



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session

House Bill No. **6401**

Introduced by Representative TEODORICO “NONONG” T. HARESCO, JR.

AN ACT
CONVERTING THE MUNICIPALITY OF MALAY IN THE PROVINCE OF AKLAN INTO A
COMPONENT CITY TO BE KNOWN AS THE CITY OF MALAY

EXPLANATORY NOTE

This Bill seeks to convert the Municipality of Malay in the Province of Aklan into a component city to be known as the City of Malay.

The Municipality of Malay is a first-class municipality and the tourism capital of the Province of Aklan. It is composed of seventeen (17) barangays encompassing a total land area of 5,184.78 hectares including the Island of Boracay and other nearby islands. Based on 2015 census data, Malay has a recorded population of 52,973 inhabitants. It has an Annual Average Income (AAI) of P169.832 million for the fiscal years 2018 and 2019 as certified by the DBM.

In accordance with R.A. 7160 or the 1991 Local Government Code, as amended, the Municipality of Malay possesses the minimum requirements for cityhood. It has an annual income above P100 million and is exempted from the land area requirement as it is comprised of two (2) or more islands, as certified by the DENR-Land Management Bureau.

As home to the world-famous Boracay Island, the Municipality of Malay is known for its vibrant tourism industry. In 2019, Boracay tourism alone generated a total revenue of P62.31 billion from its 2,034,599 tourist arrivals, an increase of 116 percent from the previous year. In 2017, P357 million or about 90 percent of Malay's local revenue came from Boracay, comprising of fees from business and building permits, and environmental and terminal fees. In 2019, Malay ranked as top 9 among all the municipalities in the Philippines in terms of local revenue collections amounting to P365,723,937, and was awarded a Certificate of Achievement by the Bureau of Local Government and Finance.

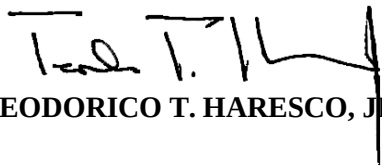
Apart from its strong revenue-generating industries, the readiness of Malay for cityhood is exhibited by its commitment to sustainable development while consistently providing the basic socioeconomic services for its people, ranging from healthcare, education, housing, food security, peace and order, disaster risk reduction and response, and basic infrastructure development.

Malay's decisive handling of the recent challenges it faced also serves as a testament to its preparedness for greater autonomy. In 2018, during the 6-month closure and rehabilitation of Boracay Island as ordered by the President, the Municipality of Malay, together with the Boracay Inter-agency Task Force, acted swiftly in implementing the Boracay Action Plan involving aggressive pollution control and prevention measures, and ecosystem recovery and rehabilitation. Consistent social service support was also provided to affected families, industries, and labor force.

In 2020, the COVID-19 Pandemic halted Boracay's tourism industry, resulting in sudden rise in unemployment. The Municipality of Malay, through its strong cooperation with the National Government, acted swiftly in establishing health safety protocols and providing food assistance to families and livelihood assistance to affected workers of the tourism sector. Through this, Boracay Island was one of the first tourist destinations to reopen after the onset of the COVID-19 Pandemic.

The conversion of the Municipality of Malay into a component city of the Province of Aklan will enhance its potential and capability to attract additional local and international investments, further propelling its economic growth and development and upgrading social services delivery for its people.

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



TEODORICO T. HARESCO, JR



House Bill No. 6401

Introduced by Representative TEODORICO “NONONG” T. HARESCO, JR.

AN ACT
CONVERTING THE MUNICIPALITY OF MALAY IN THE PROVINCE OF AKLAN INTO A
COMPONENT CITY TO BE KNOWN AS THE CITY OF MALAY

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

Article I
General Provisions

Section 1. Title. This Act shall be known as the Charter of the City of Malay.

Section 2. The City of Malay. The Municipality of Malay is hereby converted into component city to be known as the City of Malay, hereinafter referred to as the City, which shall comprise of the present territory of the Municipality of Malay in the Province of Aklan. The territorial jurisdiction of the City shall be within the present metes and bounds of the City of Malay.

Section 3. Corporate Powers of the City. The City constitutes a political body corporate and as such is endowed with the attribute of perpetual succession and possessed of the powers which pertain to a municipal corporation, to be exercised in conformity with the provisions of this Charter. The City shall have the following corporate powers:

- (a) To have a continuous succession in its corporate name;
- (b) To sue and be sued;
- (c) To have and use a corporate seal;
- (d) To acquire and convey real or personal property;
- (e) To enter into contracts; and
- (f) To exercise such other powers as are granted to corporations, subject to the limitations provided in this Act and other laws.

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

Section 5. Liability for Damages. The city and its officials shall not be exempt from liability for death or injury to persons or damage to property done or caused as a consequence or result of the discharge or performance of official functions within the scope of their duties.

Section 6. Jurisdiction of the City. The jurisdiction of the City of Malay, for police purposes only, shall be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the purity of the water supply of the city, such police jurisdiction shall also extend over all territory within the drainage area of such water supply, or within one hundred meters of any reservoir, conduit, canal, aqueduct, or pumping station used in connection with the city water service. The city court of the city shall have concurrent jurisdiction with the city or municipal courts of adjoining municipalities or cities, to try crimes and misdemeanors committed within said drainage area, or within said spaces of one hundred (100) meters. The court first taking cognizance of such an offense shall have jurisdiction to try said cases to the exclusion of others. But any license that may be issued within said zone, area or spaces shall be granted by the proper authorities of the city or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said city or municipality.

Article II

City Officials in General

Section 7. Officials of the City of Malay.

(a) There shall be in the City of Malay a City Mayor, a Vice Mayor, Sangguniang Panlungsod Members. The mandatory appointive city officials are as follows:

1. Secretary to the Sangguniang Panlungsod
2. City Treasurer and an Assistant City Treasurer
3. City Assessor and an Assistant City Assessor
4. City Accountant
5. City Budget Officer
6. City Planning and Development Coordinator
7. City Engineer
8. City Health Officer
9. City Civil Registrar
10. City Administrator
11. City Legal Officer
12. City Veterinarian
13. City Social Welfare and Development Officer
14. City General Services Officer
15. City Agricultural and Biosystems Engineer

b. In addition, thereto, the city mayor may appoint the following officials:

1. City Architect
2. City Public Information Officer
3. City Agriculturist,
4. City Population Officer
5. City Environment and Natural Resources Officer
6. City Cooperatives Officer
7. City Human Resource Management Officer
8. City Public Employment and Service Officer
9. City Procurement Management Officer
10. City College Administrator

11. City Zoning Administrator
12. City Business Processing and Licensing Officer
13. City Economic Enterprise and Development Officer
14. City Chief Transportation Regulation Officer
15. City Disaster Risks Reduction Management Officer
16. City Tourism Officer
17. City Building Official
18. City Internal Auditor
19. City Sports Development Officer
20. City Public Order and Safety Officer
21. City Trade and Industry Officer
22. City Economic Investment and Promotion Officer
23. City Housing and Community Development and Resettlement Officer
24. City Barangay and Community Relations Officer
25. City Research and Development Officer
26. City Public Affairs and Information Services Officer
27. City Youth Development Officer
28. City Information Technology Officer
29. City Person with Disability Affairs Officer
30. Senior Citizen's Affair Officer

There shall be a City Repair and Maintenance Division under the Office of the City General Officer.

The City of Malay shall maintain a City Fire Station to be headed by a City Fire Marshal and a City Jail to be headed by a City Jail Warden.

