

1 **Republic of the Philippines**
2 **HOUSE OF REPRESENTATIVES**
3 **Quezon City, Metro Manila**

4
5 **Sixteenth Congress**
6 **First Regular Session**

7
8 **HOUSE BILL NO. 1890**



9
10
11 *Introduced by Rep. Wilfrido Mark M. Enverga*
12
13

14 **EXPLANATORY NOTE**

15
16 This bill seeks to convert the Municipality of Mauban into a component city of
17 the Province of Quezon.

18
19 The municipality of Mauban, one of the many coastal municipalities of
20 Quezon, is a first class municipality that is approximately 150kms. away from Metro
21 Manila. It has a total land area of 415.98 square kilometers(41,598 ha), which is
22 subdivided into 40 barangays. A regular tourist destination in the Province of Quezon,
23 it is also home to a 440-megawatt coal power plant, the first privately built, owned,
24 and operated power-generating facility in the Philippines. Development and
25 urbanization has finally caught up with Mauban and this once quaint municipality is
26 now also the site of several business ventures ranging from mining and quarrying
27 sites to forestry, fishing, and furniture making businesses.

28
29 Needless to say, Mauban is advancing at a rapid pace thus resulting in an
30 increase in the needs and demands of its inhabitants. Mauban has outgrown its status
31 as a municipality and is now ready for cityhood; no less than the League of Cities of
32 the Philippines acknowledged this fact when it included Mauban in its endorsement
33 of twenty-one (21) towns which are now eligible for cityhood. The conversion of
34 Mauban into a city will enable it to cope with the growing burdens accompanying
35 growth and development now affecting its inhabitants.

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37 In view of the foregoing, approval of the Bill is earnestly sought.
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WILFRIDO MARK ENVERGA

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14 **AN ACT CONVERTING THE MUNICIPALITY OF MAUBAN IN THE**
15 **PROVINCE OF QUEZON INTO A COMPONENT CITY TO BE KNOWN AS**
16 **THE CITY OF MAUBAN**

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18
19 **ARTICLE I**
20 **GENERAL PROVISIONS**

21
22 **SECTION 1.** *Title.* – This Act shall be known as the “Charter of the City of
23 Mauban”.

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

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

32
33 The foregoing provision shall be without prejudice to the resolution by the
34 appropriate agency or forum of any boundary dispute or case involving questions of

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

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

- 11 (a) To have a continuous succession in its corporate name;
12
13 (b) To sue and be sued;
14
15 (c) To have and use a corporate seal;
16
17 (d) To acquire, hold, and convey real or personal property;
18
19 (e) To enter into any contract and/or agreement; and
20
21 (f) To exercise such other powers, prerogatives or authority subject to the
22 limitations provided by law or this Act.

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

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

3
4 **SEC. 6. *Jurisdiction of the City.*** – The jurisdiction of the City, for police purposes
5 only, shall be coextensive with its territorial jurisdiction and, for the purpose of
6 protecting and ensuring the purity of the water supply of the City, such police
7 jurisdiction shall also extend over all the territory within the drainage area of such
8 water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal,
9 aqueduct or pumping station used in connection with the city water service.

10
11 The city court of the City of Mauban shall have concurrent jurisdiction with the
12 city or municipal court of the adjoining municipalities or cities, to try crimes and
13 misdemeanors committed within said drainage area or within said spaces of one
14 hundred meters (100 m).

15
16 The court first taking cognizance of such an offense shall have jurisdiction to try
17 cases to the exclusion of others. The police forces of several municipalities and cities
18 concerned shall have concurrent jurisdiction with the police forces of the City for the
19 maintenance of good order and the enforcement of ordinances throughout said zone,
20 area, or spaces. But any license that may be issued within said zone, area, or spaces
21 shall be granted by the proper authorities of the city or municipality concerned, and
22 the fees arising therefrom shall accrue to the treasury of the said city or municipality
23 concerned and not to the City.

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26 **ARTICLE II**
27 **CITY OFFICIALS IN GENERAL**
28

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

1 veterinarian, and a city general services officer.

2

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

9

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

14

15 (d) The City of Mauban may:

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

18

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

21

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

24

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

28

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

31

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34

ARTICLE III
THE CITY MAYOR AND CITY VICE-MAYOR

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

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

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

1.) Exercise those powers expressly granted to him 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 the general welfare:

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

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

(iii) 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;

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

(v) Appoint all officials and employees whose appointments are not

otherwise provided for in this Act, as well as those he may be authorized by law to appoint;

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

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

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

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

(x) Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided for by law and the Local Government Code of 1991, and cause to be instituted administrative or judicial proceedings against any official or employee of the City who may have committed an offense in the performance of his official duties;

(xi) Examine the books, records, and other documents of all offices, officials, agents, or employees of the City and, in aid of 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;

(xii) Furnish copies of executive orders issued to the Office of the President and the Office of the Secretary of the DILG within seventy-two (72) hours after their issuance;

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

(xiv) Act on leave applications of officials and employees appointed and

1 on the commutation of the monetary value of their leave credits in
2 accordance with law;

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

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

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

19 (xviii) Solemnize marriages, any provision of law to the contrary not-
20 withstanding;

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

24 (xx) Submit to the provincial governor the following reports: an annual
25 report containing a summary of all matters pertinent to the management,
26 administration, and development of the City and all information and data
27 relative to its political, social, and economic conditions; and supplemental
28 reports when unexpected events and situations arise at any time during the
29 year, particularly when man-made and natural disasters or calamities
30 affect the general welfare of the City;

31
32 2.) Enforce all laws and ordinances relative to the governance of the City and, in
33 the exercise of its appropriate corporate powers, implement all approved
34 policies, programs, projects, services, and activities of the City; and, in addition,

1 shall:

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

5 (ii) Call conventions, conferences, seminars, or meetings of elective and
6 appointive officials of the City, including national officials and employees
7 stationed in or assigned to the City, at such time and place and on such
8 subject as may be deemed important for the promotion of the general
9 welfare of the local government unit and its inhabitants;

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

12 (iv) Be entitled to carry the necessary firearms within the territorial
13 jurisdiction;

14 (v) Act as the deputized representative of the National Police
15 Commission, formulate the peace and order plan of the City and, upon its
16 approval, implement the same, and as such, exercise general and
17 operational control and supervision over police forces in the City in
18 accordance with Republic Act No. 6975, otherwise known as the
19 "Department of the Interior and Local Government Act of 1990"; and

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

24
25 3.) Initiate and maximize the generation of resources and revenues, and apply
26 the same to the implementation of development plans, program objectives, and
27 priorities, particularly those resources and revenues programmed for agro-
28 industrial development and countryside growth and progress and, relative
29 thereto, shall:

30 (i) Require each head of an office or department to prepare and submit an
31 estimate of appropriations for the ensuing calendar year, in accordance
32 with the budget preparation process provided under Republic Act No.
33 7160, otherwise known as the Local Government Code of 1991;

34 (ii) Prepare and submit to the sanggunian for approval the executive and

1 supplemental budgets of the City for the ensuing calendar year in the
2 manner provided for under the Local Government Code of 1991;

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

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

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

13 (vi) Require owners of illegally constructed houses, buildings, or other
14 structures to obtain the necessary permits, subject to such fines and
15 penalties as may be imposed by law or ordinance, or to make necessary
16 changes in the construction of the same when said construction violates
17 any law or ordinance, or to order the demolition or removal of said house,
18 building, or structure within the period prescribed by law or ordinance;

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

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

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

29
30 4.) Ensure the delivery of basic services and the provision of adequate facilities
31 and, in addition thereto, shall:

32 (i) Ensure that the construction and repair of roads and highways funded
33 by the national government shall be, as far as practicable, carried out in a
34 spatially contiguous manner and in coordination with the construction and

1 repair of the roads and bridges of the City; and
2 (ii) Coordinate the implementation of technical services, including public
3 works and infrastructure programs, rendered by national offices;

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

7
8 (c) During his incumbency, the city mayor shall hold office in the cityhall.

