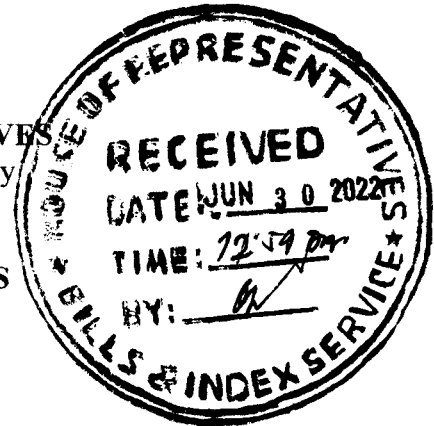


1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Constitution Hills, Quezon City

4
5
6 NINETEENTH CONGRESS
7 First Regular Session
8

9
10 HOUSE BILL NO. 99
11



12
13
14 Introduced by Representative VINCENT FRANCO D. FRASCO
15

16
17
18 EXPLANATORY NOTE
19

20
21 This bill seeks to convert the Municipality of Liloan in the Province of Cebu into a
22 component city.
23

24 The proposed measure is similar to House Bill No. 5031, which was previously filed in the
25 18th Congress. It was filed last October 02, 2019 and was transmitted to the House Committee on
26 Local Government. However, up to the present, the proposal has not materialized.
27

28 The Municipality of Liloan is a first-class municipality consisting of fourteen (14)
29 barangays with a total land area of 52.1 square kilometers; 44% of which is appropriately intended
30 for combined residential, industrial, commercial and urban development purposes while 13.97%
31 is devoted to specialized agricultural use and tourism. Liloan is part of Metropolitan Cebu, with a
32 total population of 153,197 as per the 2020 Philippine National Census.
33

34 Aside from its pristine coastline, Liloan is the site of one of the best landmarks in the
35 Province of Cebu, the historic lighthouse officially called the Bagacay Point Light dating back to
36 the Spanish colonial times as well as other scenic and historical tourist destinations.
37

38 As a tourism destination of choice and its proximity to major air, land and water transport
39 facilities, Liloan is highly accessible from all major urban and trading areas within a 100-kilometer
40 radius and makes it attractive to local, domestic and international venture capitalists and investors
41 as well as migrant families seeking new opportunities for themselves.
42

43 In the Province of Cebu, Liloan is one of the ten (10) most populous local government units
44 with a very high population density for every square kilometer.
45

1 With the rapid urbanization of the area in and around Liloan, major infrastructure programs
2 for connectivity are being undertaken, such as the (1) Asturias-Danao-Liloan Bypass and
3 Diversion Road at a cost of 2 billion pesos; (2) the 73-kilometer Metro Cebu Expressway at a cost
4 of 28.1 billion pesos; and (3) the Pier 88 Port Development Project in Liloan at 1.5 billion pesos.

5
6 Most notable among the developments happening around Liloan is the construction of the
7 new Cebu International Container Port estimated at 10.1 billion pesos on a 25-hectare reclaimed
8 land in the adjacent town of Consolacion to be completed by 2022.

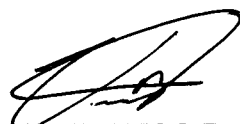
9
10 Undoubtedly, the municipality has also benefited and shall continue to benefit from the
11 expansion and urbanization of the province of Cebu, which is acknowledged by the Board of
12 Investments as one of the most favored investment areas in the Philippines. This benefit can be
13 attributed to the unprecedented development of adjacent local government units and the huge
14 influx of businesses and people in Cebu. Recently, Liloan received distinguished awards as the
15 Top Model Municipality in the Philippines 2019, and Model Municipality in Education, Care for
16 the Elderly, Revenue Generation and Business Friendliness by the Manila Times.

17
18 The conversion of Liloan from a municipality to a component city cannot anymore be
19 delayed because such conversion will greatly boost the capacity of the local government unit to
20 address and to respond to the increasing needs and demands of its constituents, investors and other
21 visitors amid ever changing economic and political landscapes.

22
23 Cityhood will undoubtedly open the floodgates of a multitude of economic opportunities
24 for the people of Liloan, which will ultimately redound to the improvement of the delivery of
25 services, but most of all, to the betterment of the quality of life of the people of Liloan and those
26 living in its neighboring communities.

27
28 In view of the foregoing, approval of this bill is strongly recommended.

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VINCENT FRANCO D. FRASCO

1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Constitution Hills, Quezon City
4

5
6 **NINETEENTH CONGRESS**
7 First Regular Session
8

9
10 **HOUSE BILL NO. 99**
11

12 Introduced by Rep. Vincent Franco D. Frasco
13

14
15 **AN ACT**
16 **CONVERTING THE MUNICIPALITY OF LILOAN IN THE PROVINCE OF CEBU**
17 **INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF LILOAN**
18

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

21
22 **ARTICLE I**
23 **GENERAL PROVISIONS**
24

25 Section 1. Title. - This Act shall be known as the "Charter of the City of Liloan".
26

27 Section 2. The City of Liloan. - The Municipality of Liloan shall be converted into a
28 component city to be known as the City of Liloan, hereinafter referred to as the City, which shall
29 comprise the present territory of the Municipality of Liloan, Province of Cebu. The territorial
30 jurisdiction of the City shall be within the present metes and bounds of the Municipality of Liloan.
31

32 The foregoing provision shall be without prejudice to the resolution by the appropriate
33 agency or forum of existing boundary disputes or cases involving questions of territorial
34 jurisdiction between the City of Liloan and the adjoining local government units: Provided, That,
35 the territorial jurisdiction of the disputed area or areas shall remain with the local government unit,
36 which has existing administrative supervision over said area or areas until the final resolution of
37 the case.
38

39 Section 3. Corporate Powers of the City. - The City constitutes a political body corporate
40 and as such is endowed with the attributes of perpetual succession and possessed of the powers
41 which pertain to a municipal corporation to be exercised in conformity with the provision of this
42 Charter. The City shall have the following corporate powers:
43

- 44 (a) To have a continuous succession in its corporate name;
45
46 (b) To sue and be sued;
47

- ✓
- 1 (c) To have and use a corporate seal;
 - 2
 - 3 (d) To acquire, hold and convey real or personal property;
 - 4
 - 5 (e) To enter into any contract and/or agreement; and
 - 6
 - 7 (f) To exercise such other powers, prerogatives or authority subject to the limitations
 - 8 provided in this Act or laws.
 - 9

10 Section 4. General Powers. The City shall have a common seal and may alter its existing
11 corporate seal: Provided, That any change of corporate seal shall be registered with the Department
12 of the Interior and Local Government (DILG). It shall exercise the powers to levy taxes; to close
13 and open roads, streets, alleys, parks or squares; to take, purchase, receive, hold, lease, convey and
14 dispose of real and personal property for the general interests of the City; to expropriate or
15 condemn private property for public use; to contract and be contracted with; to sue and be sued; to
16 prosecute and defend to final judgment and execution suits wherein the City is involved or
17 interested in; and to exercise all the powers as are granted to corporations or as hereinafter
18 conferred.

19
20 Section 5. Liability for Damages. - The City and its officials shall not be exempt from
21 liability for death or injury to persons or damage to property.

22
23 Section 6. Jurisdiction of the City. - The jurisdiction of the City of Liloan, for police
24 purposes only, shall be coextensive with its territorial jurisdiction and shall extend to 3 miles from
25 the shores of the city, and for the purpose of protecting and ensuring the purity of the water supply
26 of the City, such police jurisdiction shall also extend over all the territory within the drainage area
27 of such water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal,
28 aqueduct or pumping station used in connection with the city water service.

29
30 The city court of the City of Liloan shall have concurrent jurisdiction with the city or
31 municipal court of the adjoining municipalities or cities, to try crimes and misdemeanors
32 committed within said drainage area or within said spaces of one hundred meters (100 m.).

33
34 The court first taking cognizance of such an offense shall have jurisdiction to try said cases
35 to the exclusion of others. The police force of several municipalities and cities concerned shall
36 have concurrent jurisdiction with the police of the City for the maintenance of good order and the
37 enforcement of ordinances throughout said zone, area or spaces. But any license that may be issued
38 within said zone, area or spaces shall be granted by the proper authorities of the city or municipality
39 concerned, and the fees arising therefrom shall accrue to the treasury of the said city or
40 municipality concerned and not to the city.

41
42 **ARTICLE II**
43 **CITY OFFICIALS IN GENERAL**
44

45 Section 7. The Officials of the City of Liloan. -
46

- 1 (a) There shall be in the City of Liloan: a City Mayor, a City Vice Mayor, Sangguniang
2 Panlungsod Members, a Secretary to the Sangguniang Panlungsod, a City Treasurer
3 and an Assistant City Treasurer, a City Assessor and an Assistant City Assessor, a
4 City Accountant, a City Budget Officer, a City Planning and Development Officer,
5 a City Engineer, a City Health Officer, a City Civil Registrar, a City Administrator,
6 a City Legal Officer, a City Social Welfare and Development Officer, a City
7 Veterinarian, a City Cooperatives Officer, a City Building Officer, a City General
8 Services Officer and a Human Resource Management and Development Officer.
9
- 10 (b) In addition thereto, the city mayor may appoint a City Environment and Natural
11 Resources Officer, a City Architect, a City Information Officer, a City Population
12 Officer and a City Agriculturist.
13
- 14 (c) There shall be established in the City, a city fire station to be headed by a City Fire
15 Marshal, a city jail to be headed by a City Jail Warden, a city schools division to be
16 headed by a City Schools Division Superintendent and a City Prosecution Service
17 to be headed by a City Prosecutor.
18
- 19 (d) The Sangguniang Panlungsod of the City of Liloan may:
20
- 21 (1) Maintain existing offices not mentioned in subsections (a), (b) and (c)
22 hereof;
23
- 24 (2) Create such other offices as may be necessary to carry out the purposes of
25 the City; or
26
- 27 (3) Consolidate the functions of any office with those of another in the interest
28 of efficiency and economy.
29
- 30 (e) Unless otherwise provided herein, heads of departments and offices shall be
31 appointed by the city mayor with the concurrence of the majority of all the members
32 of the sangguniang panlungsod, subject to civil service law, rules and regulations.
33 The sangguniang panlungsod shall act on the appointment within fifteen (15) days
34 from the day of its submission, otherwise the same shall be deemed confirmed.
35

36 **ARTICLE III**
37 **THE CITY MAYOR AND CITY VICE MAYOR**
38

39 **Section 8. The City Mayor. -**
40

- 41 (a) The city mayor shall be the chief executive of the City. He shall be elected at large
42 by the qualified voters of the City. No person shall be eligible for the position of
43 city mayor unless at the time of the election, he is at least twenty-one (21) years of
44 age, an actual resident of the City for at least one (1) year prior to his election, and
45 a qualified voter therein. He shall hold office for three years, unless sooner
46 removed, and shall receive a minimum monthly compensation corresponding to