The City of Malay may:

1. Maintain existing offices not mentioned in subsections hereof;
2. Create such other offices as may be necessary to carry out the purpose of the City; or
3. Consolidate the functions of any office with those of another in the interest of efficiency and economy.

Unless otherwise provided herein, all appointive city officials of the City shall be appointed by the City Mayor with the concurrence of the majority of all the Sangguniang Panlungsod Members, subject to Civil Service Law, rules and regulations. The Sangguniang Panlungsod shall act on the appointment within fifteen (15) days from the date of its submission otherwise the same shall be deemed confirmed.

Article III

The City Mayor and City Vice Mayor

Section 8. The City Mayor. The City Mayor shall be the chief executive of the City. He shall be elected at large by the qualified voters of the City. No person shall be eligible for the position of the City Mayor unless at the time of the election he is at least twenty-one (21) years of age, an actual resident of the City for at least one (1) year prior to his election, and a qualified voter therein. He shall hold office for three (3) years unless sooner removed and shall receive a minimum monthly compensation corresponding to Salary Grade Thirty (30) as prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

The City Mayor, as Chief Executive of the city government, shall exercise such powers and perform such duties and functions as provided herein:

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

1. Determine the guidelines of city policies and be responsible to the Sangguniang Panlungsod for the program of government;
2. Direct the formulation of the City Development Plan, with the assistance of the City Development Council, and upon approval thereof by the Sangguniang Panlungsod, implement the same;
3. Present the program of government and propose policies and projects for the consideration of the Sangguniang Panlungsod at the opening of the regular session of the Sangguniang Panlungsod every calendar year and as often as may be deemed necessary as the general welfare of the inhabitants and the needs of the city government may require;
4. Initiate and propose legislative measures to the Sangguniang Panlungsod as often as may be deemed necessary, provide such information and data needed or requested by said Sanggunian in the performance of its legislative functions;
5. Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of city funds and whose appointments are not otherwise provided for in this Act, as well as those he may be authorized by law to appoint;
6. Represent the city in all its business transactions and sign in its behalf all bonds, contracts and obligations, and such other documents upon authority of the Sangguniang Panlungsod or pursuant to law or ordinance;
7. Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;
8. Determine the time, manner and place of payment of salaries or wages of the officials and employees of the city, in accordance with law or ordinance;
9. 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;
10. Ensure that all executive officials and employees of the city faithfully discharge their duties and functions as provided by law and this Act, and cause to be instituted administrative or judicial proceedings against any official or employee of the city who may have committed an offense in the performance of his official duties;
11. Examine the books, records and other documents for all offices, officials, agents or employees of the city and, in aid of his executive powers and authority, require all national officials and employees stationed in or assigned to the city to make available to him such books, records and other documents in their custody, except those classified by law as confidential;
12. Furnish copies of executive orders issued by him to the provincial governor within seventy-two (72) hours after their issuance;
13. 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 inspection to ensure that the governance of the city will improve the quality of life of the inhabitants;
14. Act on leave applications of officials and employees appointed by him and the commutation of the monetary value of their leave credits in accordance with law;
15. Authorize official trips of city officials and employees outside of the city for a period not exceeding thirty (30) days;
16. Call upon any national official or employee stationed or assigned to the city to advise him on matters affecting the city and to make recommendations thereon; coordinate with said official or employee in the formulation and implementation of plans, programs and

170 projects; and, when appropriate, initiate any administrative or judicial action against a
171 national government official or employee who may have committed an offense in the
172 performance of his official duties while stationed in or assigned to the city;
173 17. Authorize payment for medical care, necessary transportation, subsistence, hospital or
174 medical fees of city officials and employees who are injured while in the performance of
175 their official duties and functions, subject to availability of funds;
176 18. Solemnize marriages, any provision of law to the contrary notwithstanding;
177 19. Conduct an annual Palarong Panlungsod, which shall feature traditional sports and
178 disciplines included in national and international games, in coordination with the
179 Department of Education, Culture and Sports; and
180 20. Submit to the Provincial Governor the following reports: an Annual Report containing a
181 summary of all matters pertinent to the management, administration and development of
182 the city and all information and data relative to its political, social and economic conditions;
183 and Supplemental Reports when unexpected events and situations arise at any time during
184 the year, particularly when man-made or natural disasters or calamities affect the general
185 welfare of the city;

186 (b) Enforce all laws and ordinances relative to the governance of the city and exercise of its appropriate
187 corporate powers, as well as implement all approved policies, programs, projects, services, and
188 activities of the city:

189 1. Ensure that the acts of the city's component barangays and of its officials and employees
190 are within the scope of their prescribed powers, duties and functions;
191 2. Call conventions, conferences, seminars or meetings of elective and appointive officials of
192 the city, including national officials and employees stationed in or assigned to the city, at
193 such time and place and on such subject as he may deem important for the promotion of
194 the general welfare of the city and its inhabitants;
195 3. Issue such executive orders for the faithful and appropriate enforcement and execution of
196 laws and ordinances;
197 4. Be entitled to carry the necessary firearm within his territorial jurisdiction;
198 5. Act as the deputized representative of the National Police Commission, formulate the
199 peace and order plan of the city and, upon its approval, implement the same; and as such
200 exercise general and operational control and supervision over the local police forces in the
201 city in accordance with Republic Act No. 6975; and
202 6. Call upon the appropriate law enforcement agencies to suppress disorder, riot, lawless
203 violence, rebellion or sedition, or to apprehend violators of the law when public interest so
204 requires and the city police forces are inadequate to cope with the situation or the violators.

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

208 1. Require each head of an office or department to prepare and submit an Estimate of
209 Appropriations for the ensuing calendar year, in accordance with the budget preparation
210 process in accordance with the provisions of the Local Government Code of 1991;
211 2. Ensure that all taxes and other revenues of the city are collected, and that city funds are
212 applied to the payment of expenses and settlement of obligations of the city in accordance
213 with law or ordinance;
214 3. Issue licenses and permits and suspend or revoke the same for any violation of the
215 conditions upon which said licenses or permits have been issued, pursuant to law or
216 ordinance;

4. Issue permits, without need of approval thereof from any national agency, for the holding of activities for any charitable or welfare purpose, excluding prohibited games of chance or shows contrary to law, public policy and public morals;
5. Require owners of illegally constructed houses, buildings or other structures to obtain the necessary permit, subject to such fines and penalties as may be imposed by law or ordinance, or to make necessary changes in the construction of the same when said construction violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance;
6. Adopt adequate measures to safeguard and conserve land, mineral, marine and other resources of the city;
7. Provide efficient and effective property and supply management in the city; and protect the funds, credits, rights and other properties of the city; and
8. Institute or cause to be instituted administrative or judicial proceedings for violations of ordinances in the collection of taxes fees or charges and for the recovery of funds and property; and cause the city to be defended against all suits to ensure that its interests, resources, and rights shall be adequately protected.

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

1. Ensure that the construction and repair of roads and highways funded by the national government shall be, as far as practicable, carried out in a spatially contiguous manner and in coordination with the construction and repair of the roads and bridges of the city; and
2. Coordinate the implementation of technical services, including public works and infrastructure programs, rendered by national offices.

