

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

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4094



Introduced by Rep. Anna Katrina M. Enverga

EXPLANATORY NOTE

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

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

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

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


ANNA KATRINA M. ENVERGA

1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Quezon City, Metro Manila
4

5 SEVENTEENTH CONGRESS
6 First Regular Session
7

8 HOUSE BILL NO. **4094**

9
10 *Introduced by Rep. Anna Katrina M. Enverga*
11
12

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

17 ARTICLE I
18 GENERAL PROVISIONS
19

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

22
23 **SEC. 2.** *The City of Mauban.* – The Municipality of Mauban shall be converted into
24 a component city to be known as the City of Mauban, hereinafter referred to as
25 the City, which shall comprise the present territory of the Municipality of
26 Mauban, Province of Quezon.

27
28 The territorial jurisdiction of the City shall be within the present metes and
29 bounds of the Municipality of Mauban.
30

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

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

4
5 **SEC. 3.***Corporate Powers of the City.* – The City constitutes a political body
6 corporate and as such is endowed with the attributes of perpetual succession
7 and possessed of the powers which pertain to a municipal corporation to be
8 exercised in conformity with the provision of this Charter. The City shall have the
9 following corporate powers:

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

11
12 (b) To sue and be sued;

13
14 (c) To have and use a corporate seal;

15
16 (d) To acquire, hold, and convey real or personal property;

17
18 (e) To enter into any contract and/or agreement; and

19
20 (f) To exercise such other powers, prerogatives or authority subject to the
21 limitations provided by law or this Act.

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

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

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

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

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

25
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, acity legal

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

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

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

(d) The City of Mauban may:

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

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

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

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

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

1 **ARTICLE III**

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

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

10
11 The city mayor, as the chief executive of the city government, shall exercise
12 such powers and perform such duties and functions as provided herein.

13
14 (b) For efficient, effective and economical governance, the purpose of which is
15 the general welfare of the City and its inhabitants, the city mayor shall:

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

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

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

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

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

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

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

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

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

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

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

Education (DepED); and

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

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

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

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

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

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

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

(vi) Call upon the law enforcement agencies to suppress disorder, riot,

1 lawless violence, rebellion, sedition, or apprehend violators of the law
2 when public interest so requires and the city police forces are
3 inadequate to cope with the situation or the violators;
4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5
6 (b) The city vice mayor shall:

7 1.) Be the presiding officer of the sangguniang panlungsod and sign all
8 warrants drawn on the city treasury for all expenditures appropriated for
9 the operation of the sangguniang panlungsod;

10
11 2.) Subject to civil service law, rules, and regulations, appoint all officials
12 and employees of the sangguniang panlungsod, except those whose manner
13 of appointment is specifically provided for under existing laws;

14
15 3.) Assume the office of the city mayor for the unexpired term of the latter
16 in the event of permanent vacancy;

17
18 4.) Exercise the powers and perform the duties and functions of the city
19 mayor in case of temporary vacancy; and

20
21 5.) Exercise such other powers and perform such other duties as may be
22 prescribed by law or ordinance.

23
24 (c) The city vice-mayor shall receive a monthly compensation corresponding to
25 Salary Grade Twenty-six (26) as prescribed under the Salary Standardization
26 Law and the implementing guidelines issued pursuant thereto.

27 28 **ARTICLE IV**

29 **THE SANGGUNIANG PANLUNGSOD**

30
31 **SEC.10.***Composition.* – (a) The sangguniang panlungsod, the legislative body of
32 the City, shall be composed of the city vice mayor as the presiding officer, the ten
33 (10) regular sanggunian members, the president of the city chapter of the liga ng

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (ix) Enact integrated zoning ordinances in consonance with the

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

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

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

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

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

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

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

32
33 3.) Subject to the provisions of Book II of the Local Government Code of

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

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

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

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

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

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

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

26 (vii) Upon approval by a majority vote of all the members of the
27 sangguniang panlungsod, grant a franchise to any person,
28 partnership, corporation or cooperative to do business within the
29 City; establish, construct, operate and maintain ferries, wharves,
30 markets or slaughterhouses; or undertake such other activities within
31 the City as may be allowed by existing laws: *Provided*, That
32 cooperatives shall be given preference in the grant of such franchise.
33