1 Salary Grade Thirty (30) as prescribed under Republic Act No. 6758, otherwise
2 known as the Salary Standardization Law, and the implementing guidelines issued
3 pursuant thereto. The city mayor, as the chief executive of the city government,
4 shall exercise such powers and perform such duties and functions as provided
5 herein.
6

7 (b) For efficient, effective and economical governance, the purpose of which is the
8 general welfare of the City and its inhabitants, the city mayor shall:
9

10 (1) Exercise those powers expressly granted to him by law, those necessarily
11 implied therefrom, as well as powers necessary, appropriate or incidental
12 for the efficient and effective governance of the City, and those which are
13 essential to the promotion of the general welfare:
14

15 (i) Determine the guidelines of city policies and be responsible to the
16 sangguniang panlungsod for the program of government;
17

18 (ii) Direct the formulation of the city development plan, with the
19 assistance of the city development council, and upon approval
20 thereof by the sangguniang panlungsod, implement the same;
21

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

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

34 (v) Appoint all officials and employees whose appointments are not
35 otherwise provided for in this Act, as well as those he may be
36 authorized by law to appoint;
37

38 (vi) Represent the City in all its business transactions and sign on its
39 behalf all bonds, contracts and obligations, and such other
40 documents upon authority of the sangguniang panlungsod or
41 pursuant to law or ordinance;
42

43 (vii) Carry out such emergency measures as may be necessary during and
44 in the aftermath of man-made and natural disasters and calamities;
45

- (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 city hall 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 his executive powers and authority, require all national officials and employees stationed in or assigned to the City to make available to him such books, records and other documents in their custody except those classified by law as confidential;
- (xii) Furnish copies of executive orders issued by him to the Office of the President and the Office of the Secretary of the Department of the Interior and Local Government (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 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 by him and 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 to advise him on matters affecting the City and to make recommendations thereon; coordinate with said officials and employees in the formulation and 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 his 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), the Commission on Higher Education (CHED) or the Philippine Sports Commission; 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 or natural disasters or calamities affect the general welfare of the City.

(2) Enforce all laws and ordinances relative to the governance of the City and in the exercise of its appropriate corporate powers provided for under the Local Government Code of 1991, as amended, as well as implement all approved policies, programs, projects, services and activities of the City; and 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 or 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 he may deem 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 his 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 the general and operational control and supervision over the 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 appropriate law enforcement agencies to suppress disorder, riot, lawless violence, rebellion or sedition, or apprehend violators of the law when public interest so requires and the city police forces are inadequate to cope with the situation or the violators.

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

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

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

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

- 1 (iv) Issue licenses and permits and suspend or revoke the same for any
2 violation of the conditions upon which said licenses or permits had
3 been issued, pursuant to law or ordinance;
4
- 5 (v) Issue permits, without need of approval therefore from any national
6 agency, for the holding of activities for any charitable or welfare
7 purpose, excluding prohibited games of chance or shows contrary to
8 law, public policy and public morals;
9
- 10 (vi) Require owners of illegally constructed houses, buildings or other
11 structures to obtain the necessary permit, subject to such fines and
12 penalties as may be imposed by law or ordinance, or to make
13 necessary changes in the construction of the same when said
14 construction violates any law or ordinance, or to order the
15 demolition or removal of said house, building or structure within the
16 period prescribed by law or ordinance;
17
- 18 (vii) Adopt adequate measures to safeguard and conserve land, mineral,
19 forest and other resources of the City;
20
- 21 (viii) Provide efficient and effective property and supply management in
22 the City and protect the funds, credits, rights and other properties of
23 the City; and
24
- 25 (ix) Institute or cause to be instituted administrative or judicial
26 proceedings for violation of ordinances in the collection of taxes,
27 fees or charges, and for the recovery of funds and property; and
28 cause the City to be defended against all suits to ensure that its
29 interests, resources and rights shall be adequately protected.
30
- 31 (4) Ensure the delivery of basic services and the provision of adequate facilities
32 and, in addition thereto, shall:
33
- 34 (i) Ensure that the construction and repair of roads and highways
35 funded by the national government shall be, as far as practicable,
36 carried out in a spatially contiguous manner and in coordination with
37 the construction and repair of the roads and bridges of the City and
38 of the province; and
39
- 40 (ii) Coordinate the implementation of technical services, including
41 public works and infrastructure programs, rendered by national
42 offices; and
43
- 44 (5) Perform such other duties and functions and exercise such other powers, as
45 provided for under the Local Government Code of 1991, and those that are
46 prescribed by law or ordinance.

1
2 (c) During his incumbency, the city mayor shall hold office in the city hall.
3

4 Section 9. The City Vice Mayor. - There shall be a city vice mayor who shall be elected in
5 the same manner as the city mayor and shall, at the time of his election, possess the same
6 qualifications, as the city mayor. He shall hold office for three years, unless sooner removed, and
7 shall receive a monthly compensation corresponding to Salary Grade Twenty-six (26) as
8 prescribed under the Salary Standardization Law and the implementing guidelines issued pursuant
9 thereto. The city vice mayor shall:
10

- 11 (a) Be the presiding officer of the sangguniang panlungsod and sign all warrants drawn
12 on the city treasury for all expenditures appropriated for the operation of the
13 sangguniang panlungsod;
14
15 (b) Subject to civil service law, rules and regulations, appoint all officials and
16 employees of the sangguniang panlungsod, except those whose manner of
17 appointment is specifically provided for under the Local Government Code of
18 1991, as amended;
19
20 (c) Assume the office of the city mayor for the unexpired term of the latter in the event
21 of permanent vacancy as provided for under the Local Government Code of 1991,
22 as amended;
23
24 (d) Exercise the powers and perform the duties and functions of the city mayor in case
25 of temporary vacancy as provided for under the Local Government Code of 1991,
26 as amended; and
27
28 (e) Perform such other duties and functions and exercise such other powers as provided
29 for under the Local Government Code of 1991, and those that are prescribed by law
30 or ordinance.
31

32 **ARTICLE IV**
33 **THE SANGGUNIANG PANLUNGSOD**
34

35 Section 10. The Sangguniang Panlungsod. -
36

- 37 (a) The sangguniang panlungsod, the legislative body of the City, shall be composed
38 of the city vice mayor as the presiding officer, the ten (10) regular sanggunian
39 member, the president of the city chapter of the liga ng mga barangay, the president
40 of the panlungsod na pederasyon ng mga sangguniang kabataan ang the three (3)
41 sectoral representatives, as members, who shall come from the following sectors:
42 one (1) from the women sector; and, as shall be determined by the sangguniang
43 panlungsod within ninety (90) days prior to the holding of the local elections, one
44 (1) from the agricultural or industrial workers sector; and one (1) from the other
45 sectors, including urban poor, indigenous cultural communities or disabled persons.
46

1 (b) The regular members of the sangguniang panlungsod and sectoral representatives
2 shall be elected in the manner as may be provided by law.
3

4 (c) The members of the sangguniang panlungsod of the City of Liloan shall receive a
5 minimum monthly compensation corresponding to Salary Grade Twenty-five (25)
6 as prescribed under the Salary Standardization Law and the implementing
7 guidelines issued pursuant thereto.
8

9 Section 11. Powers, Duties, Functions and Compensation. -
10

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

17 (1) Approve ordinances and pass resolutions necessary for an efficient and
18 effective city government and, in this connection, shall:
19

20 (i) Review all ordinances approved by the sangguniang barangay and
21 executive orders issued by the punong barangay to determine
22 whether these are within the scope of the prescribed powers of the
23 sanggunian and of the punong barangay;
24

25 (ii) Maintain peace and order by enacting measures to prevent and
26 suppress lawlessness, disorder, riot, violence, rebellion or sedition
27 and impose penalties for the violation of said ordinance;
28

29 (iii) Approve ordinances imposing a fine not exceeding Five thousand
30 pesos (P5,000.00) or an imprisonment for a period not exceeding
31 one (1) year, or both, at the discretion of the court, for violation of a
32 city ordinance;
33

34 (iv) Adopt measures to protect the inhabitants of the City from the
35 harmful effects of man-made or natural disasters and calamities and
36 to provide relief services and assistance for victims during and in the
37 aftermath of said disasters or calamities and in their return to
38 productive livelihood following said events;
39

40 (v) Enact ordinances intended to prevent, suppress and impose
41 appropriate penalties for habitual drunkenness in public places,
42 vagrancy, mendicancy, prostitution, the establishment and
43 maintenance of houses of ill-repute, gambling and other prohibited
44 games of chance, fraudulent devices and ways to obtain money or
45 property, drug addiction, maintenance of drug dens, drug pushing,
46 juvenile delinquency, the printing, distribution or exhibition of

obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the City;

- (vi) Protect the environment. To this end, it may set aside at least ten percent (10%) of its development funds for the purpose of maintaining and enhancing ecological balance of the City. It may also impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging, smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash-and-burn farming and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes or of ecological imbalance;
- (vii) Subject to the provision of the Local Government Code and pertinent laws, determine the powers and duties of officials and employees of the City;
- (viii) Consistent with the Salary Standardization Law, determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide for expenditures necessary for the proper conduct of programs, projects, services and activities of the city government;
- (ix) Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy in a concurrent capacity at the rate authorized by law;
- (x) Provide a mechanism and the appropriate funds therefor, to ensure the safety and protection of all city government property, public documents or records such as those relating to property inventory, land ownership, record of births, marriages, deaths, assessments, taxation, accounts, business permits and such other records and documents of public interest in the offices and departments of the city government;
- (xi) When the finances of the city government allow, provide for additional allowances and other benefits to judges, prosecutors, public elementary and high school teachers, and other national government officials stationed in or assigned to the City;
- (xii) Provide legal assistance to barangay officials who, in the performance of their official duties or on the occasion thereof, have

1 to initiate judicial proceedings or defend themselves against legal
2 actions; and
3

- 4 (xiii) Provide for group insurance or additional insurance coverage for all
5 barangay officials, including members of barangay tanod brigades
6 and other service units, with public or private insurance companies,
7 when the finances of the city government allow said coverage.
8

- 9 (2) Generate and maximize the use of resources and revenues for the
10 development plans, program objectives and priorities of the City, with
11 particular attention to agro-industrial development and citywide growth and
12 progress:
13

- 14 (i) Approve the annual and supplemental budgets of the city
15 government and appropriate funds for specific programs, projects,
16 services and activities of the City, or for other purposes not contrary
17 to law, in order to promote the general welfare of the City and its
18 inhabitants;
19

- 20 (ii) Subject to the provisions of Book II of the Local Government Code
21 and the applicable laws, and upon the majority vote of all the
22 members of the sangguniang panlungsod, enact ordinances levying
23 taxes, fees and charges, prescribing the rates thereof for general and
24 specific purposes, and granting tax exemption, incentive or relief;
25