(e) 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 9. The City Vice Mayor. There shall be a City Vice Mayor who shall be elected in the same manner as the City Mayor and shall at the time of his election possess the same qualifications as the City Mayor. He shall hold office for three (3) years, unless sooner removed, and shall receive a monthly compensation corresponding to Salary Grade Twenty-six (SG 26) as prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

The City Vice Mayor shall:

- (a) Act as presiding officer of the Sangguniang Panlungsod and sign all warrants drawn on the City Treasury for the Sangguniang Panlungsod;
- (b) Subject to Civil Service Law, rules and regulations, appoint all officials and employees of the Sangguniang Panlungsod, except those whose manner of appointment is specifically provided for under existing laws;
- (c) Assume the Office of the City Mayor for the unexpired term of the latter in the event of permanent vacancy;
- (d) Exercise the powers and perform the duties and functions of the City Mayor in cases of temporary vacancy; and
- (e) Perform such other 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.

Article IV
The Sangguniang Panlungsod

Section 10. The Sangguniang Panlungsod. The Sangguniang Panlungsod, the legislative body of the city, shall be composed of the City Vice Mayor as Presiding Officer, the regular Sanggunian Members, the President of the City Chapter of the Liga ng mga Barangay, the President of the Panlungsod na Pederasyon ng mga Sangguniang Kabataan, and the Sectoral Representatives, as members.

The regular member shall be elected by district with each district electing five (5) members of the Sangguniang Panlungsod, as follows:

(1) The 1st district is composed of the fourteen (14) barangays that is geographically located in Mainland Malay; Barangay Caticlan, Sambiray, Argao, Napaan, Cogon, Cubay Norte, Cubay Sur, Nabaoy, Motag, Balusbos, Poblacion, Dumlog, Kabulihan and Naasug; and

(2) The 2nd district is composed of the three barangays in Boracay Island: Manocmanoc, Balabag and Yapak.

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

The regular members of the Sangguniang Panlungsod and the sectoral representatives shall be elected in the manner as may be provided for by law. The elective members of the Sangguniang Panlungsod shall possess the same qualifications as that of the City Mayor and City Vice Mayor except that candidates for said positions must be at least eighteen (18) years of age on election day.

The Sangguniang Panlungsod shall:

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

1. Review all ordinances approved by the Sangguniang Barangay and executive orders issued by the Punong Barangay to determine whether these are within the scope of the prescribed powers of the Sanggunian and of the Punong Barangay;
2. Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for the violation of said ordinances;
3. Approve ordinances imposing a fine not exceeding Five thousand pesos (₱5,000.00) or an imprisonment for a period not exceeding one (1) year, or both at the discretion of the court, for the violation of a city ordinance;
4. Adopt measures to protect the inhabitants of the city from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events;
5. Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of houses of ill-repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency, the printing, distribution and exhibition of obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the city;
6. Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal

- logging and 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;
7. Subject to the provisions of the Local Government Code and pertinent laws, determine the powers and duties of officials and employees of the city;
 8. Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide for expenditures necessary for the proper conduct of programs, projects, services and activities of the city government;
 9. Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy or grant honorarium to any qualified official or employee designated to fill a temporary vacancy in a concurrent capacity at the rate authorized by law;
 10. Provide a mechanism and the appropriate funds 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;
 11. 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;
 12. Provide legal assistance to barangay officials who, in the performance of their official duties or on the occasion thereof, have to initiate judicial proceedings or defend themselves against legal action; and
 13. Provide for group insurance or additional insurance coverage for all barangay officials, including members of Barangay Tanod brigades and other service units, with public or private insurance companies, when the finances of the city government allow said coverage.

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

1. Approve the annual and supplemental budgets of the city government and appropriate funds for specific programs, projects, services and activities of the city, or for other purposes not contrary to law, in order to promote the general welfare of the city and its inhabitants;
2. Subject to the provisions of Book II of the Local Government Code of 1991 and applicable laws and upon the majority vote of all the members of the Sangguniang Panlungsod, enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes, and granting tax exemptions, incentives or reliefs;
3. Subject to the provisions of Book II of the Local Government Code and upon the majority vote of all the members of the Sangguniang Panlungsod, authorize the City Mayor to negotiate and contract loans and other forms of indebtedness;
4. Subject to the provisions of Book II of the Local Government Code and applicable laws and upon the majority vote of all the members of the Sangguniang Panlungsod, enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects;
5. Appropriate funds for the construction and maintenance or the rental of buildings for the use of the city; and upon the majority vote of all the members of the Sangguniang Panlungsod, authorize the City Mayor to lease to private parties such public buildings held in a proprietary capacity, subject to existing laws, rules and regulations;

6. Prescribe reasonable limits and restrictions on the use of property within the jurisdiction of the city;
7. Adopt a Comprehensive Land Use Plan for the city: Provided, that the formulation, adoption or modification of said plan shall be in coordination with the approved Provincial Comprehensive Land Use Plan;
8. Reclassify lands within the jurisdiction of the city, subject to the pertinent provisions of the Local Government Code;
9. Enact integrated zoning ordinances in consonance with the approved comprehensive land use plan, subject to existing laws, rules and regulations; establish fire limits or zones, particularly in populous centers; and regulate the construction, repair or modification of buildings within said fire limits or zones in accordance with the provisions of the Fire Code;
10. Subject to national law, process and approve subdivision plans for residential, commercial, or industrial purposes and other development process, and to collect processing fees and other charges, the proceeds of which shall accrue entirely to the city. Provided, however, that where approval of a national agency or office is required, said approval shall not be withheld for more than thirty (30) days from receipt of the application. Failure to act on the application within the period stated above shall be deemed as approval thereof;
11. Subject to the provisions of Book II of the Local Government Code, grant the exclusive privilege of constructing fish corrals or fish pens, or the taking or catching of bangus fry, prawn fry or kawag-kawag or fry of any species of fish within the city waters;
12. With the concurrence of at least two-thirds (2/3) of all the members of the Sangguniang Panlungsod, grant tax exemptions, incentives or relief to entities engaged in community growth-inducing industries, subject to the provisions of the Local Government Code;
13. Grant loans or provide grants to other local government units or to national, provincial, and city charitable, benevolent or educational institutions: Provided, That said institutions are operated and maintained within the City; and
14. Regulate the inspection, weighing and measuring of articles of commerce.

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

1. Fix and impose reasonable fees and charges for all services rendered by the city government to private persons or entities;
2. Regulate or fix license fees for any business or practice of profession within the city and the conditions under which the license for said business or practice of profession may be revoked and enact ordinances levying taxes thereon;
3. Provide for and set the terms and conditions under which public utilities owned by the city 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;
4. Regulate the display of and fix the license fees for signs, signboards, or billboards at the place or places where the profession, or business advertised thereby is, in whole or in part, conducted;
5. Any law to the contrary notwithstanding, authorize and license the establishment, operation and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks: Provided that existing rights should not be prejudiced;
6. Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and other public utility transportations; grant franchises for the operation thereof within the territorial jurisdiction of the city; and

- 406 7. Upon approval by a majority vote of all the members of the Sangguniang Panlungsod,
407 grant a franchise to any person, partnership, corporation or cooperative to do business
408 within the city; establish, construct, operate and maintain ferries, wharves, markets, or
409 slaughterhouses; or undertake such other activities within the city as may be allowed by
410 existing laws: provided, that cooperatives shall be given preference in the grant of such
411 franchise.