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

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

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

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

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

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

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

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

32 (viii) Provide for the impounding of stray animals; regulate the
33 keeping of animals in homes or as part of a business, and the

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;

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

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

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

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

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

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

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

(vii) Subject to existing laws, establish and provide for the maintenance, repair and operation of an efficient waterworks system to supply water for the inhabitants and to purify the source of the water supply; regulate the construction, maintenance, repair and use of hydrants, pumps, cisterns and reservoirs; protect the purity and the quantity of the water supply of the City and, for this purpose, extend the coverage of appropriate ordinances over all territory within the drainage area of said water supply within one hundred meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping station or watershed used in connection with the water service; and regulate the consumption, use or wastage of water and fix and collect charges thereof;

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

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

(x) Subject to the availability of funds and to existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Technical Education and Skills Development

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

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

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

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

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

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

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

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

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

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

ARTICLE V PROCESS OF LEGISLATION

SEC. 12.*Internal Rules of Procedure.* – (a) On the first regular session following the election of its members and within ninety (90) days thereafter, the sangguniang 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 may result in conflict of interests. Such relationship shall include:

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

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

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

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

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

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

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

14 **SEC. 14. Sessions.** – (a) On the first day of the session immediately following the
15 election of its members, the sangguniang panlungsod shall, by resolution, fix the
16 day, time, and place of its sessions. The minimum number of regular sessions
17 shall be once a week for the sangguniang panlungsod and twice a month for the
18 sangguniang barangay.
19

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

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

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

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

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

5
6 **SEC.15.Quorum.** – (a) A majority of all the members of the sanggunian who have
7 been elected and qualified shall constitute a quorum to transact official business.
8 Should a question of quorum be raised during a session, the presiding officer
9 shall immediately proceed to call the roll of the members and thereafter
10 announce the result.

11
12 (b) Where there is no quorum, the presiding officer may declare a recess until
13 such time a quorum is constituted, or a majority of the members present may
14 adjourn from day to day and may compel the immediate attendance of any
15 member absent without justifiable cause by designating a member of the
16 sanggunian, to be assisted by a member or members of the police force assigned
17 in the territorial jurisdiction of the City of Mauban, to arrest the absent member
18 and present him at the session.

19
20 (c) If there is still no quorum despite the enforcement of the immediately
21 preceding subsection, no business shall be transacted. The presiding officer,
22 upon proper motion duly approved by the members present, shall then declare
23 the session adjourned for lack of quorum.

24
25 **SEC. 16.Approval of Ordinances.** – (a) Every ordinance enacted by the
26 sangguniang panlungsod shall be presented to the city mayor. If the city mayor
27 approves the same, he shall affix his signature on each and every page thereof,
28 otherwise, he shall veto it and return the same with his objections to the
29 sanggunian, which may proceed to reconsider the same. The sanggunian may
30 override the veto of the city mayor by two-thirds (2/3) vote of all its members,
31 thereby making the ordinance or resolution effective for all legal intents and
32 purposes.

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

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

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

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

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

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

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

4
5 (c) If the sangguniang panlalawigan finds that such an ordinance or resolution is
6 beyond the power conferred upon the sangguniang panlungsod concerned, it
7 shall declare such ordinance or resolution invalid in whole or in part. The
8 sangguniang panlalawigan shall enter its action in the minutes and shall advise
9 the corresponding city authorities of the action it has taken.

10
11 (d) If no action has been taken by the sangguniang panlalawigan within thirty
12 (30) days after submission of such an ordinance or resolution, the same shall be
13 presumed to be consistent with law and therefore valid.

14
15 **SEC.19.***Review of Barangay Ordinances by the Sangguniang Panlungsod.* - (a)
16 Within ten (10) days after its enactment, the sangguniang barangay shall furnish
17 copies of all barangay ordinances to the sangguniang panlungsod for review as to
18 whether the ordinances are consistent with law or city ordinances.

19
20 (b) If the sangguniang panlungsod fails to take action on barangay ordinances
21 within thirty (30) days from receipt thereof, the same shall be deemed approved.