9
10 (d) The city mayor shall receive a minimum monthly compensation corresponding to
11 Salary Grade Thirty (30) as prescribed under Republic Act No. 6758, otherwise
12 known as the Salary Standardization Law, and the implementing guidelines issued
13 pursuant thereto.

14
15 **SEC. 9. The City Vice Mayor.** – (a) There shall be a city vice mayor who shall be
16 elected in the same manner as the city mayor and shall, at the time of the election,
17 possess the same qualifications as the city mayor. The city vice mayor shall hold
18 office for three (3) years, unless sooner removed.

19
20 (b) The city vice mayor shall:

21 1.) Be the presiding officer of the sangguniang panlungsod and sign all warrants
22 drawn on the city treasury for all expenditures appropriated for the operation of
23 the sangguniang panlungsod;

24
25 2.) Subject to civil service law, rules, and regulations, appoint all officials and
26 employees of the sangguniang panlungsod, except those whose manner of
27 appointment is specifically provided for under existing laws;

28
29 3.) Assume the office of the city mayor for the unexpired term of the latter in
30 the event of permanent vacancy;

31
32 4.) Exercise the powers and perform the duties and functions of the city mayor
33 in case of temporary vacancy; and
34

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

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

ARTICLE IV

THE SANGGUNIAN PANLUNGSOD

SEC.10. Composition. – (a) The sangguniang panlungsod, the legislative body of the City, shall be composed of the city vice mayor as the presiding officer, the ten (10) regular sanggunian members, the president of the city chapter of the liga ng mga barangay, the president of the panlungsod na pederasyon ng mga sangguniang kabataan and the sectoral representatives, as members.

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

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

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

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

- 1 (i) Review all ordinances approved by the sangguniang barangay and
2 executive orders issued by the punong barangay to determine whether
3 these are within the scope of the prescribed powers of the sangguniang
4 barangay and of the punong barangay;
- 5 (ii) Maintain peace and order by enacting measures to prevent and
6 suppress lawlessness, disorder, riot, violence, rebellion or sedition and
7 impose penalties for the violation of said ordinances;
- 8 (iii) Approve ordinances imposing a fine not exceeding Five thousand
9 pesos (P5,000.00) or an imprisonment for a period not exceeding one (1)
10 year, or both, at the discretion of the court, for violation of a city
11 ordinance;
- 12 (iv) Adopt measures to protect the inhabitants of the City from the
13 harmful effects of man-made or natural disasters and calamities, and to
14 provide relief services and assistance to victims during and in the
15 aftermath of said disasters or calamities and in their return to productive
16 livelihood following said events;
- 17 (v) Enact ordinances intended to prevent, suppress and impose appropriate
18 penalties for habitual drunkenness in public places, vagrancy,
19 mendicancy, prostitution, the establishment and maintenance of house of
20 ill-repute, gambling and other prohibited games of chance, fraudulent
21 devices and ways to obtain money or property, drug addiction,
22 maintenance of drug dens, drug pushing, juvenile delinquency, the
23 printing, distribution or exhibition of obscene or pornographic materials or
24 publications and such other activities inimical to the welfare and morals of
25 the inhabitants of the City;
- 26 (vi) Protect the environment and, to this end, it may set aside at least ten
27 percent (10%) of its development funds for the purpose of maintaining
28 and enhancing the ecological balance of the City. It may also impose
29 appropriate penalties for acts which endanger the environment, such as
30 illegal logging, smuggling of logs, smuggling of natural resources
31 products and of endangered species of flora and fauna, slash-and-burn
32 farming and such other activities which result in pollution, acceleration of
33 siltation of rivers and lakes or of ecological imbalance;
- 34 (vii) Subject to the provisions of the Local Government Code of 1991 and

1 other pertinent laws, determine the powers and duties of officials and
2 employees of the City;

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

8 (ix) Authorize the payment of compensation to a qualified person not in
9 the government service who fills in a temporary vacancy or grant
10 honoraria to any qualified official or employee designated to fill in a
11 temporary vacancy in a concurrent capacity at the rate authorized by law;

12 (x) Provide a mechanism and the appropriate funds therefore for the safety
13 and protection of all city government properties, public documents or
14 records such as those relating to property inventory, land ownership,
15 records of births, marriages, deaths, assessments, taxation, accounts,
16 business permits and such other records and documents of public interest
17 in the offices and departments of the city government;

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

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

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

30
31 2.) Generate and maximize the use of resources and revenues for the
32 development plans, program objectives and priorities of the City, with particular
33 attention to agro-industrial development and citywide growth and progress and,
34 relative thereto, shall:

(i) 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, *Provided*, That no annual or supplemental budget shall be approved without deliberation and hearing to be attended by the respective heads of all the departments, units or offices of the city government and by reputable representatives of civil society, church groups, irrespective of denomination, and the media;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31
32 3.) Subject to the provisions of Book II of the Local Government Code of
33 1991, enact ordinances granting franchises and authorizing the issuance of
34 permits or licenses, upon such conditions and for such purposes intended to

1 promote the general welfare of the inhabitants of the City and, pursuant to this
2 legislative authority, shall:

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

5 (ii) Regulate or fix license fees for any business or practice of profession
6 within the City and the conditions under which the license for said
7 business or practice of profession may be revoked and enact ordinances
8 levying taxes thereon;

9 (iii) Provide for and set the terms and conditions under which public
10 utilities owned by the City shall be operated by the city government and
11 prescribe the conditions under which the same may be leased to private
12 persons or entities, preferably cooperatives;

13 (iv) Regulate the display of and fix the license fees for signs, signboards
14 or billboards at the place or places where the profession or business
15 advertised thereby is, in whole or in part, conducted;

16 (v) Any law to the contrary notwithstanding, authorize and license the
17 establishment, operation and maintenance of cockpits, and regulate
18 cockfighting and commercial breeding of gamecocks: *Provided*, That
19 existing rights should not be prejudiced;

20 (vi) Subject to the guidelines prescribed by the Department of
21 Transportation and Communications (DOTC), regulate the operation of
22 tricycles and grant franchises for the operation thereof within the
23 territorial jurisdiction of the City; and

24 (vii) Upon approval by a majority vote of all the members of the
25 sangguniang panlungsod, grant a franchise to any person, partnership,
26 corporation or cooperative to do business within the City; establish,
27 construct, operate and maintain ferries, wharves, markets or
28 slaughterhouses; or undertake such other activities within the City as may
29 be allowed by existing laws: *Provided*, That cooperatives shall be given
30 preference in the grant of such franchise.