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

- 414 1. Declare, prevent or abate any nuisance;
415 2. Require that buildings and the premises thereof and any land within the city be kept and
416 maintained in a sanitary condition; impose penalties for any violation thereof; or, upon
417 failure to comply with said requirement, have the work done at the expense of the owner,
418 administrator or tenant concerned; or require the filling up of any land or premises to a
419 grade necessary for proper sanitation;
420 3. Regulate the disposal of clinical and other wastes from hospitals, clinics and other similar
421 establishments;
422 4. Regulate the establishment, operation and maintenance of cafes, restaurants, beer houses,
423 hotels, motels, inns, pension houses, lodging houses and other similar establishments,
424 including tourist guides and transports;
425 5. Regulate the sale, giving away or dispensing of any intoxicating malt, vino, mixed or
426 fermented liquors at any retail outlet;
427 6. Regulate the establishment and provide for the inspection of steam boilers or any heating
428 device in buildings and the storage of inflammable and highly combustible materials
429 within the city;
430 7. Regulate the establishment, operation and maintenance of any entertainment or
431 amusement facilities, including the theatrical performances, circuses, billiard pools, public
432 dancing schools, public dance halls, sauna baths, massage parlors, and other places for
433 entertainment or amusement; regulate such other events or activities for amusement or
434 entertainment, particularly those which tend to disturb the community or annoy the
435 inhabitants, or require the suspension or suppression of the same; or prohibit certain forms
436 of amusement or entertainment in order to protect the social and moral welfare of the
437 community;
438 8. Provide for the impounding of stray animals; regulate the keeping of animals in homes or
439 as part of a business, and the slaughter, sale or disposition of the same; and adopt measures
440 to prevent and penalize cruelty to animals; and
441 9. Regulate the establishment, operation and maintenance of funeral parlors and the burial
442 or cremation of the dead, subject to the existing laws, rules and regulations.

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

- 446 1. Provide for the establishment, maintenance, protection and conservation of watersheds,
447 tree parks, green belts and mangroves;
448 2. Establish markets, slaughterhouses or animal corrals and authorize the operation thereof
449 by the city government; and regulate the construction and operation of private markets,
450 talipapas or other similar buildings and structures;
451 3. Authorize the establishment, maintenance and operation by the city government of ferries,
452 wharves and other structures intended to accelerate productivity related to marine life and
453 the preservation thereof;

4. Regulate the preparation and sale of meat, poultry, fish, vegetables, fruits, fresh dairy products and other foodstuffs for public consumption;
5. Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approve the construction, improvement, repair and maintenance of the same; establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public; regulate garages and the operation of conveyances for hire; designate stands to be occupied by public vehicles when not in use; regulate the putting up of signs, signposts, awnings and awning posts on the streets; and provide for the lighting, cleaning and sprinkling of streets and public places;
6. Regulate the 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 construction in public places;
7. 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 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, conduit, canal, 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;
8. Regulate the drilling and excavation of the ground for the laying of water, gas, sewer and other pipes and the construction, repair and maintenance of public drains, sewers, cesspools, tunnels and similar structures; regulate the placing of poles and the use of crosswalks, curbs and gutters; adopt measures to ensure public safety against open canals, manholes, live wires and other similar hazards to life and property; and regulate the construction and use of private water closets, privies and other similar structures in buildings and homes;
9. Regulate the placing, stringing, attaching, installing, repair and construction of all gas mains, electric, telegraph and telephone wires, conduits, meters and other apparatus; and provide for the correction, condemnation or removal of the same when found to be dangerous, defective or otherwise hazardous to the welfare of the inhabitants;
10. Subject to the availability of funds and to existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Department of Education, Culture and Sports and subject to existing law on tuition fees, fix and collect reasonable tuition fees and other school charges in educational institutions supported by the city government;
11. Establish a scholarship fund for poor but deserving students in schools located within its jurisdiction or for students residing within the city;
12. Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;
13. 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;
14. Provide for the care of disabled persons, paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age; and, subject to the availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;

- 503 15. Establish and provide for the maintenance and improvement of jails and detention centers,
504 institute a sound jail management program, and appropriate funds for the subsistence of
505 detainees and convicted prisoners in the city;
506 16. Establish a city council whose purpose is the promotion of culture and the arts, coordinate
507 with government agencies and nongovernmental organizations and, subject to the
508 availability of funds, appropriate funds for the support and development of the same; and
509 17. Establish a city council for the elderly which shall formulate policies and adopt measures
510 mutually beneficial to the elderly and to the community; provide incentives for
511 nongovernmental agencies and entities and, subject to the availability of funds,
512 appropriate funds to support programs and projects for the benefit of the elderly.
- 513 (e) Perform such other duties and functions and exercise such other powers as provided for under
514 Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and those that are
515 prescribed by law or ordinance.

516
517 **Article V**
518 **Process of Legislation**

519 **Section 11. Internal Rules of Procedure.** On the first regular session following the election of its
520 members and within ninety (90) days thereafter, the Sangguniang Panlungsod shall adopt or update
521 its existing rules and procedure.

522 The rules of procedure shall provide for the following:

- 523 (a) The organization of the Sanggunian and the election of its officers as well as the creation of
524 standing committees which shall include, but shall not be limited to, the Committees on
525 Appropriations, Revenues, Engineering and Public Works, Education, Health, Women, Family,
526 Human Rights, Youth and Sports Development, Environmental Protection, Peace and Order
527 and Traffic, and Cooperatives; the general jurisdiction of each committee; and the election of
528 the chairman and members of each committee;
- 529 (b) The order and calendar of business for each session;
- 530 (c) The legislative process;
- 531 (d) The parliamentary procedures which include the conduct of members during sessions;
- 532 (e) The discipline of members for disorderly behavior and absences without justifiable cause
533 for four (4) consecutive sessions for which they may be censured, reprimanded or excluded
534 from the session, suspended for not more than sixty (60) days, or expelled: provided, that the
535 penalty of suspension or expulsion shall require the concurrence of at least two-third (2/3) vote
536 of the Sanggunian Members: provided, further, that a member convicted by final judgment to
537 imprisonment of at least one (1) year for any crime involving moral turpitude shall be
538 automatically expelled from the Sanggunian; and
- 539 (f) Such other rules as the Sanggunian may adopt.

540
541 **Section 12. Full Disclosure of Financial and Business Interest of Sangguniang Panlungsod Members.**

542 Every Sangguniang Panlungsod Member shall, upon assumption to office, make a full disclosure of his
543 business and financial interest. He shall also disclose any business, financial, professional relationship
544 or any relation by affinity or consanguinity within the fourth civil degree, which he may have with any
545 person, firm or entity affected by any ordinance or resolution under consideration by the Sanggunian

546 of which he is a member, which relationship may result in conflict of interest. Such relationship shall
547 include:

548 (a) Ownership of stock or capital, or investment in the entity or firm to which the ordinance or
549 resolution may apply; and

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

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

556 The disclosure required under this Act shall be made in writing and submitted to the Secretary of the
557 Sanggunian or the Secretary of the Committee of which he is a member. The disclosure shall, in all
558 cases, form part of the record of the proceedings and shall be made in the following manner:

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

566 **Section 13. Sessions.** On the first day of the session immediately following the election of its members,
567 the Sangguniang Panlungsod shall, by resolution, fix the day, time and place of its regular sessions. The
568 minimum number of regular sessions shall be once a week for the Sangguniang Panlungsod and twice
569 a month for the Sangguniang Barangay.

570 When public interest so demands, special sessions may be called by the City Mayor or by a majority of
571 the members of the Sanggunian.

