issued requests for obligations and maintain and keep all records and reports related thereto:

(k) Prepare journals and analysis of obligations and maintain and keep all records and reports related thereto; and

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

SEC. 30. *The City Budget Officer.* – The city budget officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of college degree preferably in accounting, economics, public administration or any other related course from a recognized college or university, and is first grade civil service eligible or its equivalent. He must have acquired experience in government budgeting for at least five (5) years immediately preceding the date of his/her appointment.

The city budget officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city budget officer shall take charge of the city budget office and shall:

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

(b) Review and consolidate the budget proposals of different departments and offices of the City;

(c) Assist the city mayor in preparation of the budget and during the budget hearing;

(d) Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon;

(e) Submit periodic budgetary reports to the Department of Budget and Management;

(f) Coordinate with the city treasurer, the city accountant, and the city planning and development coordinator for the purpose of budgeting;

(g) Assist the sangguniang panlungsod in reviewing the approved budgets of components of the City;

(h) Coordinate with the city planning and development coordinator in the formulation of the development plan of the City;

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

SEC. 31. *The City Planning and Development Coordinator.* - The city planning and development coordinator must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in urban planning, economics, public administration or any other related course from a recognized college or university; and is first grade civil service eligible or its equivalent. He must have acquired experience in development planning for at least five (5) years immediately preceding the date of his/her appointment.

The city planning and development coordinator shall receive such compensation, emoluments and allowances as may be determined by law.

The city planning and development coordinator shall take charge of the city planning and development office and shall:

(a) Formulate and integrate the economic, social, physical and other development plans and policies for consideration of the City;

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

(c) Integrate and coordinate all sectoral plans and studies undertaken by the different functional groups of agencies;

(d) Monitor and evaluate the implementation of the development programs, projects and activities in the City in accordance with the approved development plan;

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

(f) Analyze the income and expenditure patterns and formulate and recommend fiscal plans and policies for consideration of the finance committee of the sangguniang panlungsod;

(g) Promote people participation in development planning within the City; and

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

SEC. 32. *The City Engineer.* – The city engineer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character and a licensed engineer. He/she must have acquire experience in the practice of his/her profession for at least five (50 years immediately preceding the date of his appointment.

The city engineer shall receive such compensation, emoluments and allowances as may be determined by law.

The city engineer shall take charge of the city engineering office and shall:

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

(b) Advise the city mayor or infrastructure, public works and other engineering matters;

(c) Administer, coordinate, supervise and control the construction, maintenance, improvement and repair of roads, bridges and other engineering and public works projects in the City;

(d) Provide engineering services to the City, including investigation and survey, engineering designs, feasibility studies and project management; and

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

SEC. 22. *The City Health Officer.* – The city health officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, and a licensed medical practitioner. He/she mut have acquired experience in the practice of his/her profession for at least five (5) years immediately preceding the date of his/her appointment.

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

The city health officer shall take charge of the office of the city health service and shall:

(a) 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 efficient, effective and economical implementation of a health service program geared toward the implementation of health-related projects and activities;

(b) 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 provisions of adequate facilities related to health services;

(c) Develop plans and strategies and upon approval thereof by 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; and

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

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

SEC. 43. *The City Civil Registrar.* – The city civil registrar must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree and is first grade civil service eligible or its equivalent. He/she must have acquired experience in civil registry work for at least five (5) years immediately preceding the date of his/her appointment.

The city civil registrar shall receive such compensation, emoluments and allowances as may be determined by law;

The city civil registrar shall be responsible for the civil registration program in the City of Botolan, pursuant to the civil registry law, the civil code, and other pertinent laws, rules and regulations issued to implement them,

The city civil registrar shall take charge of the office of the city civil registry and shall:

(a) 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 city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide; and

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

SEC. 35. *The City Administrator.* - The city civil registrar must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in public administration or any related course and is first grade civil service eligible or its equivalent. He/she must have acquired experience in management and administrative work for at least five (5) years immediately preceding the date of his/her appointment.

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

The city civil registrar shall take charge of the office of the city civil registry and shall:

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

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

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

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

SEC. 36. *The City Legal Officer.* – The city legal officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character and a member of the Philippine Bar. He/she must have practiced his/her profession for at least five (5) years immediately preceding the date of his/her appointment.

The city legal officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city legal officer, the chief legal counsel of the City, shall take charge of the office of legal services and shall:

(a) Formulate measures for the consideration of the sangguniang panlungsod and provide legal assistance to the city mayor in carrying out the delivery of basic services and provisions of adequate facilites;

(b) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which have to do with programs and projects related to legal services which the city mayor is empowered to provide;

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

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

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

SEC. 37. *The City Social Welfare and Development Officer.* – The city social welfare and development officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a duly licensed social worker or a holder of a college degree preferably in sociology, social development or community development, and is a first grade civil service eligible or its equivalent. He/she must have acquired experience in the practice of social work for at least five (5) years immediately preceding the date of his/her appointment.