31
32 4.) Regulate activities relative to the use of land, buildings, and structures within
33 the City in order to promote the general welfare and, for said purpose, shall:

34 (i) Declare, prevent, or abate any nuisance;

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

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

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

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

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

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

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

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

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

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

6 (ii) Establish markets, slaughterhouses or animal corrals and authorize the
7 operation thereof by the city government; and regulate the construction
8 and operation of private markets, talipapas or other similar buildings and
9 structures;

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

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

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

24 (vi) Regulate traffic on all streets and bridges, prohibit encroachments or
25 obstacles thereon and, when necessary in the interest of public welfare,
26 authorize the removal of encroachments and illegal constructions in public
27 places;

28 (vii) Subject to existing laws, establish and provide for the maintenance,
29 repair and operation of an efficient waterworks system to supply water for
30 the inhabitants and to purify the source of the water supply; regulate the
31 construction, maintenance, repair and use of hydrants, pumps, cisterns and
32 reservoirs; protect the purity and the quantity of the water supply of the
33 City and, for this purpose, extend the coverage of appropriate ordinances
34 over all territory within the drainage area of said water supply within one

1 hundred meters (100 m.) of the reservoir, canal, conduit, aqueduct,
2 pumping station or watershed used in connection with the water service;
3 and regulate the consumption, use or wastage of water and fix and collect
4 charges thereof;

5 (viii) Regulate the drilling and excavation of the ground for the laying of
6 water, gas, sewer and other pipes and the construction, repair and
7 maintenance of public drains, sewers, cesspools, tunnels and similar
8 structures; regulate the placing of poles and the use of crosswalks, curbs
9 and gutters; adopt measures to ensure public safety against open canals,
10 manholes, live wires and other similar hazards to life and property; and
11 regulate the construction and use of private water closets, privies and
12 other similar structures in buildings and homes;

13 (ix) Regulate the placing, stringing, attaching, installing, repair and
14 construction of all gas mains, electric telegraph and telephone wires,
15 conduits, meters and other apparatus; and provide for the correction,
16 condemnation or removal of the same when found to be dangerous to the
17 welfare of the inhabitants;

18 (x) Subject to the availability of funds and to existing laws, rules and
19 regulations, establish and provide for the operation of vocational and
20 technical schools and similar post-secondary institutions and, with the
21 approval of the Technical Education and Skills Development Authority
22 (TESDA), and subject to existing laws on tuition fees, fix and collect
23 reasonable tuition fees and other school charges in educational institutions
24 supported by the city government;

25 (xi) Establish a scholarship fund for the poor but deserving students in
26 schools located within its jurisdiction or for students residing within the
27 City;

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

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

33 (xiv) Provide for the care of persons with disabilities (PWD), paupers, the
34 aged, the sick, persons of unsound mind, abandoned minors, juvenile

1 delinquents, drug dependents, abused children and the youth below
2 eighteen (18) years of age, and subject to the availability of funds,
3 establish and provide for the operation of centers and facilities for the said
4 needy and disadvantaged persons;

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

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

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

18
19 6.) Exercise such other powers and perform such other duties and functions as
20 may be prescribed by law or ordinance.

21
22 (b) The members of the sangguniang panlungsod of the City of Mauban shall receive
23 a minimum monthly compensation corresponding to Salary Grade twenty-five (25) as
24 prescribed under the Salary Standardization Law and the implementing guidelines
25 issued pursuant thereto.

26
27
28 **ARTICLE V**
29 **PROCESS OF LEGISLATION**

30
31 **SEC. 12. *Internal Rules of Procedure.*** – (a) On the first regular session following the
32 election of its members and within ninety (90) days thereafter, the sangguniang
33 panlungsod shall adopt or update its existing rules of procedure.

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

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

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

3.) The legislative process;

4.) The parliamentary procedures which include the conduct of members during sessions;

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

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

SEC. 13. Full Disclosure of Financial and Business Interests of

Sangguniang Panlungsod Members. – (a) Every sangguniang panlungsod member shall, upon assumption to office, make a full disclosure of business and financial interests. They shall also disclose any business, financial, professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which they may have with any person, firm or entity affected by any ordinance or resolution under consideration by the sanggunian of which one is a member, which relationship

1 may result in conflict of interests. Such relationship shall include:

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

4

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

7

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

13

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

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

22

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

26

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

32

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

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

5
6 (d) In the case of special sessions of the sanggunian, a written notice to the members
7 shall be served personally at the members' usual place of residence at least twenty-
8 four (24) hours before the special session is held.

9
10 Unless otherwise concurred in by two-thirds (2/3) vote of the sanggunian
11 members present, there being a quorum, no other matters may be considered at a
12 special session except those stated in the notice.

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

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

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

29
30 (c) If there is still no quorum despite the enforcement of the immediately preceding
31 subsection, no business shall be transacted. The presiding officer, upon proper motion
32 duly approved by the members present, shall then declare the session adjourned for
33 lack of quorum.

34

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

8
9 (b) The veto shall be communicated by the city mayor to the sanggunian within ten
10 (10) days, otherwise, the ordinance shall be deemed approved as if he had signed it.

11
12 **SEC. 17. *Veto Power of the City Mayor.*** – (a) The city mayor may veto any ordinance
13 of the sangguniang panlungsod on the ground that it is *ultra vires* or prejudicial to the
14 public welfare, stating the reasons thereof in writing.

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

24
25 (c) The city mayor may veto an ordinance or resolution only once. The sanggunian
26 may override the veto of the city mayor by two-thirds (2/3) vote of all its members,
27 thereby making the ordinance effective even without the approval of the city mayor.

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

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

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

14
15 (d) If no action has been taken by the sangguniang panlalawigan within thirty (30)
16 days after submission of such an ordinance or resolution, the same shall be presumed
17 to be consistent with law and therefore valid.

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

23
24 (b) If the sangguniang panlungsod fails to take action on barangay ordinances within
25 thirty (30) days from receipt thereof, the same shall be deemed approved.

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

1 **SEC. 20. *Enforcement of Disapproved Ordinances or Resolutions.*** – Any attempt to
2 enforce any ordinance or any resolution approving the local development plan and the
3 public investment program after disapproval thereof, shall be sufficient ground for the
4 suspension or dismissal of the official or employee concerned.

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

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

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

27 28 29 **ARTICLE VI**

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

31
32 **SEC. 22. *Disqualification of Elective Public City Officials.*** – The following persons
33 are disqualified from running for any elective position in the City:

34 (a) Those sentenced by final judgment for an offense involving moral turpitude or an

1 offense punishable by one (1) year or more of imprisonment within two (2) years after
2 serving sentence;

3

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

5

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

8

9 (d) Those with dual citizenship;

10

11 (e) Fugitives from justice in criminal or nonpolitical cases here and abroad;

12

13 (f) Permanent residents in a foreign country or those who have acquired the right to
14 reside abroad and continue to avail of the same right after the effectivity of the Local
15 Government Code of 1991; and

16

17 (g) The insane or feeble-minded.