22
23 (c) If the sangguniang panlungsod finds the barangay ordinances inconsistent
24 with law or city ordinances, the sangguniang panlungsod shall, within thirty (30)
25 days from receipt thereof, return the same with its comments and
26 recommendations to the sangguniang barangay concerned for adjustment,
27 amendment, or modification; in which case, the effectivity of the barangay
28 ordinance is suspended until such time as the revision called for is effected.

29
30
31 **SEC. 20.***Enforcement of Disapproved Ordinances or Resolutions.* - Any attempt to
32 enforce any ordinance or any resolution approving the local development plan
33 and the public investment program after disapproval thereof, shall be sufficient

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

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

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

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

ARTICLE VI

DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS

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

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

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

2
3 (c) Those convicted by final judgment for violating the oath of allegiance to the
4 Republic of the Philippines;

5
6 (d) Those with dual citizenship;

7
8 (e) Fugitives from justice in criminal or nonpolitical cases here and abroad;

9
10 (f) Permanent residents in a foreign country or those who have acquired the
11 right to reside abroad and continue to avail of the same right after the effectivity
12 of the Local Government Code of 1991; and

13
14 (g) The insane or feeble-minded.

15
16 **SEC. 23.** *Permanent Vacancy in the Offices of the City Mayor and the City Vice*
17 *Mayor.* – (a) If a permanent vacancy occurs in the office of the city mayor, the city
18 vice mayor concerned shall become the city mayor. If a permanent vacancy
19 occurs in the office of the city vice mayor, the highest-ranking sangguniang
20 panlungsod member or, in case of his permanent incapacity, the second highest-
21 ranking sangguniang panlungsod member becomes the city mayor or the city
22 vice mayor, as the case may be. Subsequent vacancies in the said offices shall be
23 filled automatically by the other sanggunian members according to their ranking
24 as defined herein.

25
26 (b) A tie between or among the highest-ranking sangguniang panlungsod
27 members shall be resolved by drawing of lots.

28
29 (c) The successors as defined herein shall serve only the unexpired terms of their
30 predecessors.

31
32 (d) For purposes of this Act, a permanent vacancy arises when an elective local
33 official fills in a higher vacant office, refuses to assume office, fails to qualify, dies,

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

3
4 (e) For purposes of succession as provided for in this Act, ranking in the
5 sanggunian shall be determined on the basis of the proportion of votes obtained
6 by each winning candidate to the total number of registered voters in the City in
7 the immediately preceding local election.

8
9 **SEC. 24.***Permanent Vacancies in the Sangguniang Panlungsod.* – Permanent
10 vacancies in the sangguniang panlungsod where automatic succession as
11 provided above does not apply shall be filled in by appointments in the following
12 manner:

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

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

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

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

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

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

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

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

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

1 as the case may be.

2 **ARTICLE VII**

3 **THE APPOINTIVE OFFICIALS OF THE CITY**

4
5 **SEC. 26.***The Secretary to the Sangguniang Panlungsod.* – (a) There shall be a
6 secretary to the sangguniang panlungsod who shall be a career official with the
7 rank and salary equal to a head of a department or office.

8
9 (b) No person shall be appointed secretary to the sangguniang panlungsod
10 unless one is a citizen of the Philippines, a resident of the City of Mauban, of good
11 moral character, a holder of a college degree preferably in law, commerce or
12 public administration from a recognized college or university and a first grade
13 civil service eligible or its equivalent.

14
15 (c) The secretary to the sangguniang panlungsod shall take charge of the office of
16 the sangguniang panlungsod, and shall:

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

19
20 2.) Keep the seal of the City and affix the same with his signature to all
21 ordinances, resolutions and other official acts of the sangguniang
22 panlungsod, and present the same to the presiding officer for his signature;

23
24 3.) Forward to the city mayor for approval, copies of ordinances enacted by
25 the sangguniang panlungsod, duly certified by the presiding officer;

26
27 4.) Forward to the Department of Budget and Management (DBM) copies of
28 the appropriations ordinances passed by the sangguniang panlungsod as
29 provided for under Section 326, Book II of the Local Government Code of
30 1991;

31
32 5.) Forward to the sangguniang panlalawigan copies of duly approved
33 ordinances in the manner as provided for in Sections 56 and 57 of the Local

Government Code of 1991;

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

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

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

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

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

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

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

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

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

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

11
12 (d) The city treasurer shall take charge of the treasury office, perform the duties
13 provided for under Book II of the Local Government Code of 1991, and shall:

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

17
18 2.) Take custody and exercise proper management of the funds of the City;

19
20 3.) Take charge of the disbursement of all funds of the City and such other
21 funds, the custody of which has been entrusted by law or other competent
22 authority;

23
24 4.) Inspect private commercial and industrial establishments within the
25 jurisdiction of the City in relation to the implementation of tax
26 ordinances, pursuant to the provisions of the Book II of the Local
27 Government Code of 1991;

28
29 5.) Maintain and update the tax information system of the City; and

30
31 6.) Exercise such other powers and perform such other duties and
32 functions as may be prescribed by law or ordinance.

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

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

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

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

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

SEC. 29.*The City Assessor.* – (a) The city assessor 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 civil or mechanical engineering, commerce, or any other related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in real property assessment work or in any related field for at least five (5) years prior to the date of his appointment.

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

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

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

5
6 2.) Initiate, review, and recommend changes in policies and objectives,
7 plans and programs, techniques, procedures and practices in the evaluation
8 and assessment of real properties for taxation purposes;

9
10 3.) Establish a systematic method of real property assessment;

11
12 4.) Install and maintain real property identification and accounting
13 systems;

14
15 5.) Prepare, install and maintain a system of tax mapping, showing
16 graphically all properties subject to assessment and gather all data
17 concerning the same;

18
19 6.) Conduct frequent physical surveys to verify and determine whether all
20 real properties within the City are properly listed in the assessment rolls;

21
22 7.) Exercise the functions of appraisal and assessment primarily for
23 taxation purposes of all real properties in the City;

24
25 8.) Prepare a schedule of the fair market value of the different classes of
26 real properties in accordance with the provisions Title Two of Book II of
27 the Local Government Code of 1991;

28
29 9.) Issue, upon request of any interested party, certified copies of
30 assessment records of real properties and all other records relative to its
31 assessment, upon payment of a service charge or fee to the city treasurer;

32
33 10.) Submit every semester a report of all assessments, as well as

1 cancellations and modifications of assessments to the city mayor and the
2 sangguniang panlungsod; and
3

4 11.) Attend, personally or through an authorized representative, all
5 sessions of the Local Board of Assessment Appeals (Board) whenever his
6 assessment is the subject of the appeal and present or submit any
7 information or record in his possession as may be required by the Board.
8

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

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

15 **SEC. 30.***The Assistant City Assessor.* – (a) The assistant city assessor must be a
16 citizen of the Philippines, a resident of the City of Mauban, of good moral
17 character, a holder of a college degree preferably in civil or mechanical
18 engineering, commerce, or any related course from a recognized college or
19 university, and a first grade civil service eligible or its equivalent. He must have
20 acquired experience in assessment or in any related field for at least three (3)
21 years prior to the date of his appointment.
22

23 (b) The assistant city assessor shall assist the city assessor and perform such
24 other duties as may be assigned to him and shall have authority to administer
25 oaths on all declarations of all real property for purposes of assessment.
26

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

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

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

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

4
5 2.) Prepare and submit financial statements to the city mayor and to the
6 sangguniang panlungsod;

7
8 3.) Apprise the sangguniang panlungsod and other officials on the financial
9 condition and operations of the City;

10
11 4.) Certify to the availability of budgetary allotment to which expenditures
12 and obligations may be properly charged;

13
14 5.) Review supporting documents before preparation of vouchers to
15 determine the completeness of requirements;

16
17 6.) Prepare statements of cash advances, liquidations, salaries, allowances,
18 reimbursements, and remittances pertaining to the City;

19
20 7.) Prepare statements of journal vouchers and liquidations of the same and
21 other adjustments related thereto;

22
23 8.) Post individual disbursements to the subsidiary ledgers and index
24 cards;

25
26 9.) Maintain individual ledgers for officials and employees of the City
27 pertaining to payrolls and deductions;

28
29 10.) Record and post in index cards details of purchased furniture, fixtures,
30 and equipment, including disposal thereof, if any;

31
32 11.) Account for all issued requests for obligations and maintain and keep
33 all records and reports related thereto;

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

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

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

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

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

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

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

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

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

5.) Submit periodic budgetary reports to the DBM;

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

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

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

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

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

SEC. 33.*The City Planning and Development Coordinator.* – (a) The city planning and development coordinator 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 urban planning, development studies, economics, public administration, or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in development planning or in any related field for at least five (5) years prior to the date of his appointment.