- 26 (iii) Subject to the provisions of Book II of the Local Government Code
27 and upon the majority vote of all the members of the sangguniang
28 panlungsod, authorize the city mayor to negotiate and contract loans
29 and other forms of indebtedness. The application for loans or other
30 forms of indebtedness and the terms and conditions thereof shall,
31 before approval, be published in a newspaper of general circulation
32 in the City. Once approved, the contract covering the loans or other
33 forms of indebtedness shall be furnished to any city resident
34 requesting a copy thereof, upon payment of reasonable fees;
35

- 36 (iv) Subject to the provisions of Book II of the Local Government Code
37 and applicable laws, and upon the majority vote of all the members
38 of the sangguniang panlungsod, enact ordinances authorizing the
39 floating of bonds or other instruments of indebtedness, for the
40 purpose of raising funds to finance development projects. The
41 authorization to float bonds and other instruments of indebtedness
42 shall be published in a newspaper of general circulation in the City.
43 Once approved, the contract covering the floating of bonds or other
44 instruments of indebtedness shall be furnished to any city resident
45 requesting a copy thereof upon payment of reasonable fees;
46

- 1 (v) Appropriate funds for the construction and maintenance or the rental
2 of buildings for the use of the City and, upon the majority vote of all
3 the members of the sangguniang panlungsod, authorize the city
4 mayor to lease to private parties such public buildings held in a
5 proprietary capacity, subject to existing laws, rules and regulations;
6
- 7 (vi) Prescribe reasonable limits and restraints on the use of property
8 within the jurisdiction of the City; to undertake and carry out the
9 reclamation of submerged land from the sea adjoining the city limits
10 at the expense of the city, the area thus reclaimed to belong
11 exclusively to the city, or to cause to be undertaken by private
12 contractors such reclamation work on terms and conditions
13 approved by the City Council and the City Mayor;
14
- 15 (vii) Adopt a comprehensive land-use plan for the City and that the
16 formulation, adoption or modification of said plan shall be in
17 coordination within the approved provincial comprehensive land-
18 use plan;
19
- 20 (viii) Reclassify lands within the jurisdiction of the City, subject to the
21 pertinent provisions of the Local Government Code;
22
- 23 (ix) Enact integrated zoning ordinances in consonance with the approved
24 comprehensive land-use plan, subject to existing laws, rules and
25 regulations; establish fire limits or zones, particularly in populous
26 centers; and regulate the construction, repair or modification of
27 buildings within said fire limits or zones in accordance with the
28 provisions of the Fire Code of the Philippines;
29
- 30 (x) Subject to national law, process and approve subdivision plans for
31 residential, commercial or industrial purposes and other
32 development purposes, and to collect processing fees and other
33 charges, the proceeds of which shall accrue entirely to the City:
34 Provided, however, That where approval of a national-agency or
35 office is required, said approval shall not be withheld for more than
36 thirty (30) days from receipt of the application. Failure to act on the
37 application within the period stated above shall be deemed as
38 approval thereof;
39
- 40 (xi) With the concurrence of at least two-thirds (2/3) of all the members
41 of the sangguniang panlungsod, grant tax exemptions, incentives or
42 reliefs to entities engaged in community growth-inducing industries,
43 subject to the provisions of the Local Government Code;
44
- 45 (xii) Grant loans or provide grants to other local government units or to
46 national, provincial and city charitable, benevolent or educational

institutions: Provided. That said institutions are operated and maintained within the City;

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

(xiv) Regulate the inspection, weighing and measuring of articles of commerce.

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

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

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

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

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

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

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

(vii) Upon approval by a majority vote of all the members of the sangguniang panlungsod, grant a franchise to any person, partnership, corporation or cooperative to do business within the City; establish, construct, operate and maintain ferries, wharves,

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

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

- (i) Declare, prevent or abate any nuisance;
- (ii) With the concurrence of a majority of the members of the sangguniang panlungsod, a quorum being present, deny the entry of legalized gambling by ordinance into any part of the City or regulate its location in the City;
- (iii) Require that buildings and the premises thereof and any land within the City be kept and maintained in a sanitary condition; impose penalties for any violation thereof; or, upon failure to comply with said requirement, have the work done at the expense of the owner, administrator or tenant concerned; or require the filling up of any lands or premises to a grade necessary for proper sanitation;
- (iv) Regulate the disposal of clinical and other wastes from hospitals, clinics and other similar establishments;
- (v) Regulate the establishment, operation and maintenance of cafes, restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses and other similar establishments, including tourist guides and transports;
- (vi) Regulate the sale, giving away or dispensing of any intoxicating malt, vino, mixed or fermented liquors at any retail outlets;
- (vii) Regulate the establishment and provide for the inspection of steam boilers or any heating device in buildings and the storage of inflammable and highly combustible materials within the City;
- (viii) Regulate the establishment, operation and maintenance of any entertainment or amusement facilities, including the theatrical performances, circuses, billiard-pools, public dancing schools; public dance halls, sauna baths, massage parlors and other places for entertainment or amusement; regulate such other events or activities for amusement or entertainment, particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibit certain forms of

1 amusement or entertainment in order to protect the social and moral
2 welfare of the community;

3
4 (ix) Provide for the impounding of stray animals; regulate the keeping
5 of animals in homes or as part of a business, and the slaughter, sale
6 or disposition of the same; and adopt measures to prevent and
7 penalize cruelty to animals; and

8
9 (x) Regulate the establishment, operation and maintenance of funeral
10 parlors and the burial or cremation of the dead, subject to existing
11 laws, rules and regulations.

12
13 (5) Approve ordinances which shall ensure the efficient and effective delivery
14 of the basic services and facilities as provided for under the Local
15 Government Code of 1991 and, in addition to said services and facilities,
16 shall:

17
18 (i) Provide for the establishment, maintenance, protection and
19 conservation of tree parks and greenbelts;

20
21 (ii) Establish markets, slaughterhouses or animal corrals and authorize
22 the operation thereof by the city government; and regulate the
23 construction and operation of private markets, talipapas or other
24 similar buildings and structures;

25
26 (iii) Authorize the establishment, maintenance and operation by the city
27 government of ferries, wharves, and/or other structures intended to
28 accelerate productivity related to marine life in the preservation
29 thereof;

30
31 (iv) Regulate the preparation and sale of meat, poultry, fish, vegetables,
32 fruits, fresh dairy products and other foodstuffs for public
33 consumption;

34
35 (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges,
36 parks and other public places and approve the construction,
37 improvement, repair and maintenance of the same; establish bus and
38 vehicle stops and terminals or regulate the use of the same by
39 privately-owned vehicles which serve the public; regulate garages
40 and operation of conveyances for hire; designate stands to be
41 occupied by public vehicles when not in use; regulate the putting up
42 of signs, signposts, awnings and awning posts on the streets; and
43 provide for the lighting, cleaning and sprinkling of streets and public
44 places;

45

- (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 quantity of the water supply of the City and, for this purpose, extend the coverage of appropriate ordinances over all territory within the drainage area of said water supply and within one hundred 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 therefor;
- (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 the 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 DepEd, the Commission on Higher Education (CHED) or the Technical Education and Skills Development Authority (TESDA) and subject to existing laws on tuition fees, fix and collect reasonable tuition fees and other school charges in educational institutions supported by the city government;
- (xi) Establish a scholarship fund for the poor but deserving students in schools located within its jurisdiction or for students residing within the City;

- (xii) Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;
- (xiii) Provide for an efficient and effective system of solid waste and garbage collection and disposal and prohibit littering and the placing or throwing of garbage, refuse and other filth and wastes;
- (xiv) Provide for the care of persons with disabilities (PWD), paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and other youth below eighteen (18) years of age, and subject to the availability of funds, establish and provide for the operation of centers and facilities for the said needy and disadvantaged persons;
- (xv) Establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program and appropriate funds for the subsistence of detainees and convicted prisoners in the City;
- (xvi) Establish a city council whose purpose is the promotion of culture and the arts, coordinate with government agencies and nongovernmental organizations and, subject to the availability of funds, appropriate funds for the support and development of the same; and
- (xvii) Establish a city council for the elderly and senior citizens which shall formulate policies and adopt measures mutually beneficial to the elderly and to the community; provide incentives for nongovernmental agencies and entities and, subject to the availability of funds, appropriate funds to support programs and projects for the benefit of the elderly.
- (6) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, and those that are prescribed by law or ordinance.

ARTICLE V

PROCESS OF LEGISLATION

Section 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 elections 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 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 year for any crime involving moral turpitude shall be automatically expelled from the sanggunian; and
- (6) Such other rules as the sanggunian may adopt.

Section 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 his business and financial interests. He shall also disclose any business, financial, professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which he may have with any person, firm or entity affected by any ordinance or resolution under consideration by the sanggunian of which he is 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.

1 In the absence of a specific constitutional or statutory provision applicable to this
2 situation, "conflict of interest" refers in general to one where it may be reasonably
3 deduced that a member of a sanggunian may not act in the public interest due to
4 some private, pecuniary or other personal considerations that may tend to affect his
5 judgment to the prejudice of the service or the public.
6

7 (b) The disclosure required under this Act shall be made in writing and submitted to
8 the secretary of the sanggunian or the secretary of the committee of which he is a
9 member. The disclosure shall, in all cases, form part of the record of the
10 proceedings and shall be made in the following manner:
11

12 (1) Disclosure shall be made before the member participates in the deliberations
13 on the ordinance or resolution under consideration: Provided, That if the
14 member did not participate during the deliberations, the disclosure shall be
15 made before voting on the ordinance or resolution on second and third
16 readings; and
17

18 (2) Disclosure shall be made when a member takes a position or makes a
19 privilege speech on a matter that may affect the business interest, financial
20 connection or professional relationship described herein.
21

22 Section 14. Sessions. - 23

24 (a) On the first day of the session immediately following the election of its members,
25 the sangguniang panlungsod shall, by resolution, fix the day, time and place of its
26 sessions. The minimum number of regular sessions shall be once a week for the
27 sangguniang panlungsod.
28

29 (b) When the public interest so demands, special sessions may be called by the city
30 mayor or by a majority of the members of the sanggunian.
31

32 (c) All sanggunian sessions shall be open to the public unless a closed-door session is
33 ordered by an affirmative vote of a majority of the members present, there being a
34 quorum, in the public interest or for reasons of security, decency or morality. No
35 two sessions, regular or special, may be held in a single day.
36

37 (d) In the case of special sessions of the sanggunian, a written notice to the members
38 shall be served personally at the members' usual place of residence at least twenty-
39 four (24) hours before the special session is held. Unless concurred in by two-thirds
40 (2/3) vote of the sanggunian members present, there being a quorum, no other
41 matters may be considered at a special session except those stated in the notice.
42