18

19 **SEC. 23. Permanent Vacancy in the Offices of the City Mayor and the City Vice**
20 **Mayor.** – (a) If a permanent vacancy occurs in the office of the city mayor, the city
21 vice mayor concerned shall become the city mayor. If a permanent vacancy occurs in
22 the office of the city vice mayor, the highest-ranking sangguniang panlungsod
23 member or, in case of his permanent incapacity, the second highest-ranking
24 sangguniang panlungsod member becomes the city mayor or the city vice mayor, as
25 the case may be. Subsequent vacancies in the said offices shall be filled automatically
26 by the other sanggunian members according to their ranking as defined herein.

27

28 (b) A tie between or among the highest-ranking sangguniang panlungsod members
29 shall be resolved by drawing of lots.

30

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

33

34 (d) For purposes of this Act, a permanent vacancy arises when an elective local

1 official fills in a higher vacant office, refuses to assume office, fails to qualify, dies, is
2 removed from office, voluntarily resigns, or is otherwise permanently incapacitated to
3 discharge the functions of the office.

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

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

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

14
15 (b) Only the nominee of the political party under which the sanggunian member
16 concerned had been elected shall be appointed in the manner herein provided. The
17 appointee shall come from the same political party as that of the sanggunian member
18 who caused the vacancy and shall serve the unexpired term of the vacant office. In the
19 appointment herein mentioned, a nomination and a certificate of membership of the
20 appointee from the highest official of the political party concerned are conditions *sine*
21 *qua non*, and any appointment without such nomination and certification shall be null
22 and void *ab initio* and shall be a ground for administrative action against the official
23 responsible therefor;

24
25 (c) In case the permanent vacancy is caused by a sanggunian member who does not
26 belong to any political party, the city mayor shall, upon the recommendation of the
27 sangguniang panlungsod, appoint a qualified person to fill in the vacancy; and

28
29 (d) In case of vacancy in the representation of the youth and the barangay in the
30 sangguniang panlungsod, said vacancy shall be filled in automatically by the official
31 next-in-rank of the organization concerned.

32
33 **SEC. 25. *Temporary Vacancy in the Office of the City Mayor.*** – (a) When the city
34 mayor is temporarily incapacitated to perform his duties for physical or legal reasons

1 such as, but not limited to, leave of absence, travel abroad, and suspension from
2 office, the city vice mayor or the highest-ranking sangguniang panlungsod member
3 shall automatically exercise the powers and perform the duties and functions of the
4 city mayor, except the power to appoint, suspend or dismiss employees which can
5 only be exercised if the period of temporary incapacity exceeds thirty (30) working
6 days.

7
8 (b) Said temporary incapacity shall terminate upon submission to the sangguniang
9 panlungsod of a written declaration by the city mayor that he has reported back to
10 office. In case where the temporary incapacity is due to legal cause, the city mayor
11 shall also submit necessary documents showing that the said legal cause no longer
12 exists.

13
14 (c) When the city mayor is traveling within the country but outside the territorial
15 jurisdiction for a period not exceeding three (3) consecutive days, he may designate in
16 writing the officer-in-charge of his office. Such authorization shall specify the powers
17 and functions that the local official concerned shall exercise in the absence of the city
18 mayor, except the power to appoint, suspend, or dismiss employees.

19
20 (d) In the event, however, that the city mayor fails or refuses to issue such
21 authorization, the city vice mayor or the highest-ranking sangguniang panlungsod
22 member, as the case may be, shall have the right to assume the powers, duties, and
23 functions of the said office on the fourth (4th) day of absence of the city mayor,
24 subject to the limitations provided for in subsection (c) hereof.

25
26 (e) Except as provided above, the city mayor shall, in no case, authorize any local
27 official to assume the powers, duties and functions of the office other than the city
28 vice mayor or the highest-ranking member of the sangguniang panlungsod, as the case
29 may be.

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ARTICLE VII
THE APPOINTIVE OFFICIALS OF THE CITY

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

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

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

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

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

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

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

5.) Forward to the sangguniang panlalawigan copies of duly approved ordinances in the manner as provided for in Sections 56 and 57 of the Local Government Code of 1991;

6.) Furnish, upon the request of any interested party, certified copies of records

1 of public character in his custody, upon payment to the city treasurer of such
2 fees as may be prescribed by ordinance;

3

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

7

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

10

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

15

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

18

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

22

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

25

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

30

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

33

34 (c) No person shall be appointed city treasurer unless he is a citizen of the

1 Philippines, a resident of the City of Mauban, of good moral character, a holder of a
2 college degree preferably in commerce, public administration, or law from a
3 recognized college or university, and a first grade civil service eligible or its
4 equivalent. He must have acquired experience in treasury or accounting service for at
5 least five (5) years prior to the date of his appointment.

6

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

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

12

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

14

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

18

19 4.) Inspect private commercial and industrial establishments within the
20 jurisdiction of the City in relation to the implementation of tax ordinances,
21 pursuant to the provisions of the Book II of the Local Government Code of
22 1991;

23

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

25

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

28

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

31

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

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

7
8 (c) The assistant city treasurer shall assist the city treasurer in performing such other
9 duties as may be assigned to him and shall have the authority to administer oaths
10 concerning notices and notifications to those delinquent in the payment of the real
11 property tax and concerning official matters relating to the accounts of the city
12 treasurer or otherwise arising from the offices of the city treasurer and the city
13 assessor.

14
15 (d) The assistant city treasurer shall receive such compensation, emoluments, and
16 allowances as may be determined by law.

17
18 **SEC. 29. The City Assessor.** – (a) The city assessor must be a citizen of the
19 Philippines, a resident of the City of Mauban, of good moral character, a holder of a
20 college degree preferably in civil or mechanical engineering, commerce, or any other
21 related course from a recognized college or university, and a first grade civil service
22 eligible or its equivalent. He must have acquired experience in real property
23 assessment work or in any related field for at least five (5) years prior to the date of
24 his appointment.

25
26 (b) The city assessor shall take charge of the city assessor's office, perform the duties
27 provided for under Book II of the Local Government Code of 1991 and shall:

28 1.) Ensure that all laws and policies governing the appraisal and assessment of
29 real properties for taxation purposes are properly executed;

30
31 2.) Initiate, review, and recommend changes in policies and objectives, plans
32 and programs, techniques, procedures and practices in the evaluation and
33 assessment of real properties for taxation purposes;

- 1 3.) Establish a systematic method of real property assessment;
- 2
- 3 4.) Install and maintain real property identification and accounting systems;
- 4
- 5 5.) Prepare, install and maintain a system of tax mapping, showing graphically
- 6 all properties subject to assessment and gather all data concerning the same;
- 7
- 8 6.) Conduct frequent physical surveys to verify and determine whether all real
- 9 properties within the City are properly listed in the assessment rolls;
- 10
- 11 7.) Exercise the functions of appraisal and assessment primarily for taxation
- 12 purposes of all real properties in the City;
- 13
- 14 8.) Prepare a schedule of the fair market value of the different classes of real
- 15 properties in accordance with the provisions Title Two of Book II of the Local
- 16 Government Code of 1991;
- 17
- 18 9.) Issue, upon request of any interested party, certified copies of assessment
- 19 records of real properties and all other records relative to its assessment, upon
- 20 payment of a service charge or fee to the city treasurer;
- 21
- 22 10.) Submit every semester a report of all assessments, as well as cancellations
- 23 and modifications of assessments to the city mayor and the sangguniang
- 24 panlungsod; and
- 25
- 26 11.) Attend, personally or through an authorized representative, all sessions of
- 27 the Local Board of Assessment Appeals (Board) whenever his assessment is the
- 28 subject of the appeal and present or submit any information or record in his
- 29 possession as may be required by the Board.
- 30
- 31 (c) The city assessor shall exercise such other powers and perform such other duties
- 32 and functions as may be prescribed by law or ordinance.
- 33
- 34 (d) The city assessor shall receive such compensation, emoluments, and allowances as

1 may be determined by law.