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

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

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

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

the different functional groups or agencies;

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

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

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

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

and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 delivery of health services; and

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

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

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

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

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

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

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

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

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

civil status of persons;

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

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

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

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

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

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

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

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

SEC. 37.*The City Administrator.* – (a) The city administrator 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 public administration, law, or any other related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in

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

3
4 (b) The term of the city administrator is coterminous with that of his appointing
5 authority.

6
7 (c) The city administrator shall take charge of the office of the city administrator,
8 and shall:

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

15
16 2.) In addition to the foregoing duties and functions, the administrator
17 shall:

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

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

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

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

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

1 the City; and

2
3 5.) Exercise such other powers and perform such other duties and
4 functions as may be prescribed by law of ordinance.

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

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

13
14 (b) The term of the city legal officer shall be coterminous with that of his
15 appointing authority.

16
17 (c) The city legal officer, the chief legal counsel of the City, shall take charge of
18 the office for legal service and shall:

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

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

30
31 3.) In addition to the foregoing duties and functions, the city legal officer
32 shall:

1 (i) Represent the City in all civil actions and special proceedings
2 wherein the City or any official thereof is, in his official capacity, a
3 party: *Provided* that, in actions or proceedings where the City is a
4 party adverse to the provincial government or to another component
5 city or municipality, a special legal officer may be employed to
6 represent the adverse party;

7 (ii) When required by the city mayor or sangguniang panlungsod,
8 draft ordinances, contracts, bonds, leases, and other instruments
9 involving any interest of the City and provide comments and
10 recommendations on any instruments already drawn;

11 (iii) Render his opinion in writing on any question of law when
12 requested to do so by the city mayor or sangguniang panlungsod;

13 (iv) Investigate or cause to be investigated any local official or
14 employee for administrative neglect or misconduct in office and
15 recommend appropriate action to the city mayor or sangguniang
16 panlungsod, as the case may be;

17 (v) Investigate or cause to be investigated any person, firm, or
18 corporation holding any franchise or exercising any public privilege
19 for failure to comply with any term or condition in the grant of such
20 franchise or privilege and recommend appropriate action to the city
21 mayor or the sangguniang panlungsod, as the case may be;

22 (vi) When directed by the city mayor or the sangguniang panlungsod,
23 initiate and prosecute, in the interest of the City, any civil action on
24 any bond, lease, or other contract upon any breach or violation
25 thereof; and

26 (vii) Review and submit recommendations on ordinances approved
27 and execute orders issued by component units;

28
29 4.) Recommend measures to the sangguniang panlungsod and advise the
30 city mayor on all matters related to upholding the rule of law;

31
32 5.) Be in the frontline of protecting human rights and prosecuting any
33 violation thereof, particularly those which occur during and in the

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

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

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

8
9 **SEC. 39.***The City Agriculturist.* – (a) The city agriculturist must be a citizen of the
10 Philippines, a resident of the City of Mauban, of good moral character, a holder of
11 a college degree in agriculture or any related course from a recognized college or
12 university, and a first grade civil service eligible or its equivalent. He must have
13 practiced his profession in agriculture or acquired experience in a related field
14 for at least five (5) years prior to the date of his appointment.

15
16 (b) The city agriculturist shall take charge of the office for agricultural services,
17 and shall:

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

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

28
29 3.) Be in the frontline of the delivery of basic agricultural services,
30 particularly those needed for the survival of the inhabitants during and in
31 the aftermath of man-made and natural disasters or calamities;

32
33 4.) Recommend to the sangguniang panlungsod and advise the city mayor

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

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

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

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

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

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

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

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

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

SEC. 40. *The City Social Welfare and Development Officer.* – (a) The city social welfare and development officer must be a citizen of the Philippines, a resident of the City of Mauban, of good moral character, a licensed social worker or a holder of a college degree preferably in social work or in any other 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 social work for at
2 least five (5) years prior to the date of his appointment.