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

576 In the case of special sessions of the Sanggunian, a written notice to the members shall be served
577 personally at the member's usual place of residence at least twenty-four (24) hours before the special
578 session is held.

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

581 The Sanggunian shall keep a journal and record of its proceedings which may be published upon
582 resolution of the Sangguniang Panlungsod.

583 **Section 14. Quorum.** A majority of all the members of the Sanggunian who have been elected and
584 qualified shall constitute a quorum to transact official business. Should a question of quorum be raised
585 during a session, the Presiding Officer shall immediately proceed to call the roll of the members and
586 thereafter announce the results.

587 Where there is no quorum, the Presiding Officer may declare a recess until such time as a quorum is
588 constituted, or a majority of the members present may adjourn from day to day and may compel the
589 immediate attendance of any member absent without justifiable cause by designating a member of the

590 Sanggunian to be assisted by a member or members of the police force assigned in the territorial
591 jurisdiction of the City of Malay, to arrest the absent member and present him at the session.

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

595 **Section 15. Approval of Ordinances.** Every ordinance enacted by the Sangguniang Panlungsod shall
596 be presented to the City Mayor. If the City Mayor approves the same, he shall affix his signature on
597 each and every page thereof; otherwise, he shall veto it and return the same with his objections to the
598 Sanggunian, which may proceed to reconsider the same. The Sanggunian may override the veto of the
599 City Mayor by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution
600 effective for all legal intents and purposes.

601 The veto shall be communicated by the City Mayor to the Sanggunian within ten (10) days; otherwise,
602 the ordinance shall be deemed approved as if he had signed it.

603 **Section 16. Veto Power of the City Mayor.** The City Mayor may veto any ordinance of the Sangguniang
604 Panlungsod on the ground that it is ultra vires or prejudicial to the public welfare, stating his reasons
605 therefor in writing.

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

613 The City Mayor may veto an ordinance or resolution only once. The Sanggunian may override the veto
614 of the City Mayor by two-thirds (2/3) vote of all its members, thereby making the ordinance effective
615 even without the approval of the City Mayor.

616 **Section 17. Review of Barangay Ordinances by Sangguniang Panlungsod.** Within ten (10) days after
617 enactment, the Sangguniang Barangay shall furnish copies of all barangay ordinances to the
618 Sangguniang Panlungsod for review as to whether the ordinances are consistent with law and city
619 ordinances.

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

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

627 **Section 18. Enforcement of Disapproved Ordinances or Resolutions.** Any attempt to enforce any
628 ordinance or any resolution approving the Local Development Plan and Public Investment Program
629 after the disapproval thereof, shall be sufficient ground for the suspension or dismissal of the official
630 or employee concerned.

631 **Section 19. Effectivity of Ordinances or Resolutions.** Unless otherwise stated in the ordinance or the
632 resolution approving the Local Development Plan and Public Investment Program, the same shall take
633 effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the
634 city hall of Malay, and in at least two (2) other conspicuous places in the City of Malay.

The Secretary of the Sangguniang Panlungsod shall cause the posting of an ordinance or resolution in the bulletin board at the entrance of the City Hall of Malay, and in at least two (2) conspicuous places in the City of Malay not later than five (5) days after approval thereof. All ordinances or resolutions passed and enacted by the Sangguniang Panlungsod shall take effect immediately after the publication requirement.

The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and the Secretary of the Sangguniang Panlungsod shall record such fact in a book kept for the purpose, stating the date of approval and posting.

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 the penal sanctions shall also be published in a newspaper of general circulation.

Article VI

Disqualification and Succession of Elective City Officials

Section 20. Disqualifications of Elective Public City Officials. The following persons are disqualified from running for any elective position in the city:

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

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

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

(d) Those with dual citizenship;

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

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

(g) The insane or feeble-minded.

Section 21. Permanent Vacancy in the Office of the City Mayor and City Vice Mayor. If a permanent vacancy occurs in the office of the City Mayor, the City Vice Mayor concerned shall become the City Mayor. If a permanent vacancy occurs in the Offices of the Mayor or the City Vice Mayor, the highest ranking Sangguniang Panlungsod Member or, in case of his permanent incapacity, the second highest Sangguniang Panlungsod Member shall become the City Mayor or City Vice Mayor, as the case may be. Subsequent vacancies in said offices shall be filled automatically by the other Sanggunian Members according to their ranking as defined herein.

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

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

For purposes of this act, a permanent vacancy arises when an elective local official fills a higher vacant office, refuses to assume office, fails to qualify, dies, is removed from office, voluntarily resigns, or is otherwise permanently incapacitated to discharge the functions of his office.

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

Section 22. Permanent Vacancies in the Sangguniang Panlungsod. Permanent vacancies in the Sangguniang Panlungsod where automatic succession as provided above does not apply shall be filled by appointment in the following manner:

(a) The Provincial Governor shall make the aforesaid appointment;

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

(c) In case the permanent vacancy is caused by a Sanggunian Member who does not belong to any political party, the City Mayor shall, upon recommendation of the Sangguniang Panlungsod, appoint a qualified person to fill the vacancy; and

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

Section 23. Temporary Vacancy in the Office of the City Mayor.

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

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

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

(d) In the event, however, that the City Mayor fails or refuses to issue such authorization, the City Vice Mayor, or the highest ranking Sangguniang Panlungsod Member, as the case may be, shall have the right to assume the powers, duties and functions of the said office on the fourth day of absence of the City Mayor, subject to the limitations provided in subsection (c) hereof.

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

Article VII

City Departments and Offices in General

Section 24. City Departments and Offices. There shall be established in the city government of the City of Malay the following offices for its elective officials:

- (a) The Office of the City Mayor;
- (b) The Office of the City Vice Mayor; and
- (c) The individual offices of the Members of the Sangguniang Panlungsod.

The City shall likewise establish the following mandatory departments and offices:

1. Office of the Secretary to the Sangguniang Panlungsod
 2. Office of the City Administrator
 3. Office of the City Treasurer
 4. Office of the City Assessor
 5. Office of the City Accountant
 6. Office of the City Budget Officer
 7. Office of the City Planning and Development Coordinator
 8. Office of the City Engineer
 9. Office of the City Health Officer
 10. Office of the City Civil Registrar
 11. Office of the City Legal Officer
 12. Office of the City Veterinarian
 13. Office of the City Social Welfare and Development Officer
 14. Office of the City General Services Officer
 15. Office of the City Agricultural and Biosystems Engineer
- May include other offices such as:
1. Office of the City Architect
 2. Office of Public Information
 3. Office of the City Agriculturist
 4. Office of the City Population Officer
 5. Office of the City Environment and Natural Resources Officer
 6. Office of the City Cooperatives Officer
 7. Office of the City Human Resource Management Officer
 8. Office of the City Public Employment and Services Officer
 9. Office of the City Procurement Officer
 10. Office of the City College Administrator
 11. Office of the City Zoning Administrator
 12. Office of the City Business Processing and Licensing Officer
 13. Office of the City Economic Enterprise and Development Officer
 14. Office of the City Chief Transportation Regulation Officer
 15. Office of the City Disaster Risks Reduction Management Officer
 16. Office of the City Tourism Officer
 17. Office of the City Building Official
 18. Office of the City Internal Auditor
 19. City Sports Development and Games Office

20. Office of the City Public Order and Safety Officer
21. Office of the City Trade and Industry Officer
22. Office of the City Economic Investment and Promotion Officer
23. Office of the City Housing and Community Development and Resettlement Officer
24. Office of the City Barangay and Community Relations Officer
25. Office of the City Research and Development Officer
26. City Public Affairs and Information Services
27. Office of the City Youth Development Officer
28. City Information Technology Development Office
29. Office of the City Person with Disability Affairs Officer
30. Office of the Senior Citizen's Affair Officer

Article VIII

The Appointive Officials of the City: Their Qualifications, Powers and Duties

Section 25. The City Administrator. The City Administrator must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Public Administration, Law, or any other related course from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have acquired experience in management and administration work for at least five (5) years immediately preceding the date of his appointment.