2

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

9

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

13

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

16

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

21

22 (b) The city accountant shall take charge of the offices of both the accounting and
23 internal audit services of the city, and shall:

24

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

25

26 2.) Prepare and submit financial statements to the city mayor and to the
27 sangguniang panlungsod;

28

29 3.) Apprise the sangguniang panlungsod and other officials on the financial
30 condition and operations of the City;

31

32 4.) Certify to the availability of budgetary allotment to which expenditures and
33 obligations may be properly charged;

34

- 1 5.) Review supporting documents before preparation of vouchers to
2 determine the completeness of requirements;
3
- 4 6.) Prepare statements of cash advances, liquidations, salaries, allowances,
5 reimbursements, and remittances pertaining to the City;
6
- 7 7.) Prepare statements of journal vouchers and liquidations of the same and
8 other adjustments related thereto;
9
- 10 8.) Post individual disbursements to the subsidiary ledgers and index cards;
11
- 12 9.) Maintain individual ledgers for officials and employees of the City
13 pertaining to payrolls and deductions;
14
- 15 10.) Record and post in index cards details of purchased furniture, fixtures, and
16 equipment, including disposal thereof, if any;
17
- 18 11.) Account for all issued requests for obligations and maintain and keep all
19 records and reports related thereto;
20
- 21 12.) Prepare journals and the analysis of obligations and maintain and keep all
22 records and reports related thereto; and
23
- 24 13.) Exercise such other powers prescribed under the Local Government Code
25 of 1991 and perform such other duties and functions as may be provided by law
26 or ordinance.
27

28 (c) The city accountant shall receive such compensation, emoluments, and allowances
29 as may be determined by law.
30

31 **SEC. 32. The City Budget Officer.** – (a) The city budget officer must be a citizen of
32 the Philippines, a resident of the City of Mauban, of good moral character, holder of a
33 college degree preferably in accounting, economics, public administration, or any
34 related course from a recognized college or university, and a first grade civil service

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

3
4 (b) The city budget officer shall take charge of the city budget office, and shall:

5 1.) Prepare forms, orders and circulars embodying instructions on budgetary and
6 appropriation matters for the signature of the city mayor;

7
8 2.) Review and consolidate the budget proposals of different departments and
9 offices of the City;

10
11 3.) Assist the city mayor in the preparation of the budget and during and after
12 the budget hearings;

13
14 4.) Study and evaluate budgetary implications of proposed legislation and
15 submit comments and recommendations thereon;

16
17 5.) Submit periodic budgetary reports to the DBM;

18
19 6.) Coordinate with the city treasurer, the city accountant and the city planning
20 and development officer for the purpose of budgeting;

21
22 7.) Assist the sangguniang panlungsod in reviewing the approved budgets of the
23 component barangays;

24
25 8.) Coordinate with the city planning and development office in the formulation
26 of the development plan of the City; and

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

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

33
34 **SEC. 33. *The City Planning and Development Coordinator.*** – (a) The city planning

1 and development coordinator must be a citizen of the Philippines, a resident of the
2 City of Mauban, of good moral character, a holder of a college degree preferably in
3 urban planning, development studies, economics, public administration, or any related
4 course from a recognized college or university, and a first grade civil service eligible
5 or its equivalent. He must have acquired experience in development planning or in
6 any related field for at least five (5) years prior to the date of his appointment.

7
8 (b) The city planning development coordinator shall take charge of the city
9 planning and development office, and shall:

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

12
13 2.) Conduct continuing studies, researches, and training programs necessary to
14 evolve plans and programs for implementation;

15
16 3.) Integrate and coordinate all sectoral plans and studies undertaken by the
17 different functional groups or agencies;

18
19 4.) Monitor and evaluate the implementation of the different development
20 programs, projects, and activities in the City in accordance with the approved
21 development plan;

22
23 5.) Prepare comprehensive plans and other development planning documents for
24 the consideration of the local development council;

25
26 6.) Analyze the income and expenditure patterns, and formulate and recommend
27 fiscal plans and policies for the consideration of the finance committee of the
28 sangguniang panlungsod;

29
30 7.) Promote people participation in development planning within the City; and

31
32 8.) Exercise supervision and control over the secretariat of the local
33 development council.
34

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

4

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

7

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

12

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

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

17

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

20

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

24

25 4.) Provide engineering services to the City, including investigations and
26 surveys, engineering designs, feasibility studies, and project management.

27

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

30

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

33

34 **SEC. 35. *The City Health Officer.*** – (a) The city health officer must be a citizen of the

1 Philippines, a resident of the City of Mauban, of good moral character and a licensed
2 medical practitioner. He must have acquired experience in the practice of his
3 profession for at least five (5) years prior to the date of his appointment.

4

5 (b) The city health officer shall take charge of the office of the city health services,
6 and shall:

7 1.) Supervise the personnel and staff of the said office, formulate program
8 implementation guidelines and rules and regulations for the operation of the said
9 office for the approval of the city mayor in order to assist him in the efficient,
10 effective and economical implementation of a health service program geared to
11 the implementation of health-related projects and activities;

12

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

18

19 3.) Develop plans and strategies and, upon approval thereof by the city mayor,
20 implement the same, particularly those which have to do with health programs
21 and projects which the city mayor is empowered to implement and which the
22 sangguniang panlungsod is empowered to provide for under the Local
23 Government Code of 1991;

24

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

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

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

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

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

- 1 (v) Recommend the prosecution of any violation of sanitary laws,
2 ordinances, or regulations;
3 (vi) Direct the sanitary inspection of all business establishments selling
4 food items or providing accommodations such as hotels, motels, lodging
5 houses, pension houses, and the like, in accordance with the Sanitation
6 Code of the Philippines.
7 (vii) Conduct health information campaigns and render health intelligence
8 services; and
9 (viii) Coordinate with other government agencies and nongovernmental
10 organizations involved in the promotion and delivery of health services;
11 and
12

13 5.) Be in the frontline of the delivery of health services, particularly during and
14 in the aftermath of man-made and natural disasters or calamities.
15