3
4 (b) The city social welfare and development officer shall take charge of the
5 office on social welfare and development services, and shall:

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

10
11 2.) Develop plans and strategies and, upon approval thereof by the city
12 mayor, implement the same, particularly those which have to do with social
13 welfare programs and projects which the city mayor is empowered to
14 implement and which the sangguniang panlungsod is empowered to
15 provide;

16
17 3.) Be in the frontline of the delivery of services particularly those which
18 have to do with the immediate relief and assistance during and in the
19 aftermath of man-made and natural disasters or calamities; and

20
21 4.) Recommend to the sangguniang panlungsod and advise the city mayor
22 on all other matters related to social welfare and development services
23 which will improve the livelihood and the living conditions of the
24 inhabitants;

25
26 (c) The city social welfare and development officer shall exercise such other
27 powers and perform such other duties and functions and as may be prescribed
28 by law or ordinance.

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

32
33 **SEC. 41.** *The City Environment and Natural Resources Officer.* –(a) The city

environment and natural resources 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 environment, forestry, agriculture or in any other related course from a recognized college or university, and a first grade civil service eligible or its equivalent. One must have acquired experience in environment and natural resources management, conservation, and utilization work for at least five (5) years prior to the date of his appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14
15 3.) Be in the frontline of the delivery of services involving architectural
16 planning and design, particularly those related to the redesigning of spatial
17 distribution of basic facilities and physical structures during and in the
18 aftermath of man-made and natural disasters or calamities;

19
20 4.) Recommend to the sangguniang panlungsod and advise the city mayor
21 on all other matters relative to architectural planning and design as it
22 relates to the total socioeconomic development of the City;

23
24 5.) In addition to the foregoing duties and functions, the city architect shall:

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

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

1 poorly-designed areas; and

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

6
7 (c) The city architect shall also exercise such other powers and perform such
8 other duties and functions as may be prescribed by law or ordinance.

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

12
13 **SEC. 43.** *The City Information Officer.* – (a) The city information officer must be a
14 citizen of the Philippines, a resident of the City of Mauban, of good moral
15 character, a holder of a college degree preferably in journalism, mass
16 communications, or any related course from a recognized college or university,
17 and a first grade civil service eligible or its equivalent. He must have acquired
18 experience in writing articles and research papers, or in writing for print,
19 television, or broadcast media for at least three (3) years prior to the date of his
20 appointment.

21
22 (b) The term of the information officer shall be coterminous with that of his
23 appointing authority.

24
25 (c) The city information officer shall take charge of the office on public
26 information, and shall:

27 1.) Formulate measures for the consideration of the sangguniang
28 panlungsod and provide technical assistance and support to the city mayor
29 in providing the information and research data required for the delivery of
30 basic services and the provision of adequate facilities so that the public
31 becomes aware of said services and may fully avail of the same;

32
33 2.) Develop plans and strategies and, upon approval thereof by the city

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

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

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

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

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

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

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

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

(e) 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

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

6
7 (b) The city cooperatives officer shall take charge of the office for the
8 development of cooperatives, and shall:

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

14
15 2.) Develop plans and strategies and, upon approval thereof by the city
16 mayor, implement the same, particularly those which have to do with the
17 integration of cooperatives principles and methods in programs which the
18 city mayor is empowered to implement and which the sangguniang
19 panlungsod is empowered to provide;

20
21 3.) Be in the frontline of cooperatives organization, rehabilitation or
22 viability enhancement, particularly during and in the aftermath of man-
23 made and natural disasters or calamities, to aid in their survival and, if
24 necessary, subsequent rehabilitation;

25
26 4.) Recommend to the sangguniang panlungsod and advise the city mayor
27 on all other matters relative to cooperatives development and viability
28 enhancement which will improve the livelihood and the quality of life of the
29 inhabitants;

30
31 5.) In addition to the foregoing duties and functions, the city cooperatives
32 officer shall:

33 (i) Assist in the organization of cooperatives;

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

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

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

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

SEC. 45. *The City Population Officer.* – (a) The city population 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 with specialized training in population development from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in the implementation of programs on population development or responsible parenthood for at least five (5) years prior to the date of his appointment.

(b) The city population officer shall take charge of the office of the population development, 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 adequate facilities relative to the integration of the population development principles and in providing access to said services and facilities.