The term of the City Administrator is coterminous with that of the appointing authority.

The City Administrator shall take charge of the Office of the City Administrator, and shall:

1. Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with the management of administration-related programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide;
2. Be in the frontline of the delivery of administrative support services, particularly those related to the situations during and in the aftermath of man-made and natural disasters and calamities;
3. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to the management and administration of the city; and
4. 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 26. The Secretary of the Sangguniang Panlungsod. There shall be a Secretary to the Sangguniang Panlungsod who shall be a career official with the rank and salary equal to a head of department or office and who shall be appointed by the City Vice Mayor.

No person shall be appointed Secretary to the Sangguniang Panlungsod unless he is a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Law, Commerce or Public Administration from a recognized college or university, and a first-grade civil service eligible or its equivalent.

The nature of the position of Secretary to the Sangguniang Panlungsod shall be permanent subject to the rules and regulations of the Civil Service Commission.

The Secretary to the Sangguniang Panlungsod shall take charge of the office of the Secretary to the Sangguniang Panlungsod and shall:

1. Attend meetings of the Sangguniang Panlungsod and keep a journal of its proceedings;

2. Keep the seal of the city and affix the same with his signature to all ordinances, resolutions, and other official acts of the Sangguniang Panlungsod and present the same to the Presiding Officer for his signature;

3. Forward to the City Mayor, for approval, copies of ordinances enacted by the Sangguniang Panlungsod duly certified by the Presiding Officer;

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

5. Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sangguniang Panlungsod, with the dates of passage and publication thereof;

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

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

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

9. 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 27. The City Treasurer. The City Treasurer shall be appointed by the Secretary of Finance from a list of at least three (3) ranking eligible recommended by the City Mayor, subject to Civil Service Law, rules and regulations.

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

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

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

The City Treasurer shall take charge of the City Treasurer's Office, and shall:

1. Advise the City Mayor, the Sangguniang Panlungsod, and other local government and national officials concerned regarding the disposition of local government funds and on such other matters relative to public finance;
2. Take custody and exercise proper management of the funds of the city;
3. Take charge of the disbursement of all funds of the city and such other funds the custody of which may be entrusted to him by law or other competent authority;
4. Inspect private commercial and industrial establishments within the jurisdiction of the city in relation to the implementation of tax ordinance pursuant to the provisions of the Local Government Code;
5. Maintain and update the tax information system of the city; and
6. 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.

The Assistant City Treasurer. The Assistant City Treasurer may be appointed by the Secretary of Finance from a list of at least three (3) ranking eligible recommended by the City Mayor, subject to Civil Service Law, rules and regulations.

No person shall be appointed Assistant City Treasurer unless he is a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Commerce, Public Administration or Law from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have acquired at least five (5) years' experience in Treasury or Accounting.

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

The Assistant City Treasurer shall assist the City Treasurer and perform such other duties as the latter may assign him. He shall have authority to administer oaths concerning notices and notifications to those delinquents 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. The City Assessor must be a citizen of the Philippines, a resident of the City of Malay, 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 real estate service passer. He must have acquired experience in real property assessment work or in any related field for at least five (5) years immediately preceding the day of his appointment.

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

The City Assessor shall take charge of the City Assessor's 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 valuation 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 system;
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;
8. Prepare a schedule of the fair market value of the different classes of real properties in accordance with the provisions of the Local Government Code;
9. Issue, upon request of any interested party, certified copies of assessment records of real property and all other records relative to its assessment, upon payment of a service charge or fee to the City Treasurer;
10. Submit every semester a report of all assessments, as well as cancellations and modifications of assessments to the City Mayor and the Sangguniang Panlungsod; and
11. 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.

The Assistant City Assessor. The Assistant City Assessor must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Civil or Mechanical Engineering, Commerce or any related course from a recognized college or university, and a real estate service passer. He must have acquired experience in assessment work or in any related field for at least three (3) years immediately preceding the date of his appointment.

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

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

Section 29. The City Accountant. The City Accountant must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, and a Certified Public Accountant. He must have acquired experience in the Treasury or Accounting service for at least five (5) years immediately preceding the date of his appointment.

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

The City Accountant shall take charge of the accounting services of the city 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 of which expenditures and obligations may be properly charged;
5. Review supporting documents before preparation of vouchers to determine completeness of requirements;
6. Prepare statements of cash advances, liquidation, salaries, allowances, reimbursements and remittances pertaining to the city;
7. Post individual disbursement to the subsidiary ledger and index cards;
8. Maintain individual ledgers for officials and employees of the city pertaining to payrolls and deductions;
9. Record and post in index cards details of purchased furniture, fixtures and equipment, including disposal thereof, if any;

10. Account for all issued requests for obligations and maintain and keep all records and reports related thereto;
11. Prepare journals and the analysis of obligations and maintain and keep all records and reports related thereto; and
12. 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 30. The City Budget Officer. The City Budget Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Accounting, Economics, Public Administration or any related course from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have acquired experience in government budgeting or in any related field for at least five (5) years immediately preceding the date of his appointment.

The City Budget Officer shall take charge of the City Budget Department, and shall:

1. Prepare forms, orders and circulars embodying instructions on budgetary and appropriation matters for the signature of the City Mayor;
2. Review and consolidate the budget proposals of different departments and offices of the city;
3. Assist the City Mayor in the preparation of the budget and during budget hearings;
4. Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon;
5. Submit periodic budgetary reports to the Department of Budget and Management;
6. Coordinate with the City Treasurer, the City Accountant and the City Planning and Development Officer for the purpose of budgeting;
7. Assist the Sangguniang Panlungsod in reviewing the approved budgets of the component city;
8. Coordinate with the City Planning and Development Officer in the formulation of the development plan of the city; and
9. 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 Planning and Development Coordinator. The City Planning and Development Coordinator must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Urban Planning, Development Studies, Economics, Public Administration or any related course from a recognized college or university, and a licensed Environmental Planner. He must have acquired experience in development planning or in any related field for at least five (5) years immediately preceding the date of his appointment.

The City Planning and Development Coordinator shall receive such compensation, emoluments and allowances as may be determined by law.

The City Planning and Development Coordinator shall take charge of the City Planning and Development Department, and shall:

1. Formulate integrated economic, social, physical and other development plans and policies for consideration of the city;
2. Conduct continuing studies, research and training programs necessary to evolve plans and programs for implementation;
3. Integrate and coordinate all sectoral plans and studies undertaken by the different functional groups or agencies;

- 999 4. Monitor and evaluate the implementation of the different development programs, projects
1000 and activities in the city in accordance with the approved development plan;
1001 5. Prepare comprehensive plans and other development planning documents for the
1002 consideration of the local development council;
1003 6. Analyze the income and expenditure patterns, and formulate and recommend fiscal plans
1004 and policies for consideration of the Finance Committee of the Sangguniang Panlungsod;
1005 7. Promote people's participation in development planning within the city; and
1006 8. Perform such other duties and functions and exercise such other powers as provided for
1007 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1008 and those that are prescribed by law or ordinance.