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

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

22 **SEC. 36. The City Civil Registrar.** – (a) The city civil registrar must be a citizen of
23 the Philippines, a resident of the City of Mauban, of good moral character, a holder of
24 a college degree from a recognized college or university, and a first grade civil service
25 eligible or its equivalent. He must have acquired experience in civil registry work for
26 at least five (5) years prior to the date of his appointment.
27

28 (b) The city civil registrar shall be responsible for the civil registration program in the
29 City of Mauban, pursuant to the Civil Registry Law, the Omnibus Election Code, and
30 other pertinent laws, rules, and regulations issued to implement them.
31

32 (c) The city civil registrar shall take charge of the office of the city civil registry and
33 shall:
34

- 1.) Develop plans and strategies and, upon approval thereof by the city mayor,

1 implement the same, particularly those which have to do with the management
2 and administration-related programs and projects which the city mayor is
3 empowered to implement and which the sangguniang panlungsod is empowered
4 to provide for under the Local Government Code of 1991;

5
6 2.) In addition to the foregoing duties and functions, the city civil registrar shall:

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

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

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

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

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

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

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

25
26 3.) The city civil registrar shall exercise such other powers and perform such
27 other duties and functions as may be prescribed by law or ordinance.

28
29 (d) The city civil registrar shall receive such compensation, emoluments, and
30 allowances as may be determined by law.

31
32 **SEC. 37. The City Administrator.** – (a) The city administrator must be a citizen of the
33 Philippines, a resident of the City of Mauban, of good moral character, a holder of a
34 college degree preferably in public administration, law, or any other related course

1 from a recognized college or university, and a first grade civil service eligible or its
2 equivalent. He must have acquired experience in management and administration
3 work for at least five (5) years prior to the date of his appointment.

4

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

7

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

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

15

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

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

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

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

26

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

30

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

33

34 5.) Exercise such other powers and perform such other duties and functions as

1 may be prescribed by law of ordinance.

2

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

5

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

10

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

13

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

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

20

21 2.) Develop plans and strategies and, upon approval thereof by the city mayor,
22 implement the same, particularly those which have to do with programs and
23 projects related to legal services which the city mayor is empowered to
24 implement and which the sangguniang panlungsod is empowered to provide;

25

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

27 (i) Represent the City in all civil actions and special proceedings wherein
28 the City or any official thereof is, in his official capacity, a party:
29 *Provided that*, in actions or proceedings where the City is a party adverse
30 to the provincial government or to another component city or
31 municipality, a special legal officer may be employed to represent the
32 adverse party;

33 (ii) When required by the city mayor or sangguniang panlungsod, draft
34 ordinances, contracts, bonds, leases, and other instruments involving any

1 interest of the City and provide comments and recommendations on any
2 instruments already drawn;
3 (iii) Render his opinion in writing on any question of law when requested
4 to do so by the city mayor or sangguniang panlungsod;
5 (iv) Investigate or cause to be investigated any local official or employee
6 for administrative neglect or misconduct in office and recommend
7 appropriate action to the city mayor or sangguniang panlungsod, as the
8 case may be;
9 (v) Investigate or cause to be investigated any person, firm, or corporation
10 holding any franchise or exercising any public privilege for failure to
11 comply with any term or condition in the grant of such franchise or
12 privilege and recommend appropriate action to the city mayor or the
13 sangguniang panlungsod, as the case may be;
14 (vi) When directed by the city mayor or the sangguniang panlungsod,
15 initiate and prosecute, in the interest of the City, any civil action on any
16 bond, lease, or other contract upon any breach or violation thereof; and
17 (vii) Review and submit recommendations on ordinances approved and
18 execute orders issued by component units;

19
20 4.) Recommend measures to the sangguniang panlungsod and advise the city
21 mayor on all matters related to upholding the rule of law;

22
23 5.) Be in the frontline of protecting human rights and prosecuting any violation
24 thereof, particularly those which occur during and in the aftermath of man-made
25 and natural disasters or calamities; and

26
27 6.) Exercise such other powers and perform such other duties and functions as
28 may be prescribed by law or ordinance.

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

32
33 **SEC. 39. The City Agriculturist.** – (a) The city agriculturist must be a citizen of the
34 Philippines, a resident of the City of Mauban, of good moral character, a holder of a

1 college degree in agriculture or any related course from a recognized college or
2 university, and a first grade civil service eligible or its equivalent. He must have
3 practiced his profession in agriculture or acquired experience in a related field for at
4 least five (5) years prior to the date of his appointment.

5

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

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

12

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

17

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

21

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

25

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

27 (i) Ensure that maximum assistance and access to resources in the
28 production, processing and marketing of agricultural and aqua-cultural
29 and marine products are extended to farmers, fishermen and local
30 entrepreneurs;

31 (ii) Conduct or cause to be conducted location-specific agricultural
32 researches and assist in making available the appropriate technology
33 arising out of and disseminating information on basic research on crops,
34 prevention and control of plant diseases and pests, and other agricultural

- 1 matters which will maximize productivity;
- 2 (iii) Assist the city mayor in the establishment of demonstration farms or
- 3 aquaculture and marine products;
- 4 (iv) Enforce rules and regulations relating to agriculture and aqua-culture;
- 5 and
- 6 (v) Coordinate with government agencies and nongovernmental
- 7 organizations, which promote agricultural productivity through
- 8 appropriate technology compatible with environmental integrity.
- 9

10 (c) The city agriculturist shall exercise such other powers and perform such other

11 duties and functions as may be prescribed by law or ordinance.

12

13 (d) The city agriculturist shall receive such compensation, emoluments, and

14 allowances as may be provided by law.

15

16 **SEC. 40. *The City Social Welfare and Development Officer.*** – (a) The city social

17 welfare and development officer must be a citizen of the Philippines, a resident of the

18 City of Mauban, of good moral character, a licensed social worker or a holder of a

19 college degree preferably in social work or in any other related course from a

20 recognized college or university, and a first grade civil service eligible or its

21 equivalent. He must have acquired experience in social work for at least five (5) years

22 prior to the date of his appointment.

23

24 (b) The city social welfare and development officer shall take charge of the office

25 on social welfare and development services, and shall:

26 1.) Formulate measures for the approval of the sangguniang panlungsod and

27 provide technical assistance and support to the city mayor in carrying out

28 measures to ensure the delivery of basic services and the provision of adequate

29 facilities relative to social welfare and development services;

30

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

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

33 welfare programs and projects which the city mayor is empowered to implement

34 and which the sangguniang panlungsod is empowered to provide;

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

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

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

12
13 (d) The city social welfare and development officer shall receive such compensation,
14 emoluments, and allowances as may be determined by law.

15
16 **SEC. 41. *The City Environment and Natural Resources Officer.*** -(a) The city
17 environment and natural resources officer must be a citizen of the Philippines, a
18 resident of the City of Mauban, of good moral character, a holder of a college degree
19 preferably in environment, forestry, agriculture or in any other related course from a
20 recognized college or university, and a first grade civil service eligible or its
21 equivalent. One must have acquired experience in environment and natural resources
22 management, conservation, and utilization work for at least five (5) years prior to the
23 date of his appointment.