43 (e) The sangguniang panlungsod shall keep a journal and record of its proceedings,
44 which may be published upon resolution of the majority of its members.
45

46 Section 15. Quorum. -

- 1
- 2 (a) A majority of all the members of the sanggunian who have been elected and
- 3 qualified shall constitute a quorum to transact official business. Should a question
- 4 of quorum be raised during a session, the presiding officer shall immediately
- 5 proceed to call the roll of the members and thereafter announce the results.
- 6
- 7 (b) Where there is no quorum, the presiding officer may declare a recess until such
- 8 time a quorum is constituted, or a majority of the members present may adjourn
- 9 from day to day and may compel the immediate attendance of any member absent
- 10 without justifiable cause by designating a member of the sanggunian, to be assisted
- 11 by a member or members of the police force assigned in the territorial jurisdiction
- 12 of the City of Liloan, to arrest the absent member and present him at the session.
- 13
- 14 (c) If there is still no quorum despite the enforcement of the immediately preceding
- 15 subsection, no business shall be transacted. The presiding officer, upon proper
- 16 motion duly approved by the members present, shall then declare the session
- 17 adjourned for lack of quorum.
- 18

19 Section 16. Approval of Ordinances. -

20

- 21 (a) Every ordinance enacted by the sangguniang panlungsod shall be presented to the
- 22 city mayor if the city mayor approves the same, he shall affix his signature on each
- 23 and every page thereof; otherwise, he shall veto it and return the same with his
- 24 objections to the sanggunian, which may proceed to reconsider the same. The
- 25 sanggunian may override the veto of the city mayor by two-thirds (2/3) vote of all
- 26 its members, thereby making the ordinance or resolution effective for all legal
- 27 intents and purposes.
- 28
- 29 (b) The veto shall be communicated by the city mayor to the sanggunian within ten
- 30 (10) days; otherwise, the ordinance shall be deemed approved as if he had signed
- 31 it.
- 32

33 Section 17. Veto Power of the City Mayor. -

34

- 35 (a) The city mayor may veto any ordinance of the sangguniang panlungsod on the
- 36 ground that it is ultra vires or prejudicial to the public welfare, stating his reasons
- 37 thereof in writing.
- 38
- 39 (b) The city mayor shall have the power to veto any particular item or items of an
- 40 appropriations ordinance, an ordinance or resolution adopting a local development
- 41 plan, any public investment program or an ordinance directing the payment of
- 42 money or creating liability. In such case, the veto shall not affect the item or items
- 43 which are not objected to. The vetoed item or items shall not take effect unless the
- 44 sangguniang panlungsod overrides the veto in the manner herein provided;
- 45 otherwise, the item or items in the appropriations ordinance of the previous year
- 46 corresponding to those vetoed, if any, shall be deemed enacted.

- 1
2 (c) The city mayor may veto an ordinance or resolution only once. The sanggunian
3 may override the veto of the city mayor by two-thirds (2/3) vote of all its members,
4 thereby making the ordinance effective even without the approval of the city mayor.
5

6 Section 18. Review of City Ordinances by the Sangguniang Panlalawigan. -
7

- 8 (a) Within three (3) days after approval the secretary to the sangguniang panlungsod
9 shall forward to the sangguniang panlalawigan for review, copies of approved
10 ordinances and the resolutions approving the local development plans and public
11 investment programs formulated by the local development councils.
12
13 (b) Within thirty (30) days after receipt of copies of such ordinances and resolutions,
14 the sangguniang panlalawigan shall examine the documents or transmit them to the
15 provincial attorney or the provincial prosecutor for prompt examination. The
16 provincial attorney or the provincial prosecutor shall, within a period of ten (10)
17 days from the receipt of the documents, inform the sangguniang panlalawigan in
18 writing of his comments or recommendations, which may be considered by the
19 sangguniang panlalawigan in making its decision.
20
21 (c) If the sangguniang panlalawigan finds that such an ordinance or resolution is
22 beyond the power conferred upon the sangguniang panlungsod concerned, it shall
23 declare such ordinance or resolution invalid in whole or in part. The sangguniang
24 panlalawigan shall enter its action in the minutes and shall advise the corresponding
25 city authorities of the action it has taken.
26
27 (d) If no action has been taken by the sangguniang panlalawigan within thirty (30) days
28 after submission of such an ordinance or resolution, the same shall be presumed
29 consistent with law and therefore valid.
30

31 Section 19. Review of Barangay Ordinances by the Sangguniang Panlungsod. -
32

- 33 (a) Within ten (10) days after its enactment the sangguniang barangay shall furnish
34 copies of all barangay ordinances to the sangguniang panlungsod for review as to
35 whether the ordinance is consistent with law and city ordinances.
36
37 (b) If the sangguniang panlungsod fails to take action on barangay ordinances within
38 thirty (30) days from receipt thereof, the same shall be deemed approved.
39
40 (c) If the sangguniang panlungsod finds the barangay ordinances inconsistent with law
41 or city ordinances, the sangguniang panlungsod shall, within thirty (30) days from
42 receipt thereof, return the same with its comments and recommendations to the
43 sangguniang barangay concerned for adjustment, amendment or modification; in
44 which case, the effectivity of the barangay ordinance is suspended until such time
45 as the revision called for is effected.
46

Section 20. Enforcement of Disapproved Ordinances or Resolutions. - Any attempt to enforce any ordinance or any resolution approving the local development plan and the public investment program after the disapproval thereof shall be sufficient ground for the suspension or dismissal of the official or employee concerned.

Section 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 Liloan, and in at least two other conspicuous places in the City of Liloan not later than five days after approval thereof.
- (b) The secretary to the sangguniang panlungsod shall cause the posting of an ordinance or resolution in the bulletin board at the entrance of the city hall and in at least two conspicuous places not later than five days after approval thereof. The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and in the dialect or native language used by the majority of the city residents 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 resolution duly enacted or adopted shall, in addition to being posted, be published once in a local newspaper of general circulation within the City: Provided, That in the absence thereof, the ordinance or resolution shall be published in any newspaper of general circulation: Provided, further, That the gist of all ordinances with penal sanctions shall also be published in a newspaper of general circulation.

ARTICLE VI

SUCCESSION FOR ELECTIVE CITY OFFICIALS

Section 22. Permanent Vacancy in the Offices of the City Mayor and the City Vice Mayor.

- (a) If a permanent vacancy occurs in the office of the city mayor, the city vice mayor shall become the city mayor. If a permanent vacancy occurs in the office of the city vice mayor, the highest ranking sangguniang panlungsod member or, in case of his permanent incapacity, the second highest ranking sangguniang panlungsod member shall become the city vice mayor. If permanent vacancies occur in both the offices of the city mayor and the city vice mayor, the first and second highest ranking sangguniang panlungsod members, or in case of permanent incapacity of one or both of them, the next highest ranking sangguniang panlungsod member or members, shall become the city mayor and the city vice mayor, respectively. Subsequent vacancies in the said offices shall be filled in automatically by the other sanggunian members according to their ranking as defined herein.

1 (b) A tie between or among the highest ranking sangguniang panlungsod members
2 shall be resolved by drawing of lots.
3

4 (c) The successors as defined herein shall serve only the unexpired terms of their
5 predecessors.
6

7 (d) For purposes of this Act, a permanent vacancy arises when an elective local official
8 fills a higher vacant office, refuses to assume office, fails to qualify, dies, is
9 removed from office, voluntarily resigns or is otherwise permanently incapacitated
10 to discharge the functions of his office.
11

12 (e) For purposes of succession as provided in this Act, ranking in the sanggunian shall
13 be determined on the basis of the proportion of votes obtained by each winning
14 candidate to the total number of registered voters in the City immediately preceding
15 local election.
16

17 Section 23. Permanent Vacancies in the Sangguniang Panlungsod.- Permanent vacancies
18 in the sangguniang panlungsod where automatic succession as provided above does not apply shall
19 be filled by appointments in the following manner:
20

21 (a) The governor shall make the aforesaid appointments;
22

23 (b) Only the nominee of the political party under which the sanggunian member
24 concerned had been elected shall be appointed in the manner herein provided. The
25 appointee shall come from the political party as that of the sanggunian member who
26 caused the vacancy and shall serve the unexpired term of the vacant office. In the
27 appointment herein mentioned, a nomination and a certificate of membership of the
28 appointee from the highest official of the political party concerned are conditions
29 sine qua non, and any appointment without such nomination and certification shall
30 be null and void ab initio and shall be a ground for administrative action against the
31 official responsible therefor;
32

33 (c) In case the permanent vacancy is caused by a sanggunian member who does not
34 belong to any political party, the city mayor shall, upon the recommendation of the
35 sangguniang panlungsod, appoint a qualified person to fill the vacancy; and
36

37 (d) In case of vacancy in the representation of the youth and the barangay in the
38 sangguniang panlungsod, said vacancy shall be filled automatically by the official
39 next-in-rank of the organization concerned.
40

41 Section 24. Temporary Vacancy in the Office of the City Mayor. -
42

43 (a) When the city mayor is temporarily incapacitated to perform his duties for physical
44 or legal reasons such as, but not limited to, leave of absence, travel abroad and
45 suspension from office, the city vice mayor or the highest ranking sangguniang
46 panlungsod member shall automatically exercise the powers and perform the duties

1 and functions of the city mayor, except the power to appoint, suspend or dismiss
2 employees which can only be exercised if the period of temporary incapacity
3 exceeds thirty (30) working days.
4

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

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

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

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

28 **ARTICLE VII**

29 **THE APPOINTIVE OFFICIALS OF THE CITY**

30

31 Section 25. The Secretary to the Sangguniang Panlungsod. -
32

33 (a) There shall be a secretary to the sangguniang panlungsod who shall be a career
34 official with the rank and salary equal to a head of a department or office.
35

36 (b) No person shall be appointed secretary to the sangguniang panlungsod unless he is
37 a citizen of the Philippines, a resident of the City of Liloan, of good moral character,
38 a holder of a college degree preferably in law, commerce or public administration
39 from a recognized college or university, and a first grade civil service eligible or its
40 equivalent.
41

42 (c) The secretary to the sangguniang panlungsod shall take charge of the office of the
43 sangguniang panlungsod, and shall:
44

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

- (2) Keep the seal of the City and affix the same with his signature to all ordinances, resolutions and other official acts of the sangguniang panlungsod and present the same to the presiding officer for his signature;
- (3) Forward to the city mayor, for approval, copies of ordinances enacted by the sangguniang panlungsod and duly certified by the presiding officer;
- (4) Forward to the Department of Budget and Management (DBM) copies of the appropriation ordinances passed by the sangguniang panlungsod as provided for under Section 326, Book II of the Local Government Code;
- (5) Forward to the sangguniang panlalawigan copies of duly approved ordinances in the manner provided in Sections 56 and 57 under Book I 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 nonconfidential 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 for under the Local Government Code;
- (10) Take custody of the local archives, and where applicable, the local library and annually account for the same; and
- (11) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code, and those that are prescribed by law or ordinance.