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

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

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

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

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

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

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

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

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

(b) The city veterinarian shall take charge of the office for veterinary services 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

1 provision of adequate facilities;

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

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

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

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

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

25 (ii) Regulate the keeping of domestic animals;

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

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

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

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

1 may be prescribed by law or ordinance.

2
3 (d) The city veterinarian shall receive such compensation, emoluments, and
4 allowances as may be determined by law.

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

14
15 (b) The city general services officer shall take charge of the office of the general
16 services, and shall:

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

23
24 2.) Develop plans and strategies and, upon approval thereof by the city
25 mayor, implement the same, particularly those which have to do with
26 general services supportive of the welfare of the inhabitants of the City
27 which the city mayor is empowered to implement and which the
28 sangguniang panlungsod is empowered to provide;

29
30 3.) Take custody of and be accountable for all properties, real or personal,
31 owned by the City and those granted to it in the form of donation,
32 reparation, assistance and counterpart of joint projects;

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

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

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:

A. The City Business Permits and Licensing Officer–(a) The city business permits and licensing 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 or in 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 management for at least five (5) years prior to the date of his appointment.

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

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

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

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

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

B. The City Education Officer. –(a) The city education 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 in education or in any other related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have practiced his profession for at least five (5) years prior to the date of his appointment.

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

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

1 provide; and

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

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

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

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

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

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

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

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

(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;

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

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

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

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

ARTICLE VIII

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

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

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

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

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

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

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

3
4 **SEC. 51.** *The City Schools Division.* – (a) There shall be established and maintained
5 by the Department of Education (DepED), a city schools division of the City of
6 Mauban whose area of jurisdiction will cover all the school districts within the
7 City.

8
9 (b) The city schools division shall be headed by a city schools division
10 superintendent who must possess the necessary qualifications required by the
11 DepED.

12
13 **SEC. 52.** *The City Prosecution Service.* – (a) There shall be established in the City a
14 city prosecution service to be headed by a city prosecutor and such number of
15 assistant city prosecutors as may be necessary, who shall be organizationally
16 part of the Department of Justice (DOJ), be under the supervision and control of
17 the Secretary of Justice, and whose qualifications, manner of appointment, rank,
18 salary, and benefits shall be governed by existing laws covering prosecutors in
19 the DOJ.

20
21 (b) The city prosecutor shall handle the criminal prosecution in the municipal
22 trial courts in the City as well as in the regional trial courts for criminal cases
23 originating in the territory of the City, and shall render to or for the City such
24 services as are required by law, ordinance, or regulation of the DOJ.

25
26 The Secretary of Justice shall always ensure the adequacy and the quality of
27 the prosecution service in the City and, for this purpose shall, in the absence or
28 lack or insufficiency in number of assistant city prosecutors as provided
29 hereinabove, designate from among the assistant provincial prosecutors a
30 sufficient number to perform and discharge the functions of the city prosecution
31 service as provided hereinabove.

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

4
5 **SEC. 59.***Suspension of Increase in Rates of Local Taxes.* – No increase in the rates
6 of local taxes shall be imposed by the City within the period of five (5) years from
7 its acquisition of corporate existence.

8
9 **SEC. 60.***Representative District.* – Until otherwise provided by law, the City of
10 Mauban shall continue to be a part of the First Congressional District of the
11 Province of Quezon.

12
13 **SEC. 61.***Reservation.* – Nothing herein contained shall preclude the
14 determination by the appropriate agency or forum of boundary disputes or cases
15 involving questions of territorial jurisdiction between the City of Mauban and
16 any of the adjoining local government units even after the effectivity of this Act.

17
18 **SEC. 62.***Applicability of Laws.* – The provisions of the Local Government Code of
19 1991, and other laws pertaining to the Province of Quezon and such laws as are
20 applicable shall govern the City of Mauban insofar as they are not inconsistent
21 with the provisions of this Act.

22
23 **SEC. 63.***Separability Clause.* – If, for any reason or reasons, any part or provision
24 of this Charter is declared unconstitutional, invalid, or inconsistent with the
25 Local Government Code of 1991, the other parts or provisions hereof which are
26 not affected thereby shall continue to be in full force and effect.

27
28 **SEC. 64.***Effectivity.* – This Act shall take fifteen (15) days following its complete
29 publication in any newspaper of general and local circulation.

30
31 Approved,