24
25 (b) The city environment and natural resources officer shall take charge of the city
26 environment service department, and shall:

27 1.) Formulate measures for the consideration of the sangguniang panlungsod
28 and provide assistance and support to the city mayor in carrying out measures to
29 ensure the delivery of basic services and the provision of adequate facilities
30 relative to environment and natural resources services as provided for under
31 Section 17 of the Local Government Code of 1991;

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

1 environment and natural resources programs and projects which the city mayor
2 is empowered to implement and which the sangguniang panlungsod is
3 empowered to provide;

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

9
10 4.) Recommend measures to the sangguniang panlungsod and advise the city
11 mayor on all matters relative to the protection, conservation, maximum
12 utilization, application of appropriate technology and other matters related to the
13 environment and natural resources;

14
15 5.) In addition to the foregoing duties and functions, the city environment and
16 natural resources officer shall:

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

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

22 (iii) Manage and maintain seed banks and produce seedlings for forests
23 and tree parks;

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

27 (v) Promote the small-scale mining and utilization of mineral resources;
28 and

29 (vi) Coordinate with government agencies and nongovernmental
30 organizations in the implementation of measures to prevent and control
31 land, air, and water pollution with the assistance of the Department of
32 Environment and Natural Resources.

33
34 (c) The city environment and natural resources officer shall exercise such other

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

3
4 (d) The city environment and natural resources officer shall receive such
5 compensation, emoluments, and allowances as may be determined by law.

6
7 **SEC. 42. The City Architect.** – (a) The city architect must be a citizen of the
8 Philippines, a resident of the City of Mauban, of good moral character, and a duly
9 licensed architect. He must have practiced his profession for at least five (5) years
10 prior to the date of his appointment.

11
12 (b) The city architect shall take charge of the office on architectural planning and
13 design, and shall:

14 1.) Formulate measures for the consideration of the sangguniang panlungsod
15 and provide technical assistance and support to the city mayor in carrying out
16 measures to ensure the delivery of basic services and the provision of adequate
17 facilities relative to architectural planning and design;

18
19 2.) Develop plans and strategies and, upon approval thereof by the city mayor,
20 implement the same, particularly those which have to do with architectural
21 planning and design programs and projects which the city mayor is empowered
22 to implement and which the sangguniang panlungsod is empowered to provide
23 for under the Local Government Code of 1991;

24
25 3.) Be in the frontline of the delivery of services involving architectural
26 planning and design, particularly those related to the redesigning of spatial
27 distribution of basic facilities and physical structures during and in the aftermath
28 of man-made and natural disasters or calamities;

29
30 4.) Recommend to the sangguniang panlungsod and advise the city mayor on all
31 other matters relative to architectural planning and design as it relates to the
32 total socioeconomic development of the City;

33
34 5.) In addition to the foregoing duties and functions, the city architect shall:

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

(ii) Review and recommend for appropriate action of the sangguniang panlungsod or the city mayor the architectural plans and design submitted by governmental and nongovernmental entities or individuals, particularly those for undeveloped, underdeveloped, and poorly-designed areas; and

(iii) Coordinate with government and nongovernment entities and individuals involved in the aesthetics and the maximum utilization of the land and water within the jurisdiction of the City, compatible with environmental integrity and ecological balance.

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

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

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

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

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

1.) Formulate measures for the consideration of the sangguniang panlungsod

1 and provide technical assistance and support to the city mayor in providing the
2 information and research data required for the delivery of basic services and the
3 provision of adequate facilities so that the public becomes aware of said
4 services and may fully avail of the same;

5
6 2.) Develop plans and strategies and, upon approval thereof by the city
7 mayor, implement the same, particularly those which have to do with public
8 information and research data to support programs and projects which the city
9 mayor is empowered to implement and which the sangguniang panlungsod is
10 empowered to provide under the Local Government Code of 1991;

11
12 3.) Be in the frontline in providing information during and in the aftermath of
13 man-made and natural disasters or calamities, with special attention to the
14 victims thereof, to help minimize injuries and casualties after the emergency,
15 and to accelerate relief and rehabilitation;

16
17 4.) Recommend to the sangguniang panlungsod and advise the city mayor on all
18 other matters relative to public information and research data as it relates to the
19 total socio-economic development of the City;

20
21 5.) In addition to the foregoing duties and functions, the city information officer
22 shall:

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

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

27 (iii) Maintain effective liaison with the various sector of the community
28 on matters and issues that affect the livelihood and the quality of life of
29 the inhabitants and encourage support for programs of the City and
30 national government.

31
32 (d) The city information officer shall exercise such other powers and perform such
33 other duties and functions as may be prescribed by law or ordinance.

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

SEC. 44. *The City Cooperatives Officer.* – (a) The city cooperatives officer must be a citizen of the Philippines, a resident of the City of Mauban, of good moral character, a holder of a college degree preferably in business administration with special training in cooperatives or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in cooperatives organization and management for at least five (5) years prior to the date of his appointment.

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

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

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

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

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

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

- 3 (i) Assist in the organization of cooperatives;
4 (ii) Provide technical and other forms of assistance to existing
5 cooperatives to enhance their viability as an economic enterprise and
6 social organization; and
7 (iii) Assist cooperatives in establishing linkages with government agencies
8 and non-government organizations involved in the promotion and
9 integration of the concept of cooperatives in the livelihood of the people
10 and other community activities.

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

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

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

25
26 (b) The city population officer shall take charge of the office of the population
27 development, and shall:

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

33
34 2.) Develop plans and strategies and, upon approval thereof by the city mayor,

1 implement the same, particularly those which have to do with the integration of
2 population development principles and methods in programs and projects which
3 the city mayor is empowered to implement and which the sangguniang
4 panlungsod is empowered to provide;

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

8 (i) Assist the city mayor in the implementation of the Constitutional
9 provisions relative to population development and the promotion of
10 responsible parenthood;

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

14 (iii) Implement appropriated training programs responsive to the cultural
15 heritage of the inhabitants.

16
17 (c) The city population officer shall exercise such other powers and perform such
18 other duties and functions as may be prescribed by law or ordinance.

19
20 (d) The city population officer shall receive such compensation, emoluments, and
21 allowances as may be determined by law.

22
23 **SEC. 46. The City Veterinarian.** – (a) The city veterinarian must be a citizen of the
24 Philippines, a resident of the City of Mauban, of good moral character and a licensed
25 doctor of veterinary medicine. One must have practiced his profession for at least
26 three (3) years prior to the date of his appointment.

27
28 (b) The city veterinarian shall take charge of the office for veterinary services and
29 shall:

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

2.) 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;

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

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

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

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

(ii) Regulate the keeping of domestic animals;

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

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

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

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

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

SEC. 47. The City General Services Officer. – (a) The city general services officer

1 must be a citizen of the Philippines, a resident of the City of Mauban, of good moral
2 character, a holder of a college degree in public administration, business
3 administration, or management from a recognized college or university, and a first
4 grade civil service eligible or its equivalent. He must have acquired experience in
5 general services, including the management of supply, property, solid waste disposal,
6 and general sanitation for at least five (5) years prior to the date of his appointment.