1009 **Section 32. The City Engineer.** The City Engineer must be a citizen of the Philippines, a resident of the
1010 City of Malay, of good moral character, and a licensed Civil Engineer. He must have acquired
1011 experience in the practice of his profession for at least five (5) years immediately preceding the date of
1012 his appointment.

1013 The City Engineer shall receive such compensation, emoluments and allowances as may be determined
1014 by law.

1015 The City Engineer shall take charge of the City Engineering and Public Works Department, and shall:

- 1016 1. Initiate, review and recommend changes in policies and objectives, plans and programs,
1017 techniques, procedures and practices in infrastructure development and public works in
1018 general of the city;
1019 2. Advise the City Mayor on infrastructure, public works and other engineering matters;
1020 3. Administer, coordinate, supervise and control the construction, maintenance,
1021 improvement and repair of roads, bridges and other engineering and public works projects
1022 of the city;
1023 4. Provide engineering services to the city, including investigation and survey, engineering
1024 designs, feasibility studies and project management; and
1025 5. Perform such other duties and functions and exercise such other powers as provided for
1026 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1027 and those that are prescribed by law or ordinance.

1028 **Section 33. The City Health Officer.** The City Health Officer must be a citizen of the Philippines, a
1029 resident of the City of Malay, of good moral character, and a licensed medical practitioner. He must
1030 have acquired experience in the practice of his profession for at least five (5) years immediately
1031 preceding the date of his appointment.

1032 The City Health Officer shall receive such compensation, emoluments and allowances as may be
1033 determined by law.

1034 The City Health Officer shall take charge of the City Health and Sanitation Department, and shall:

- 1035 1. Supervise the personnel and staff of said office, formulate program implementation
1036 guidelines and rules and regulations for the operation of the said office for the approval of
1037 the City Mayor in order to assist him in the efficient, effective and economical
1038 implementation of a health services program geared to implementation of health-related
1039 projects and activities;
1040 2. Formulate measures for the consideration of the Sangguniang Panlungsod and provide
1041 technical assistance and support to the City Mayor in carrying out activities to ensure the
1042 delivery of basic services and provision of adequate facilities related to health services;
1043 3. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1044 the same, particularly those which have to do with health programs and projects which the

1045 City Mayor is empowered to implement and which the Sangguniang Panlungsod is
1046 empowered to provide;
1047 4. Be in the frontline of the delivery of health services, particularly during and in the
1048 aftermath of man-made and natural disasters and calamities; and
1049 5. Perform such other duties and functions and exercise such other powers as provided for
1050 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1051 and those that are prescribed by law or ordinance.

1052 **Section 34. The City Civil Registrar.** The City Civil Registrar must be a citizen of the Philippines, a
1053 resident of the City of Malay, of good moral character, a holder of a college degree from a recognized
1054 college or university, and a first-grade civil service eligible or its equivalent. He must have acquired
1055 experience in civil registry work for at least five (5) years immediately preceding the date of his
1056 appointment.

1057 The City Civil Registrar shall receive such compensation, emoluments and allowances as may be
1058 determined by law.

1059 The City Civil Registrar shall be responsible for the civil registration program in the City of Malay,
1060 pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws, rules and regulations
1061 issued to implement them.

1062 The City Civil Registrar shall take charge of the City Civil Registry Department, and shall:

- 1063 1. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1064 the same, particularly those which have to do with civil registry programs and projects
1065 which the City Mayor is empowered to implement and which the Sangguniang
1066 Panlungsod is empowered to provide; and
1067 2. Perform such other duties and functions and exercise such other powers as provided for
1068 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1069 and those that are prescribed by law or ordinance.

1070 **Section 35. The City Legal Officer.** The City Legal Officer must be a citizen of the Philippines, a
1071 resident of the City of Malay, of good moral character, and a member of the Philippine Bar. He must
1072 have practiced his profession for at least five (5) years immediately preceding the date of his
1073 appointment.

1074 The City Legal Officer shall receive such compensation, emoluments and allowances as may be
1075 determined by law.

1076 The term of the City Legal Officer shall be coterminous with that of the appointing authority.

1077 The City Legal Officer, as chief legal counsel of the City, shall take charge of the Legal Department, and
1078 shall:

- 1079 1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide
1080 legal assistance and support to the city mayor in carrying out the delivery of basic services
1081 and provision of adequate facilities relative to legal services;
1082 2. Develop plans and strategies and, upon approval thereof by the city mayor, implement the
1083 same, particularly those which have to do with programs and projects related to legal
1084 services which the city mayor is empowered to implement and which the Sangguniang
1085 Panlungsod is empowered to provide;
1086 3. Recommend measures to the Sangguniang Panlungsod and advise the City Mayor on all
1087 matters related to upholding the rule of law;

- 1088 4. Be in the frontline of protecting human rights and prosecuting any violation thereof,
1089 particularly those which occur during and in the aftermath of man-made or natural
1090 disasters and calamities; and
1091 5. Perform such other duties and functions and exercise such other powers as provided for
1092 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1093 and those that are prescribed by law or ordinance.

1094 **Section 36. The City Veterinarian.** The City Veterinarian must be a citizen of the Philippines, a resident
1095 of the City of Malay, of good moral character, and a licensed Doctor of Veterinary Medicine. He must
1096 have practiced his profession for at least three (3) years immediately preceding the date of his
1097 appointment.

1098 The City Veterinarian shall receive such compensation, emoluments and allowances as may be
1099 determined by law.

1100 The City Veterinarian shall take charge of the veterinary services department, and shall:

- 1101 1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide
1102 technical assistance and support to the City Mayor in carrying out measures to ensure the
1103 delivery of basic services and provision of adequate facilities relative to veterinary services;
1104 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1105 the same, particularly those which have to do with veterinary-related activities which the
1106 City Mayor is empowered to implement and which the Sangguniang Panlungsod is
1107 empowered to provide;
1108 3. Be in the frontline of veterinary-related activities, such as in the outbreak of highly
1109 contagious and deadly diseases, and in situations resulting in the depletion of animals for
1110 work and human consumption, particularly those arising from and in the aftermath of
1111 man-made and natural disasters and calamities;
1112 4. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other
1113 matters relative to veterinary services which will increase the number and improve the
1114 quality of livestock, poultry and other domestic animals used for work or human
1115 consumption; and
1116 5. Perform such other duties and functions and exercise such other powers as provided for
1117 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1118 and those that are prescribed by law or ordinance.

1119 **Section 37. The City Social Welfare and Development Officer.** The City Social Welfare and
1120 Development Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral
1121 character, a duly licensed Social Worker or a holder of a college degree preferably in Sociology or any
1122 other related course from a recognized college or university, and a first grade civil service eligible or its
1123 equivalent. He must have acquired experience in the practice of social work for at least five (5) years
1124 immediately preceding the date of his appointment.

1125 The City Social Welfare and Development Officer shall receive such compensation emoluments and
1126 allowances as may be determined by law.