Section 26. The City Treasurer. -

- (a) The city treasurer shall be appointed by the Secretary of Finance from a list of at least three 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 mayor,
2 to whom he shall report regularly on the tax collection efforts of the City.
3
- 4 (c) No person shall be appointed city treasurer unless he is a citizen of the Philippines,
5 a resident of the City of Liloan, of good moral character, a holder of a college degree
6 preferably in commerce, public administration or law from a recognized college or
7 university, and a first grade civil service eligible or its equivalent. He must have
8 acquired experience in treasury or accounting service for at least five (5) years.
9
- 10 (d) The city treasurer shall receive such compensation, emoluments and allowances as
11 may be determined by law.
12
- 13 (e) The city treasurer shall take charge of the city finance department, and shall:
14
- 15 (1) Advise the city mayor, the sangguniang panlungsod and other local
16 government and national concerned regarding disposition of local
17 government funds and on such other matters relative to public finance;
18
- 19 (2) Take custody and exercise proper management of the funds of the City;
20
- 21 (3) Take charge of the disbursement of all funds of the City and such other
22 funds, the custody of which may be entrusted to him by law or other
23 competent authority;
24
- 25 (4) Inspect private commercial and industrial establishments within the
26 jurisdiction of the City in relation to the implementation of tax ordinances,
27 pursuant to the provisions of the Local Government Code;
28
- 29 (5) Maintain and update the tax information system of the City; and
30
- 31 (6) Perform such other duties and functions and exercise such other powers as
32 provided for under Republic Act No. 7160, otherwise known as the Local
33 Government Code of 1991, and those that are prescribed by law or
34 ordinance.
35

36 Section 27. The Assistant City Treasurer. -
37

- 38 (a) The assistant city treasurer shall be appointed by the Secretary of Finance from a
39 list of at least three ranking eligible recommendees of the city mayor, subject to
40 civil service law, rules and regulations.
41
- 42 (b) No person shall be appointed assistant city treasurer unless he is a citizen of the
43 Philippines, a resident of the City of Liloan, of good moral character, a holder of a
44 college degree preferably in commerce, public administration or law from a
45 recognized college or university, and a first grade civil service eligible or its

equivalent, He must have acquired at least five years experience in treasury or accounting.

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

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

Section 28. The City Assessor. -

(a) The city assessor must be a citizen of the Philippines, a resident of the City of Liloan, 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 years immediately preceding the date of his appointment.

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

(c) The city assessor shall take charge of the city assessment department, and shall:

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

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

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

(4) Install and maintain a real property identification and accounting systems;

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

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

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

- 1
- 2 (8) Prepare a schedule of the fair market value of the different classes of real
- 3 properties in accordance with the provisions of the Local Government
- 4 Code;
- 5
- 6 (9) Issue, upon request of any interested party, certified copies of assessment
- 7 records of real properties and all other records relative to its assessment,
- 8 upon payment of a service charge or fee to the city treasurer;
- 9
- 10 (10) Submit every semester a report of all assessments, as well as cancellations
- 11 and modifications of assessments to the city mayor and the sangguniang
- 12 panlungsod; and
- 13
- 14 (11) Perform such other duties and functions and exercise such other powers as
- 15 provided for under Republic Act No. 7160, otherwise known as the Local
- 16 Government Code of 1991, and those that are prescribed by law or
- 17 ordinance.
- 18

19 Section 29. The Assistant City Assessor. -

20

- 21 (a) The assistant city assessor must be a citizen of the Philippines, a resident of the City
- 22 of Liloan, of good moral character, a holder of a college degree preferably in civil
- 23 or mechanical engineering, commerce or any related course from a recognized
- 24 college or university, and a first grade civil service eligible or its equivalent. He
- 25 must have acquired experience in assessment or in any related field for at least three
- 26 years immediately preceding the date of his appointment.
- 27
- 28 (b) The assistant city assessor shall receive such compensation, emoluments and
- 29 allowances as may be determined by law.
- 30
- 31 (c) The assistant city assessor shall assist the city assessor and perform such other
- 32 duties as the latter may assign to him. He shall have the authority to administer
- 33 oaths and all declarations of all real property for purposes of assessment.
- 34

35 Section 30. The City Accountant. -

36

- 37 (a) The city accountant must be a citizen of the Philippines, a resident of the City of
- 38 Liloan, of good moral character and a certified public accountant. He must have
- 39 acquired experience in the treasury or accounting service for at least five years
- 40 immediately preceding the date of his appointment.
- 41
- 42 (b) The city accountant shall receive such compensation, emoluments and allowances
- 43 as may be determined by law.
- 44
- 45 (c) The city accountant shall take charge of both the office of the accounting and
- 46 internal audit services, and shall:

- (1) Install and maintain an internal audit system in the City;
- (2) Prepare and submit financial statements to the city mayor and to the sangguniang panlungsod;
- (3) Apprise the sangguniang panlungsod and other officials on the financial condition and operations of the City;
- (4) Certify to the availability of budgetary allotment to which expenditures and obligations may be properly charged;
- (5) Review supporting documents before the preparation of vouchers to determine the completeness of requirements;
- (6) Prepare statements of cash advances, liquidations, salaries, allowances, reimbursements and remittances pertaining to the City;
- (7) Prepare statements of journal vouchers and liquidations of the same and other adjustments related thereto;
- (8) Post individual disbursements to the subsidiary ledger and index cards;
- (9) Maintain individual ledgers for officials and employees of the City pertaining to payrolls and deductions;
- (10) Record and post in index cards details of purchased furniture, fixtures and equipment, including disposal thereof, if any;
- (11) Account for all issued requests for obligations and maintain and keep all records and reports related thereto;
- (12) Prepare journals and the analysis of obligations and maintain and keep all records and reports related thereto; and
- (13) Perform such other duties and functions and exercise such other powers as provided for under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and those that are prescribed by law or ordinance.

Section 31. The City Budget Officer. -

- (a) The city budget officer must be a citizen of the Philippines, a resident of the City of Liloan, of good moral character, a holder of a college degree preferably in accounting, economics, public administration or any related course from a recognized college or university, and a first grade civil service eligible or its

1 equivalent. He must have acquired experience in government budgeting or in any
2 related field for at least five years immediately preceding the date of his
3 appointment.
4

5 (b) The city budget officer shall take charge of the city budget department, and shall:
6

- 7 (1) Prepare forms, orders and circulars embodying instructions on budgetary
8 and appropriation matters for the signature of the city mayor;
9
- 10 (2) Review and consolidate the budget proposals of different departments and
11 offices of the City;
12
- 13 (3) Assist the city mayor in the preparation of the budget and during budget
14 hearings;
15
- 16 (4) Study and evaluate budgetary Implications of proposed legislation and
17 submit comments and recommendations thereon;
18
- 19 (5) Submit periodic budgetary reports to the Department of Budget and
20 Management (DBM);
21
- 22 (6) Coordinate with the city treasurer, the city accountant and the city planning
23 development officer for the purpose of budgeting;
24
- 25 (7) Assist the sangguniang panlungsod In reviewing the approved budgets of
26 component barangays;
27
- 28 (8) Coordinate with the city planning development officer In the formulation of
29 the development plan of the City; and
30
- 31 (9) Perform such other duties and functions and exercise such other powers as
32 provided for under Republic Act No. 7160, otherwise known as the Local
33 Government Code of 1991, and those that are prescribed by law or
34 ordinance.
35

36 Section 32. The City Planning and Development Officer. -
37

- 38 (a) The city planning and development officer must be a citizen of the Philippines, a
39 resident of the City of Liloan, of good moral character, a holder of a college degree
40 preferably In urban planning, development studies, economics, public
41 administration or any related course from a recognized college or university, and a
42 first grade civil service eligible or its equivalent. He must have acquired experience
43 in development planning or in any related field for at least five (5) years.
44
- 45 (b) The city planning and development officer shall receive such compensation,
46 emoluments and allowances as may be determined by law.

1
2 (c) The city planning development officer shall take charge of the city planning and
3 development coordinating office, and shall:

4
5 (1) Formulate integrated economic, social, physical and other development
6 plans and policies for consideration of the City;

7
8 (2) Conduct continuing studies, researches and training programs necessary to
9 evolve plans and programs for Implementation;

10
11 (3) Integrate and coordinate all sectoral plans and studies undertaken by the
12 different functional groups or agencies;

13
14 (4) Monitor and evaluate the implementation of the different development
15 programs, projects and activities in the City in accordance with the
16 approved development, plan;

17
18 (5) Prepare comprehensive plans and other development planning documents
19 for the consideration of the local development council;

20
21 (6) Analyze the Income and expenditure patterns and formulate and
22 recommend fiscal plans and policies for consideration of the finance
23 committee of the sangguniang panlungsod;

24
25 (7) Promote people's participation in development planning within the City;

26
27 (8) Exercise supervision and control over the secretariat of the local
28 development council; and

29
30 (9) Perform such other duties and functions and exercise such other powers as
31 provided for under Republic Act No. 7160, otherwise known as the Local
32 Government Code of 1991, and those that are prescribed by law or
33 ordinance.

34
35 Section 33. The City Engineer. -

36
37 (a) The city engineer must be a citizen of the Philippines, a resident of the City of
38 Liloan, of good moral character and a licensed civil engineer. He must have
39 acquired experience in the practice of his profession for at least five years
40 immediately preceding the date of his appointment.

41
42 (b) The city engineer shall receive such compensation, emoluments and allowances as
43 may be determined by law.

44
45 (c) The city engineer shall take charge of the city engineering office, and shall:
46

- (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;
- (4) Provide engineering services to the City, including investigation and survey, engineering designs, feasibility studies and project management; and
- (5) Perform such other duties and functions and exercise such other powers as provided for under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and those that are prescribed by law or ordinance.