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

The city social welfare and development officer shall take charge of the office of social services and shall:

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

(b) Develop plans and strategies and approval thereof by the city mayor, implement 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;

(c) Be in the frontline of service delivery, particularly those which have to do with immediate relief and assistance during and in the aftermath of man-made and natural disasters and calamities;

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

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

SEC. 38. *The City Environment and Natural Resources Officer.* – The city Environment and natural resources officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in environment management, forestry, agriculture or any other related course and be first grade civil service eligible or its equivalent. He/she must have acquired experience in environmental and natural resources management, conservation and utilization work for at least five (5) years immediately preceding the date of his/her appointment.

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

The city environment and natural resources officer shall take charge of the office of environment and natural resources and shall:

(a) Formulate measures for 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 the provision of adequate facilities relative to environment and natural resources services;

(b) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which have to do with environment and natural resources programs and projects which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

(c) Be in the frontline of delivery of basic services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural disasters and calamities;

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

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

SEC. 39. *The City Architect.* - The city architect must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, and a licensed architect. He/she must practiced his/her profession for at least five (5) years immediately preceding the date of his/her appointment.

The city architect shall receive such compensation, emoluments and allowances as may be determined by law.

The city architect shall take charge of the office of architectural planning and design and shall:

(a) Formulate measures for 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 the provision of adequate facilities relative to architectural planning and design;

(b) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which have to do with architectural planning and design programs and projects which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

(c) Be in the frontline of delivery of basic services involviing architectural planning and design, particularly related to the redesigning of spatial distribution and basic facilities and physical structures during and in the aftermath of man-made and natural disasters and calamities;

(d) Recommend to the sangguniang panlungsod and advise the city mayor on all matters relative to architectural planning and design as it related to the total socio-economic development of the City; and

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

SEC. 40. *The City Information Officer.* - The city information officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in journalism, mass communications, communication arts or any other related course and be first grade civil service eligible or its equivalent. He/she must have experience in information work, writing manuscripts, research papers or in writing forprint, television or broadcast media for at least five (5) years immediately preceding the date of his/her appointment.

The city information officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city information officer shall take charge of the office on public information and shall:

(a) Formulate measures for 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 the provision of adequate facilities so that the public becomes aware of said services and may fully avail of the same;

(b) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which have to do with public information and research data to support programs and projects which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

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

(d) Recommend to the sangguniang panlungsod and advise the city mayor on all matters relative to public information and research data as it relates to the total socio-economic development of the City; and

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

SEC. 41. *The City Cooperative Officer.* - The city cooperative officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in business administration or development studies with specialized training in cooperative development or any other related course and be first grade civil service eligible or its equivalent. He/she must have experience in cooperative organization, management and development for at least five (5) years immediately preceding the date of his/her appointment.

The city cooperative officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city officer officer shall take charge of the office for cooperative development and shall:

(a) Formulate measures for 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 the provision of adequate facilities through the development of cooperatives, and in providing access to such services and facilities;

(b) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which have to do with cooperative development programs and projects which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

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

(d) Recommend to the sangguniang panlungsod and advise the city mayor on all matters relative to cooperative development and viability enhancement which will improve the livelihood quantity of life of the inhabitants; and

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

SEC. 42. *The City Population Officer.* - The city population officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree with specialized training in population development or any other related course and be first grade civil service eligible or its equivalent. He/she must have experience in the implementation of programs on population development or responsible parenthood for at least three (3) years immediately preceding the date of his/her appointment.

The city population officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city population officer shall take charge of the office of population development and shall:

(a) Formulate measures for 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 the provision of adequate facilities relative to the integration of population development principles and in providing access to such services and facilities;

(b) 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;

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

SEC. 43. *The City Veterinarian.* - The city veterinarian must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, and a licensed doctor of veterinary medicine. He/she must have practiced his/her

profession for at least three (3) years immediately preceding the date of his/her appointment.

The city veterinarian shall receive such compensation, emoluments and allowances as may be determined by law.

The city veterinarian shall take charge of the office of veterinary services and shall:

(a) Formulate measures for 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 the provision of adequate facilities;

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

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

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

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

SEC. 44. *The City General Services Officer.* - The city general services officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree in public administration, business management and be first grade civil service eligible or its equivalent. He/she must have acquired experience in general services, including management of

supply, property, solid waste disposal, and general sanitation for at least five (5) years immediately preceding the date of his/her appointment.

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

The city general services officer shall take charge of the office of general services and shall:

(a) Formulate measures for 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 the provision of adequate facilities which require general services expertise and technical support services;

(b) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which have to do with general services activities supportive of the welfare of the inhabitants of the City which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

(c) Take custody of and be accountable for all properties, real and personal, owned by the City, and those granted to it in the form of donations, reparation, assistance and counterpart of joint projects;

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

(d) Recommend to the sangguniang panlungsod and advise the city mayor on all other matters relative to general services; and

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

SEC. 45. *Other City Officials.* - In addition to the officials enumerated above, the City of Botolan shall also have the following officials with the corresponding qualifications, duties, functions and compensation:

(a) *The City Education Officer.* - The city education officer must be a

citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree in education or any related course and be first grade civil service eligible. He/she must have practiced his/her profession for at least five (5) years immediately preceding his/her date of appointment.