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

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

15
16 2.) Develop plans and strategies and, upon approval thereof by the city mayor,
17 implement the same, particularly those which have to do with general services
18 supportive of the welfare of the inhabitants of the City which the city mayor is
19 empowered to implement and which the sangguniang panlungsod is empowered
20 to provide;

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

25
26 4.) Be in the frontline of general services-related activities, such as the possible
27 and imminent destruction or damage to records, supplies, properties, and
28 structures, and the orderly and sanitary clearing up of waste materials or debris,
29 particularly during and in the aftermath of man-made and natural disasters or
30 calamities;

31
32 5.) Recommend to the sangguniang panlungsod and advise the city mayor on all
33 matters relative to general services;
34

6.) In addition to the foregoing duties and functions, the general services officer shall:

- (i) Take custody of and be accountable for all properties, real or personal, owned by the local government unit and those granted to it in the form of donation, reparation, assistance, and counterpart of joint projects;
- (ii) With the approval of the city mayor, assign building or land spaces to local officials or other public officials who, by law, are entitled to such space;
- (iii) Recommend to the city mayor reasonable rental rates for local government properties, whether real or personal, which will be leased to public or private entities by the City;
- (iv) Recommend to the city mayor reasonable rental rates of private properties, which may be leased for the official use of the local government unit;
- (v) Maintain and supervise janitorial, security, landscaping, and other related services in all local government public buildings and other real property, whether owned or leased by the City;
- (vi) Collate and disseminate information regarding prices, shipping and other costs of supplies, and other items commonly used by the City;
- (vii) Perform archival and record management with respect to records of offices and departments of the City; and
- (viii) Perform all other functions pertaining to supply and property management heretofore performed by the city treasurer and enforce policies on records creation, maintenance, and disposal.

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

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

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

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

7
8 (b) The city business and licensing officer shall take charge of the office for the
9 business permits and licensing, and shall:

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

13
14 2.) Review the application for permits and licenses and recommend its
15 approval/disapproval to the city mayor or his authorized representative; and

16
17 3.) Exercise over-all supervision in the city licensing office.

18
19 (c) The city business and licensing officer shall receive such compensation,
20 emoluments, and allowances as may be determined by law.

21
22 *B. The City Education Officer.* —(a) The city education officer must be a citizen of the
23 Philippines, a resident of the City of Mauban, of good moral character, a holder of a
24 college degree in education or in any other related course from a recognized college
25 or university, and a first grade civil service eligible or its equivalent. He must have
26 practiced his profession for at least five (5) years prior to the date of his appointment.

27
28 (b) The city education officer shall take charge of the office of the city education
29 department, and shall:

30 1.) Formulate measures for the consideration of the sangguniang panlungsod
31 and provide technical assistance and support to the city mayor in carrying out
32 measures to ensure the delivery of basic services and provision of adequate
33 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 education supportive of the welfare of the inhabitants of the City which the city mayor is empowered to provide;

3.) Liaison with teachers and principals assigned in the City;

4.) Sit as additional member of the city school board;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4
5 5.) Conduct a continuing organizational development of the City, with the end
6 in view of instituting effective administrative reforms; and

7
8 6.) Perform such other duties and functions and exercise such other powers as
9 may be prescribed by law or ordinance.

10
11 (c) The city human resource development officer shall receive such compensation,
12 emoluments, and allowances as may be determined by law.

13 14 15 **ARTICLE VIII**

16 **THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE, THE** 17 **CITY SCHOOLS DIVISION AND THE CITY PROSECUTION SERVICE**

18
19 **SEC.49. *The City Fire Station Service.*** – (a) There shall be established in the City at
20 least one (1) fire station with adequate personnel, firefighting facilities and
21 equipment, subject to the standards, rules and regulations that may be promulgated by
22 the Department of the Interior and Local Government (DILG). The City shall provide
23 the necessary land or site of the station.

24
25 (b) The city fire station shall be headed by a city fire marshal whose qualifications
26 shall be as those provided for under the Philippine National Police Law.

27
28 (c) The city fire station shall be responsible for providing emergency services such as
29 the rescue and evacuation of injured people related to incidents and, in general, all fire
30 prevention and suppression measures to secure the safety of life and property of the
31 citizenry.

32
33 **SEC. 50. *The City Jail Service.*** – (a) There shall be established and maintained in the
34 City a secure, clean, adequately equipped, and sanitary jail for the custody and

1 safekeeping of prisoners, fugitives from justice, persons detained awaiting
2 investigation and/or trial, and mentally ill persons who endanger himself or the safety
3 of others, duly certified as such by the proper medical health officer, pending his
4 transfer to a mental institution.

5
6 (b) The city jail service shall be headed by a city jail warden who must be a
7 graduate of a four (4)-year course in psychology, psychiatry, sociology, nursing,
8 social work, or criminology who shall assist in the immediate rehabilitation of
9 individuals or detention of prisoners. Great care shall be exercised to ensure that the
10 basic human rights of these prisoners are respected and protected, and that their
11 spiritual and physical well being are properly and promptly attended to.

12
13 **SEC. 51. *The City Schools Division.*** – (a) There shall be established and maintained
14 by the Department of Education (DepED), a city schools division of the City of
15 Mauban whose area of jurisdiction will cover all the school districts within the City.

16
17 (b) The city schools division shall be headed by a city schools division superintendent
18 who must possess the necessary qualifications required by the DepED.

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

26
27 (b) The city prosecutor shall handle the criminal prosecution in the municipal trial
28 courts in the City as well as in the regional trial courts for criminal cases originating
29 in the territory of the City, and shall render to or for the City such services as are
30 required by law, ordinance, or regulation of the DOJ.

31
32 The Secretary of Justice shall always ensure the adequacy and the quality of the
33 prosecution service in the City and, for this purpose shall, in the absence or lack or
34 insufficiency in number of assistant city prosecutors as provided hereinabove,

1 designate from among the assistant provincial prosecutors a sufficient number to
2 perform and discharge the functions of the city prosecution service as provided
3 hereinabove.

4
5
6 **ARTICLE IX**
7 **TRANSITORY AND FINAL PROVISIONS**
8

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

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

19
20 The expenses for such plebiscite shall be borne by the Municipality of Mauban.

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

28
29 **SEC. 56. *Succession Clause.*** – The City of Mauban shall succeed to all the assets,
30 properties, liabilities, and obligations of the Municipality of Mauban.

31
32 **SEC. 57. *Election of Provincial Governor and Sangguniang Panlalawigan Members***
33 ***of the Province of Quezon.*** – The qualified voters of the City of Mauban shall be
34 qualified to vote and run for any elective position in the elections for provincial

1 governor, provincial vice governor, sangguniang panlalawigan members and other
2 elective officials for the Province of Quezon.

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

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

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

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

20
21 **SEC. 62. *Applicability of Laws.*** – The provisions of the Local Government Code of
22 1991, and other laws pertaining to the Province of Quezon and such laws as are
23 applicable shall govern the City of Mauban insofar as they are not inconsistent with
24 the provisions of this Act.

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

30
31 **SEC. 64. *Effectivity.*** – This Act shall take fifteen (15) days following its complete
32 publication in any newspaper of general and local circulation.