Section 34. The City Health Officer. -

- (a) The city health officer must be a citizen of the Philippines, a resident of the City of Liloan, of good moral character, and a licensed medical practitioner. He must have acquired experience in the practice of his profession for at least five years immediately preceding the date of his appointment.
- (b) The city health officer shall receive such compensation, emoluments and allowances as may be determined by law.
- (c) The city health officer shall take charge of the office of the city health services, and shall:
 - (1) Supervise the personnel and staff of 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 health service programs geared to implement 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 or provided for under Section 17 of the Local Government Code of 1991;

- 1 (3) Develop plans and strategies and, upon approval thereof by the city mayor,
2 implement the same, particularly those which have to do with health
3 programs and projects which the city mayor is empowered to implement
4 and which the sangguniang panlungsod is empowered to provide for under
5 the Local Government Code of 1991;
6
- 7 (4) In addition to the foregoing duties and functions, the city health officer
8 shall:
9
- 10 (i) Formulate and implement policies, plans and projects to promote the
11 health of the people in the City;
12
- 13 (ii) Advise the city mayor and the sangguniang panlungsod on matters
14 pertaining to health;
15
- 16 (iii) Execute and enforce all laws, ordinances and regulations relating to
17 public health;
18
- 19 (iv) Recommend to the sangguniang panlungsod through the local health
20 board the passage of such ordinances as he may deem necessary for
21 the preservation of public health;
22
- 23 (v) Recommend the prosecution of any violation of sanitary laws,
24 ordinances or regulations;
25
- 26 (vi) Direct the sanitary inspection of all business establishments selling
27 food items or providing accommodation such as hotels, motels,
28 lodging houses, pension houses and the like, in accordance with the
29 Sanitation Code;
30
- 31 (vii) Conduct health information campaigns and render health
32 intelligence services;
33
- 34 (viii) Coordinate with other government agencies and nongovernmental
35 organizations involved in the promotion and delivery of health
36 services; and
37
- 38 (ix) Be in the frontline of the delivery of health services, particularly
39 during and In the aftermath of man-made and natural disasters and
40 calamities; and
41
- 42 (5) Perform such other duties and functions and exercise such other powers as
43 provided for under Republic Act No. 7160, otherwise known as the Local
44 Government Code of 1991, and those that are prescribed by law or
45 ordinance.
46

1 Section 35. The City Civil Registrar. -
2

- 3 (a) The city civil registrar must be a citizen of the Philippines, a resident of the City of
4 Liloan, of good moral character, a holder of a college degree from a recognized
5 college or university, and a first grade civil service eligible or its equivalent. He
6 must have acquired experience in civil registry work for at least five years
7 immediately preceding the date of his appointment.
8
- 9 (b) The city civil registrar shall receive such compensation, emoluments and
10 allowances as may be determined by law.
11
- 12 (c) The city civil registrar shall be responsible for the civil registration program in the
13 City of Liloan pursuant to the Civil Registry Law, the Civil Code and other
14 pertinent laws, rules and regulations issued to implement them.
15
- 16 (d) The city civil registrar shall take charge of the office of the city civil registry, and
17 shall:
18
- 19 (1) Develop plans and strategies and, upon approval thereof by the city mayor,
20 implement the same, particularly those which have to do with the
21 management and administration-related programs and projects which the
22 city mayor is empowered to implement and which the sangguniang
23 panlungsod is empowered to provide for under the Local Government Code;
24
- 25 (2) In addition to the foregoing duties and functions, the city civil registrar
26 shall:
27
- 28 (i) Accept all registrable documents and judicial decrees affecting the
29 civil status of persons;
30
- 31 (ii) File, keep and preserve in a secure place the books required by law;
32
- 33 (iii) Transcribe and enter immediately upon receipt all registrable
34 documents and judicial decrees affecting the civil status of persons
35 in the appropriate civil registry books;
36
- 37 (iv) Transmit to the Office of the Civil Registrar-General, within the
38 prescribed period, duplicate copies of registered documents required
39 by law;
40
- 41 (v) Issue certified transcripts or copies of any certificate or registered
42 document upon payment of the required fees to the treasurer;
43
- 44 (vi) Receive applications for the issuance of a marriage license and, after
45 determining that the requirements and supporting certificates and
46 publication thereof for the prescribed period have been complied

1 with, issue the license upon payment of the authorized fee to the
2 treasurer; and
3

4 (vii) Coordinate with the National Statistics Office In conducting
5 educational campaigns for vital registration and assist in the
6 preparation of demographic and other statistics for the City of
7 Liloan.
8

9 (3) Perform such other duties and functions and exercise such other powers as
10 provided for under the Local Government Code, and those that are
11 prescribed by law or ordinance.
12

13 Section 36. The City Administrator. -
14

15 (a) The city administrator must be a citizen of the Philippines, a resident of the City of
16 Liloan, of good moral character, a holder of a college degree preferably in public
17 administration, law or any other related course from a recognized college or
18 university, and a first grade civil service eligible or its equivalent. He must have
19 acquired experience in management and administrative work for at least five years
20 immediately preceding the date of his appointment.
21

22 (b) The term of the city administrator is coterminous with that of his appointing
23 authority.
24

25 (c) The city administrator shall receive such compensation, emoluments and
26 allowances as may be determined by law.
27

28 (d) The city administrator shall take charge of the city administrator's office, and shall:
29

30 (1) Develop plans and strategies and, upon approval thereof by the city mayor,
31 implement the same, particularly those which have to do with the
32 management and administration-related programs and projects which the
33 city mayor is empowered to implement and which the sangguniang
34 panlungsod is empowered to provide for under the Local Government Code;
35

36 (2) In addition to the foregoing duties and functions, the city administrator
37 shall:
38

39 (i) Assist in the coordination of the work of all the officials of the City
40 under the supervision, direction and control of the city mayor and,
41 for this purpose, he may convene the chiefs of offices and other
42 officials of the City;
43

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

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

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

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

(5) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code, and those that are prescribed by law or ordinance.

Section 37. The Human Resource Management and Development Officer. -

(a) The Human Resource Management and Development Officer must be a citizen of the Philippines, a resident of Liloan, Cebu, of good moral character, a holder of a college degree preferably in psychology, public administration or law, obtained from a recognized college or university, and a first grade civil service eligible or its equivalent. The appointee must have acquired experience in human resource management or organizational development for at least five (5) years.

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

(c) The human resource management and development officer shall take charge of the Human Resources Management and Development Office, and shall perform the following powers and duties:

(1) Formulate, for approval by the city mayor a human resource management and development plan that will enhance personnel management processes with emphasis in the areas of recruitment and selection, career development, performance management, welfare, rewards and incentives for service excellence;

(2) Institutionalize a central record of personnel documents such as appointments, personal data sheets, service records, statement of assets and liabilities, leave credits, and other personnel records;

(3) Conduct continuing human resource development programs, and other capacity building interventions to enhance the competency of officials and employees;

- (4) Monitor and evaluate the implementation of performance management systems in accordance with the civil service rules and regulations;
- (5) Advise the city mayor and the sanggunian on matters pertaining to the civil service rules and regulations on appointments and leave benefits of employees;
- (6) Ensure that the Civil Service Law; and its implementing rules and regulations on personnel matters are properly executed;
- (7) Establish linkages / partnerships with human resource organizations and other local government units; and
- (8) Exercise such other powers and duties as may be prescribed by law or ordinance.

Section 38. The City Legal Officer. -

- (a) The city legal officer must be a citizen of the Philippines, a resident of the City of Liloan, of good moral character and a member of the Philippine Bar. He must have practiced his profession for at least five years immediately preceding the date of his appointment. The term of the city legal officer shall be coterminous with that of the appointing authority.
- (b) The city legal officer shall receive such compensation, emoluments and allowances as may be determined by law.
- (c) The city legal officer, the chief legal counsel of the City, shall take charge of the office of the city legal service, and shall:
 - (1) Formulate measures for the consideration of the sangguniang panlungsod and provide legal assistance and support to the city mayor in carrying out the delivery of basic services and the provision of adequate 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 programs and projects related to legal services which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide;
 - (3) In addition to the foregoing duties and functions, the city legal officer shall:
 - (i) Represent the City of Liloan in all civil actions and special proceedings wherein the City or any of its official, in his official capacity, is a party: Provided, That in actions or proceedings where the City is a party adverse to the provincial government or to another

1 component city or municipality, a special legal officer may be
2 employed to represent the adverse party;

3
4 (ii) When required by the city mayor or sangguniang panlungsod, draft
5 ordinances, contracts, bonds, leases and other instruments involving
6 any interest of the City and provide comments and
7 recommendations on any instrument already drawn;

8
9 (iii) Render his opinion in writing on any question of law when requested
10 to do so by the city mayor or sangguniang panlungsod;

11
12 (iv) Investigate or cause to be investigated any city official or employee
13 for administrative neglect or misconduct in office, and recommend
14 appropriate action to the city mayor or sangguniang panlungsod, as
15 the case may be;

16
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 sangguniang panlungsod, as the case may be;

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

27
28 (vii) Review and submit recommendations on ordinances approved and
29 executive orders issued by component barangays.

30
31 (4) Recommend measures to the sangguniang panlungsod and advise the city
32 mayor on all matters related to upholding the rule of law;

33
34 (5) Be in the frontline of protecting human rights and prosecuting any violation
35 thereof, particularly those which occur during and in the aftermath of man-
36 made or natural disasters and calamities; and

37
38 (6) Perform such other duties and functions and exercise such other powers as
39 provided for under the Local Government Code, and those that are
40 prescribed by law or ordinance.

41
42 Section 39. The City Social Welfare and Development Officer. -

43
44 (a) The city social welfare and development officer must be a citizen of the Philippines,
45 a resident of the City of Liloan, of good moral character, a duly licensed social
46 worker or a holder of a college degree, preferably in sociology or any other related

1 course from a recognized college or university, and a first grade civil service
2 eligible or Its equivalent. He must have acquired experience In the practice of social
3 work for at least five years immediately preceding the date of his appointment.
4

5 (b) The city social welfare and development officer shall receive such compensation,
6 emoluments and allowances as may be determined by law.
7

8 (c) The city social welfare and development officer shall take charge of the office of
9 the social welfare and development, and shall:
10

11 (1) Formulate measures for the approval of the sangguniang panlungsod and
12 provide technical assistance and support to the city mayor in carrying out
13 measures to ensure the delivery of basic services and the provision of
14 adequate facilities relative to social welfare and development services;
15

16 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
17 implement the same, particularly those which have to do with social welfare
18 programs and projects which the city mayor is empowered to implement
19 and which the sangguniang panlungsod is empowered to provide;
20

21 (3) In addition to the foregoing duties and functions, the city social welfare and
22 development officer shall:
23

24 (i) Identify the basic needs of the needy, the disadvantaged and the
25 impoverished and develop and implement appropriate measures to
26 alleviate their problems and improve their living conditions;
27

28 (ii) Provide relief and appropriate crisis intervention for victims of
29 abuse and exploitation and recommend appropriate measures to
30 deter further abuse and exploitation;
31

32 (iii) Assist the city mayor in implementing the barangay level program
33 for the total development and protection of children up to six years
34 of age;
35

36 (iv) Facilitate the implementation of welfare programs for the
37 differently-abled, elderly, and victims of drug addiction, the
38 rehabilitation of prisoners and parolees, the prevention of juvenile
39 delinquency and such other activities which would eliminate or
40 minimize the ill-effects of poverty;
41

42 (v) Initiate and support youth welfare programs that will enhance the
43 role of the youth in nation-building; and
44

45 (vi) Coordinate with government agencies and nongovernmental
46 organizations which have for their purpose the promotion and

1 protection of all needy, disadvantaged, underprivileged or
2 impoverished groups or individuals, particularly those Identified to
3 be vulnerable and high-risk to exploitation, abuse and neglect.
4