The city education officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city education officer shall take charge of the office on education and shall:

(1) Formulate measures for 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 the provision of adequate facilities relative to education;

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

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

(b) *The City Youth and Sports Development Officer.* - The city youth and sports officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree and be first grade civil service eligible. He/she must have experience in sports development or any related field for at least five (5) years immediately preceding his/her date of appointment.

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

The city youth and sports development officer shall take charge of the office of the youth and sports development and shall:

(1) Formulate measures for 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 the provision of adequate facilities relative to youth and sports development;

(2) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those which are supportive of youth and sports development programs and projects which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

(3) Liaison with school heads, principals and teachers assigned in the City as well as sit as additional member of the local school board;

(4) Study, evaluate and recommend the allocation of the Special Education Fund (SEF); and

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

(c) *The City International Relations Officer.* - The city international relations officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree preferably in international relations or international studies or any related course and be first grade civil service eligible. He/she must have acquired experience in international relations for at least five (5) years immediately preceding his/her date of appointment.

The city international relations officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city international relations officer shall take charge of the international relations office and shall:

(1) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those have to do with providing trade opportunities and liaison with embassies in connection with securing foreign grants and loans from foreign sources; and

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

(b) *The City Public Safety Officer.* - The city public safety officer must be a citizen of the Philippines, a resident of the City of Botolan, of good moral character, a holder of a college degree and be first grade civil service eligible. He/she must have acquired experience in public safety management for at least five (5) years immediately preceding his/her date of appointment.

The city public safety officer shall receive such compensation, emoluments and allowances as may be determined by law.

The city public safety officer shall take charge of the public safety office and shall:

(1) Develop plans and strategies and upon approval thereof by the city mayor, implement the same particularly those relating to public safety which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;

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

ARTICLE IX. THE CITY FIRE STATION SERVICE AND THE CITY JAIL SERVICE

SEC. 46. *The City Fire Station Service.* - There shall be established in the City at least one (1) fire station with adequate personnel, firefighting facilities and equipment, subject to the standards, rules and regulations as may be promulgated by the Department of Interior and Local Government. The City shall provide the necessary land or site of the station.

The city fire station service shall be headed by a city fire marshal whose qualifications shall be as those provided for under Republic Act No. 6975, otherwise known as the Philippine National Police Law.

The city fire station service shall be responsible for the fire protection and various emergency services such as rescue and evacuation of injured people at fire-related incidents and, in general, all fire prevention and suppression measures to secure the safety of life and property of the citizenry.

SEC. 47. *The City Jail Service.* - There shall be established and maintained in the City a secured, clean, adequately equipped and sanitary jail for the custody and safekeeping of prisoners, any fugitive from justice or persons detained, awaiting investigation or trial and/or transfer to the national

penitentiary, and/or violent mentally-ill person who endangers himself or the safety of others, duly certified as such by the proper medical health office, pending the transfer to a mental institution.

The city jail service shall be headed by a city jail warden, who must be a graduate of a four-year course in psychology, psychiatry, sociology, social work and criminology who shall assist in the immediate rehabilitation of individuals or detention of prisoners. Great care must be exercised so that the human rights of these prisoners are respected and protected, and their spiritual and physical well-being are properly and promptly attended to.

ARTICLE X. TRANSITORY AND FINAL PROVISIONS

SEC. 48. *Municipal Ordinances Existing at the Time of the Approval of this Act.* - All municipal prdinances of the Municipality of Botolan existing at the time of the approval of this Act shall continue to be enforced within the City of Botolan until the sangguniang panlungsod shall, by ordinance, provide otherwise.

SEC. 49. *Plebiscite.* - The City of Botolan shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by the qualified voters in a plebiscite to be conducted in the present Municipality of Botolan within sixty (60) days from the approval of this Act. The expenses for such plebiscite shall be borne by the City of Botolan. The Commission on Elections shall conduct and supervise such plebiscite.

SEC. 50. *Officials of the City of Botolan.* - The present elective officials of the City of Botolan shall continue to exercise their powers and functions until such time a new election is held and the duly-elected officials shall have already qualified and assume their offices. The limitations under Section 8. Article X of the Constitution shall apply and commence upon the conversion of Botolan from a municipality into a city. The appointive officials and employees of the City shall likewise continue exercising their functions and duties and they shall automatically be absorbed by the city government of the City of Botolan.

SEC. 51. *Applicability of Laws.* - The provisions of Republic Act No. 7160, otherwise known as the Local Government Ode of 1991, Presidential Decree No. 824, and other laws pertaining to Metropolitan Manila and such laws as are applicable to highly urbanized cities shall govern the City of BOtolan insofar as they are not inconsistent with the provisions of this Act.

SEC. 52 *Reservation.* - Nothing herein contained shall preclude the determination by the appropriate agency or forum of boundary disputes or cases

involving questions of territorial jurisdiction between the City of San Fernando and any of the adjoining local government units even after the effectivity of this Act.

SEC. 53. *Effectivity*. - This Act shall take effect upon its approval.

Approved,