- 5 (4) Be in the frontline of the delivery of services particularly those which have
6 to do with immediate relief and assistance during and in the aftermath of
7 man-made and natural disasters and calamities;
8
9 (5) Recommend to the sangguniang panlungsod and advise the city mayor on
10 all other matters related to social welfare and development services which
11 will improve the livelihood and living conditions of the inhabitants; and
12
13 (6) Perform such other duties and functions and exercise such other powers as
14 provided for under the Local Government Code, and those that are
15 prescribed by law or ordinance.
16

17 Section 40. The City Veterinarian. -
18

- 19 (a) The city veterinarian must be a citizen of the Philippines, a resident of the City of
20 Liloan, of good moral character and a licensed doctor of veterinary medicine. He
21 must have practiced his profession for at least three years immediately preceding
22 the date of his appointment.
23
24 (b) The city veterinarian shall receive such compensation, emoluments and allowances
25 as may be determined by law.
26
27 (c) The city veterinarian shall take charge of the office of veterinary services, and shall:
28
29 (1) Formulate measures for the consideration of the sangguniang panlungsod
30 and provide technical assistance and support to the city mayor in carrying
31 out measures to ensure the delivery of basic services and the provision of
32 adequate facilities;
33
34 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
35 implement the same, particularly those which have to do with veterinary-
36 related activities which the city mayor is empowered to implement and
37 which the sangguniang panlungsod is empowered to provide;
38
39 (3) In addition to the foregoing duties and functions, the city veterinarian shall:
40
41 (i) Advise the city mayor on all matters pertaining to the slaughter of
42 animals for human consumption and the regulation of
43 slaughterhouses;
44
45 (ii) Regulate the keeping of domestic animals;
46

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

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

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

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

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

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

Section 41. The City General Services Officer. -

(a) The city general services officer must be a citizen of the Philippines, a resident of the City of Liloan, of good moral character, a holder of a college degree on public administration, business administration and management from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in general services, including management of supply, property, solid waste disposal and general sanitation for at least five years immediately preceding the date of his appointment.

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

(c) The city general services officer shall take charge of the office on general 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 provision of adequate facilities which require general services expertise and technical support services;

- 1 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
2 implement the same, particularly those which have to do with general
3 services supportive of the welfare of the inhabitants of the City which the
4 city mayor is empowered to implement and which the sangguniang
5 panlungsod is empowered to provide;
6
- 7 (3) In addition to the foregoing duties and functions, the city general services
8 officer shall:
9
- 10 (i) Take custody of and be accountable for all properties, real or
11 personal, owned by the City and those granted to it in the form of
12 donation, reparation, assistance and counterpart of joint projects;
13
- 14 (ii) With the approval of the city mayor, assign building or land space
15 to city officials and other public officials who by law, are entitled to
16 such space;
17
- 18 (iii) Recommend to the city mayor reasonable rental rates for city
19 properties, whether real or personal, which will be leased to public
20 or private entities by the city government;
21
- 22 (iv) Recommend to the city mayor reasonable rental rates of private
23 properties which may be leased for the official use of the city
24 government;
25
- 26 (v) Maintain and supervise janitorial, security, government public
27 buildings and other real property, whether owned or leased by the
28 city government;
29
- 30 (vi) Collate and disseminate information regarding prices, shipping and
31 other costs of supplies and other items commonly used by the city
32 government;
33
- 34 (vii) Perform archival and record management with respect to records of
35 offices and departments of the city government; and
36
- 37 (viii) Perform all other functions pertaining to supply and property
38 management and enforce policies on records creation, maintenance
39 and disposal.
40
- 41 (4) Be in the frontline of general services related activities, such as the possible
42 or imminent destruction or damage to records, supplies, properties and
43 structure materials or debris, particularly during and in the aftermath of
44 man-made and natural disasters and calamities;
45

- 1 (5) Recommend to the sangguniang panlungsod and advise the city mayor on
2 all other matters relative to general services; and
3
4 (6) Perform such other duties and functions and exercise such other powers as
5 provided for under the Local Government Code of 1991, and those that are
6 prescribed by law or ordinance.
7

8 Section 42. The City Environment and Natural Resources Officer. -
9

- 10 (a) The city environment and natural resources officer must be a citizen of the
11 Philippines, a resident of the City of Liloan, of good moral character, a holder of a
12 college degree preferably in environment, forestry, agriculture or any other related
13 course from a recognized college or university, and a first grade civil service
14 eligible or its equivalent. He must have acquired experience in the environment and
15 natural resources management, conservation and utilization work for at least five
16 years immediately preceding the date of his appointment.
17
18 (b) The city environment and natural resources officer shall receive such
19 compensation, emoluments and allowances as may be determined by law.
20
21 (c) The city environment and natural resources officer shall take charge of the
22 environment service department, and shall:
23
24 (1) Formulate measures for the consideration of the sangguniang panlungsod
25 and provide assistance and support to the city mayor in carrying out
26 measures to ensure the delivery of basic services and the provision of
27 adequate facilities relative to environment and natural resources services as
28 provided for under Section 17 of the Local Government Code of 1991;
29
30 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
31 implement the same, particularly those which have to do with the
32 environment and natural resources programs and projects which the city
33 mayor is empowered to implement and which the sangguniang panlungsod
34 is empowered to provide;
35
36 (3) In addition to the foregoing duties and functions, the city environment and
37 natural resources officer shall:
38
39 (i) Establish, maintain, protect and preserve communal forests,
40 watersheds, tree parks, mangroves, greenbelts and similar forest
41 projects and commercial forests, like industrial tree farms and agro-
42 forestry projects;
43
44 (ii) Provide extension services to the beneficiaries of forest
45 development projects and technical, financial, and infrastructure
46 assistance;

- 1
2 (iii) Manage and maintain seed banks and produce seedlings for forests
3 and tree parks;
4
5 (iv) Render assistance for natural resources-related conservation and
6 utilization activities consistent with ecological balance;
7
8 (v) Promote the small-scale mining and utilization of mineral resources
9 particularly mining of gold; and
10
11 (vi) Coordinate with government agencies and nongovernmental
12 organizations in the implementation of measures to prevent and
13 control land, air and water pollution with the assistance of the
14 Department of Environment and Natural Resources (DENR).
15
16 (4) Be in the frontline of the delivery of services concerning the environment
17 and natural resources, particularly in the renewal and rehabilitation of the
18 environment during and in the aftermath of man-made and natural disasters
19 and calamities;
20
21 (5) Recommend measures to the sangguniang panlungsod and advise the city
22 mayor on all matters relative to the protection, conservation, maximum
23 utilization, application of appropriate technology and other matters related
24 to the environment and natural resources; and
25
26 (6) Perform such other duties and functions and exercise such other powers as
27 provided for under the Local Government Code, and those that are
28 prescribed by law or ordinance.
29

30 Section 43. The City Architect. -
31

- 32 (a) The city architect must be a citizen of the Philippines, a resident of the City of
33 Liloan, of good moral character and a duly licensed architect. He must have
34 practiced his profession for at least five years immediately preceding the date of his
35 appointment.
36
37 (b) The city architect shall receive such compensation, emoluments and allowances as
38 may be determined by law.
39
40 (c) The city architect shall take charge of the office on the architectural planning and
41 design, and shall:
42
43 (1) Formulate measures for the consideration of the sangguniang panlungsod
44 and provide technical assistance and support to the city mayor in carrying
45 out measures to ensure the delivery of basic services and the provision of
46 adequate facilities relative to architectural planning and design;

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- (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement the same, particularly those which have to do with architectural planning and design programs and projects which the city mayor is empowered to implement and which the sangguniang panlungsod is empowered to provide for under the Local Government Code of 1991;
 - (3) In addition to the foregoing duties and functions, the city architect shall:
 - (i) Prepare and recommend for consideration of the sangguniang panlungsod the architectural plan and design for the City or a part thereof, including the renewal of slums and blighted areas, land reclamation activities, the greening of land, and appropriate planning of marine and foreshore areas;
 - (ii) Review and recommend for appropriate action of the sangguniang panlungsod or city mayor the architectural plans and design submitted by government and nongovernment entities or individuals, particularly those undeveloped, underdeveloped and poorly-designed areas; and
 - (iii) Coordinate with government and nongovernment entities and individuals involved in the aesthetics and the maximum utilization of land and water within the jurisdiction of the City, compatible with environmental integrity and ecological balance.
 - (4) Be in the frontline of the delivery of services involving architectural planning and design, particularly those related to the redesigning of spatial distribution of basic facilities and physical structures during and in the aftermath of man-made and natural disasters and calamities;
 - (5) Recommend to the sangguniang panlungsod and advise the city mayor on all matters relative to architectural planning and design as it relates to the total socioeconomic development of the City; and
 - (6) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, and those that are prescribed by law or ordinance.

40 Section 44. The City Information Officer. -
41

- 42 (a) The city information officer must be a citizen of the Philippines, a resident of the
43 City of Liloan, of good moral character, a holder of a college degree preferably in
44 journalism, mass communication or any related course from a recognized college
45 or university, and a first grade civil service eligible or its equivalent. He must have
46 experience in writing articles and research papers, or writing for print, television,

1 broadcast and other forms of mass media for at least five years immediately
2 preceding the date of his appointment.

3
4 (b) The city information officer shall receive such compensation, emoluments and
5 allowances as may be determined by law.

6
7 (c) The city information officer shall take charge of the city information and
8 community relations department, and shall:

9
10 (1) Formulate measures for the consideration of the sangguniang panlungsod
11 and provide technical assistance and support to the city mayor in providing
12 the information and research data required for the delivery of basic services
13 and the provision of adequate facilities so that the public becomes aware of
14 said services and may fully avail of the same;

15
16 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
17 implement the same, particularly those which have to do with public
18 information and research data to support programs and projects which the
19 city mayor is empowered to implement and which the sangguniang
20 panlungsod is empowered to provide;

21
22 (3) In addition to the foregoing duties and functions, the city information officer
23 shall:

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

27
28 (ii) Furnish information and data on the City to government agencies or
29 offices as may be required by law or ordinance and
30 nongovernmental organizations to be furnished to said agencies and
31 organizations; and

32
33 (iii) Maintain effective liaison with the various sectors of the community
34 on matters and issues that affect the livelihood and the quality of life
35 of the inhabitants and encourage support for programs of the local
36 and national government;

37
38 (4) Be in the frontline in providing information during and in the aftermath of
39 man-made and natural disasters and calamities, with special attention to the
40 victims thereof, to help minimize injuries and casualties during and after the
41 emergency, and to accelerate relief and rehabilitation;

42
43 (5) Recommend to the sangguniang panlungsod and advise the city mayor on
44 all matters relative to public information and research data as it relates to
45 the total socioeconomic development of the City; and
46

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

5 Section 45. The City Cooperatives Officer. -
6

- 7 (a) The city cooperatives officer must be a citizen of the Philippines, a resident of the
8 City of Liloan, of good moral character, a holder of a college degree preferably in
9 business administration with special training on cooperatives or any related course
10 from a recognized college or university, and a first grade civil service eligible or its
11 equivalent. He must have experience in cooperatives organization and management
12 for at least five years immediately preceding the date of his appointment.
13
- 14 (b) The city cooperatives officer shall receive such compensation, emoluments and
15 allowances as may be determined by law.
16
- 17 (c) The city cooperatives officer shall take charge of the office for the development of
18 cooperatives, and shall:
19
- 20 (1) Formulate measures for consideration of the sangguniang panlungsod and
21 provide technical assistance and support to the city mayor in carrying out
22 measures to ensure the delivery of basic services and the provision of
23 facilities through the development of cooperatives and in providing access
24 to such services and facilities;
25
- 26 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
27 implement the same, particularly those which have to do with the
28 integration of cooperative principles and methods in programs which the
29 city mayor is empowered to Implement and which the sangguniang
30 panlungsod is empowered to provide;
31
- 32 (3) In addition to the foregoing duties and functions, the city cooperatives
33 officer shall:
34
- 35 (i) Assist in the organization of cooperatives;
36
- 37 (ii) Provide technical and other forms of assistance to existing
38 cooperatives to enhance their viability as an economic enterprise
39 and social organization; and
40
- 41 (iii) Assist cooperatives in establishing linkages with government
42 agencies and nongovernment organizations involved in the
43 promotion and integration of the concept of cooperatives in the
44 livelihood of the people and other community activities.
45

- 1 (4) Be in the frontline of cooperative organization, rehabilitation or viability
2 enhancement, particularly during and in the aftermath of man-made and
3 natural disasters and calamities, to aid In their survival and, if necessary,
4 subsequent rehabilitation;
5
6 (5) Recommend to the sangguniang panlungsod and advise the city mayor on
7 all other matters relative to cooperatives development and viability
8 enhancement which will improve the livelihood and the quality of life of
9 the inhabitants; and
10
11 (6) Perform such other duties and functions and exercise such other powers as
12 provided for under the Local Government Code, and those that are
13 prescribed by law or ordinance.
14

15 Section 46. The City Population Officer. -
16

- 17 (a) The city population officer must be a citizen of the Philippines, a resident of the
18 City of Liloan, of good moral character, a holder of a college degree preferably with
19 specialized training in population development from a recognized college or
20 university, and a first grade civil service eligible or its equivalent. He must have
21 acquired experience in the implementation of programs on population development
22 or responsible parenthood for at least five years immediately preceding the date of
23 his appointment.
24
25 (b) The city population officer shall receive such compensation, emoluments and
26 allowances as may be determined by law.
27
28 (c) The city population officer shall take charge of the office of the population
29 development, and shall:
30
31 (1) Formulate measures for the consideration of the sangguniang panlungsod
32 and provide technical assistance and support to the city mayor in carrying
33 out measures to ensure the delivery of basic services and the provision of
34 adequate facilities relative to the integration of population development
35 principles and in providing access to said services and facilities;
36
37 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
38 implement the same, particularly those which have to do with the
39 integration of population development principles and methods in programs
40 and projects which the city mayor is empowered to implement and which
41 the sangguniang panlungsod is empowered to provide;
42
43 (3) In addition to the foregoing duties and functions, the city population officer
44 shall:
45

- (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 appropriate training programs responsive to the cultural heritage of the inhabitants; and
- (iv) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code, and those that are prescribed by law or ordinance.

Section 47. The City Agriculturist. -

- (a) The city agriculturist must be a citizen of the Philippines, a resident of the City of Liloan, of good moral character, a holder of a college degree preferably in agriculture or 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 in agriculture or acquired experience in a related field for at least five years immediately preceding the date of his appointment.
- (b) The city agriculturist shall receive such compensation, emoluments and allowances as may be determined by law.
- (c) The city agriculturist shall take charge of the office for the agricultural services, and shall:
 - (1) Formulate measures for the approval of the sangguniang panlungsod and provide technical assistance and support to the city mayor in carrying out measures to ensure the delivery of basic services and the provision of adequate facilities relative to agricultural services;
 - (2) Develop plans and strategies and, upon approval thereof by the city mayor, implement the same, particularly those which have to do with agricultural 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 agriculturist shall:
 - (i) Ensure that maximum assistance and access to resources in the production, processing and marketing of agricultural and

1 aquacultural and marine products are extended to farmers,
2 fishermen and local entrepreneurs;
3

4 (ii) Conduct or cause to be conducted location-specific agricultural
5 researches and assist in making available the appropriate technology
6 arising out of and disseminating information on basic research on
7 crops, prevention and control of plant diseases and pests, and other
8 agricultural matters which will maximize productivity;
9

10 (iii) Assist the city mayor in the establishment and extension services of
11 demonstration farms or aquaculture and marine products;
12

13 (iv) Enforce rules and regulations relating to agriculture and
14 aquaculture; and
15

16 (v) Coordinate with government agencies and nongovernmental
17 organizations which promote agricultural productivity through
18 appropriate technology compatible with environmental integrity.
19

20 (4) Be in the frontline of the delivery of basic agricultural services, particularly
21 those needed for the survival of the inhabitants during and in the aftermath
22 of man-made and natural disasters and calamities;
23

24 (5) Recommend to the sangguniang panlungsod and advise the city mayor on
25 all other matters related to agriculture and aquaculture which will improve
26 the livelihood and living conditions of the inhabitants; and
27

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

32 **ARTICLE IX**
33 **THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE,**
34 **THE CITY SCHOOLS DIVISION AND THE CITY**
35 **PROSECUTION SERVICE**
36

37 **Section 48. The City Fire Station Service. -**
38

39 (a) There shall be established in the City at least one fire station with adequate
40 personnel, fire fighting facilities and equipment, subject to the standards, rules and
41 regulations that may be promulgated by the DILG. The City shall provide the
42 necessary land or site of the station.
43

44 (b) The city fire station shall be responsible for the provision of various emergency
45 services such as the rescue and evacuation of injured people at fire-related incidents

and, in general, all fire prevention and suppression measures to secure the safety of life and property of the citizenry.

Section 49. The City Jail Service. -

- (a) There shall be established and maintained in the City a secured, clean, adequately equipped and sanitary jail for the custody and safekeeping of prisoners, any fugitive from justice, or person detained awaiting investigation or trial and/or violent mentally ill person who endangers himself or the safety of others, duly certified as such by the proper medical health officer, pending the 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 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 must be exercised so that human rights of these prisoners are respected and protected, and their spiritual and physical well-being are properly and promptly attended to. Likewise, the City shall ensure that proper separate detention centers for juveniles and women are provided for.

Section 50. The City Schools Division. -

- (a) There shall be established and maintained by the DepEd a city schools division of the City of Liloan whose area of jurisdiction will cover all the school districts within the City.
- (b) The city schools division shall be headed by a city schools division superintendent who must possess the necessary qualifications required by the DepEd.

Section 51. The City Prosecution Service. -

- (a) There shall be established in the City of Liloan a city prosecution service to be headed by a city prosecutor and such number of assistant city prosecutors as may be necessary, who shall be organizationally part of the DOJ, and under the supervision and control of the Secretary of Justice and whose qualifications, manner of appointment, rank, salary and benefits shall be governed by existing laws covering prosecutors in the DOJ.
- (b) The city prosecutor shall handle the criminal prosecution in the municipal trial courts in the City of Liloan as well as in the regional trial courts for criminal cases originating in the territory of the City, and shall render to or for the City such services as are required by law, ordinance or regulation of the DOJ.

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

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

ARTICLE X TRANSITORY AND FINAL PROVISIONS

Section 52. Municipal Ordinances Existing at the Time of the Approval of this Act. - All municipal ordinances of the Municipality of Liloan existing at the time of the approval of this Act shall continue to be in force within the City of Liloan until the sangguniang panlungsod ordinance shall provide otherwise.

Section 53. Plebiscite. - The City of Liloan shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by the qualified voters in a plebiscite to be conducted in the present Municipality of Liloan within thirty (30) days from the approval of this Act. The expenses for such plebiscite shall be borne by the Municipality of Liloan. The Commission on Elections shall conduct and supervise such plebiscite.

Section 54. Officials of the City of Liloan. - The present elective officials of the Municipality of Liloan shall continue to exercise their powers and functions until such time that a new election is held and the duly elected officials shall have already qualified and assumed their offices. The appointive officials and employees of the City shall likewise continue exercising their functions and duties and they shall be automatically absorbed by the City Government of the City of Liloan.

Section 55. Succession Clause. - The City of Liloan shall succeed to all the assets, properties, liabilities and obligations of the Municipality of Liloan.

Section 56. Election of Provincial Governor and the Sangguniang Panlalawigan Members of the Province of Cebu. - The qualified voters of the City of Liloan shall be qualified to vote and run for any elective position in the elections for provincial governor, provincial vice governor, sangguniang panlalawigan members and other elective offices for the Province of Cebu.

Section 57. Jurisdiction of the Province of Cebu. - The City of Liloan shall, unless otherwise provided by law, continue to be under the jurisdiction of the Province of Cebu.

Section 58. Suspension of Increase in Rates of Local Taxes. - No increase in the rates of local taxes shall be imposed by the City within the period of five years from its acquisition of corporate existence.

Section 59. Representative District. -Until otherwise provided by law, the City of Liloan shall continue to be a part of the Fifth Congressional District of the Province of Cebu.

Section 60. Limitation. - Within three years from the approval of this Act, no new race track, jai-alai fronton, gambling casino or cockpit shall be licensed or allowed to operate in the City.

1
2 Section 61. Reservation. - Nothing herein contained shall preclude the determination by
3 the appropriate agency or forum of boundary disputes or cases involving questions of territorial
4 jurisdiction between the City of Liloan and any of the adjoining local government units even after
5 the effectivity of this Act.
6

7 Section 62. Applicability of Laws. - The provisions of Republic Act No. 7160, otherwise
8 known as the Local Government Code of 1991, and other laws pertaining to the Province of Cebu
9 and such laws as are applicable to cities shall govern the City of Liloan insofar as they are not
10 inconsistent with the provisions of this Act.
11

12 Section 63. Separability Clause. - If, for any reason or reasons, any part or provisions of
13 this charter shall be held unconstitutional, invalid or inconsistent with the Local Government Code
14 of 1991, the other parts or provisions hereof which are not affected thereby shall continue to be in
15 full force and effect. Moreover, in cases where this Charter is silent or unclear, the pertinent
16 provisions of the Local Government Code shall govern, if so provided therein.
17

18 Section 64. Effectivity. - This Act shall take effect fifteen (15) days after its complete
19 publication in at least two newspapers of general and local circulation.
20

21 Approved,