1127 The City Social Welfare and Development Officer shall take charge of the Social Welfare and
1128 Development Department, and shall:

- 1129 1. Formulate measures for the approval of the Sangguniang Panlungsod and provide
1130 technical assistance and support to the City Mayor in carrying out measures to ensure the
1131 delivery of basic services and provision of adequate facilities relative to social welfare and
1132 development services;

- 1133 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1134 the same, particularly those which have to do with social welfare programs and projects
1135 which the City Mayor is empowered to implement and which the Sangguniang
1136 Panlungsod is empowered to provide;
1137 3. Be in the frontline of service delivery, particularly those which have to do with social
1138 welfare programs and projects which the city mayor is empowered to implement and
1139 which the Sangguniang Panlungsod is empowered to provide;
1140 4. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other
1141 matters related to social welfare and development services which will improve the
1142 livelihood and living conditions of the inhabitants; and
1143 5. Perform such other duties and functions and exercise such other powers as provided for
1144 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1145 and those that are prescribed by law or ordinance.

1146 **Section 38. The City General Services Officer.** The City General Services Officer must be a citizen of
1147 the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree in
1148 Public Administration, Business Administration or Management from a recognized college or
1149 university, and a first-grade civil service eligible or its equivalent. He must have acquired experience
1150 in general services, including management of supply, property, solid waste disposal, and general
1151 sanitation for at least five (5) years immediately preceding the date of his appointment.

1152 The City General Services Officer shall receive such compensation, emoluments and allowances as may
1153 be determined by law.

1154 The City General Services Officer shall take charge of the General Services Department, and shall:

- 1155 1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide
1156 technical assistance and support to the City Mayor in carrying out measures to ensure the
1157 delivery of public services and provision of adequate facilities which require general
1158 services expertise and technical support services;
1159 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1160 the same, particularly those which have to do with general services supportive of the
1161 welfare of the inhabitants of the City which the City Mayor is empowered to implement
1162 and which the Sangguniang Panlungsod is empowered to provide;
1163 3. Take custody of and be accountable for all properties real or personal, owned by the city,
1164 and those granted to it in the form of donation, reparation, assistance and counterpart of
1165 joint projects;
1166 4. Be in the frontline of general services-related activities, such as the possible or imminent
1167 destruction or damage to records, supplies, properties and structural materials or debris,
1168 particularly during and in the aftermath of man-made and natural disasters and calamities;
1169 5. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other
1170 matters relative to general services; and
1171 6. Perform such other duties and functions and exercise such other powers as provided for
1172 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1173 and those that are prescribed by law or ordinance.

1174
1175 **Section 39. The City Agricultural and Biosystems Engineer.** The City Agricultural and Biosystems
1176 Engineer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character,
1177 a holder of a college degree in Agricultural and Biosystems Engineering from a recognized college or
1178 university, and a licensed Agricultural and Biosystems Engineer. He must have acquired experience
1179 agricultural and biosystems engineering services for at least five (5) years immediately preceding the
1180 date of his appointment.

1181 The City Agricultural and Biosystems Engineer shall take charge of the City Office of the Agricultural
1182 and Biosystems Engineer, and shall:

1183 1. Preparation of engineering designs, plans, specifications, project studies, feasibility studies
1184 and estimates of irrigation and drainage, soil and water conservation and management systems
1185 and facilities, agrometeorological systems, agricultural and biosystems power, and machinery,
1186 agricultural and biosystems buildings and structures, renewable/bio-energy systems and farm
1187 electrification, agricultural and bio-processing and post-harvest facilities and system,
1188 agricultural and biological waste utilization and management, agricultural and bio-
1189 information system, agricultural and biosystems resource conservation and management, and
1190 agricultural and bio-automation and instrumentation system;

1191 2. Supervision or management on the construction, operation, and maintenance of irrigation
1192 and drainage, soil and water conservation and management systems and facilities,
1193 agrometeorological systems, agricultural and biosystems power and machinery, agricultural
1194 and biosystems buildings and structures, renewable/bio-energy systems and farm
1195 electrification, agricultural and bio-processing and post-harvest facilities and system,
1196 agricultural and biological waste utilization and management, agricultural and bio-
1197 information system, agricultural and biosystems resource conservation and management, and
1198 agricultural and bio-automation and instrumentation system;

1199 3. Valuation, appraisal, investigation, inspection, monitoring, and technical audit on
1200 agricultural and biosystems machineries and equipment, structures and facilities, and
1201 agricultural and biosystems engineering projects;

1202 4. Program/Project development and management, planning, evaluation, and consultancy
1203 services on agricultural and biosystems engineering undertakings;

1204 5. Conduct of research and development, training and extension on agricultural and
1205 biosystems engineering;

1206 6. Testing, evaluation, and inspection of agricultural and biosystems machinery, and other
1207 related agricultural and biosystems engineering facilities, equipment and projects;

1208 7. Manufacture, distribution, installation, and sale of agricultural and biosystems machinery
1209 and other related agricultural and biosystems engineering facilities and equipment;

1210 8. Teaching and/or conduct of lecture of agricultural and biosystems engineering subjects in
1211 institutions of learning in the Philippines;

1212 9. Preparation and evaluation of farm development plans, farm suitability maps and land use
1213 maps/reports for agricultural, livestock and poultry, fishery, aquaculture and forest production
1214 and processing;

1215 10. Training and supervision of agri-fishery machinery technicians and operators of agri-
1216 fishery machinery service centers/pools, and agricultural and biosystems engineering
1217 technicians and operators in agricultural and biosystems plants, establishments, facilities, and
1218 projects;

1219 11. Participation in the preparation of environmental studies for agricultural, fisheries, agro-
1220 industrial and biosystems projects and its monitoring under the Environmental Impact
1221 Assessment (EIA) system.

1222 12. Perform such other duties and functions and exercise such other powers as provided for
1223 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and
1224 those that are prescribed by law or ordinance.

Section 40. The City Architect. The City Architect must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, and a duly licensed Architect. He must have practiced his profession for at least five (5) years immediately preceding the date of his appointment.

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

The City Architect shall take charge of the City Architect's Office, and shall:

1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to architectural planning and design
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; and
3. 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 41. The City Information Officer. The City Information Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree, preferably in journalism, mass communication or any related course from a recognized college or university, and a holder of a first-grade civil eligibility or its equivalent. He must have experience in writing articles and research papers, or in writing for print, television or broadcast media of at least 3 years.

The City Information Officer shall take charge of the Office on Public Information, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the mayor, as the case may be, in providing information and research data required for the delivery of basic services and provision of adequate facilities so that the public becomes aware of the said services and may fully avail of the same;
2. Develop plans and strategies on programs and projects related to public information and, implement them upon approval thereof by the mayor;
3. Provide relevant, adequate, and timely information to the LGU and its residents;
4. Furnish information and data on LGUs to NGAs, as may be required by law or ordinance, including those on NGOs;
5. Maintain effective liaison with various sectors of the community on matters and issues that affect the livelihood and the quality of life of the inhabitants and encourage support for programs of the local and national government;
6. Be in the frontline in providing information during and in the aftermath of manmade and natural calamities and disasters, with special attention to the victims thereof, to help minimize injuries and casualties during and after the emergency, and to accelerate relief and rehabilitation;
7. Recommend to the Sanggunian and advise the mayor, as the case may be, on all the matters relative to public information and research data as it relates to the total socio-economic development of the LGU; and
8. Exercise such powers and perform such other duties and functions as may be prescribed by law or ordinances

Section 42. The City Agriculturist. The City Agriculturist must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree in Agriculture or

1273 any related course from a recognized college or university, and a licensed agriculturist. He must have
1274 practiced his profession in agriculture or acquired experience in a related field for at least five (5) years
1275 immediately preceding the date of his appointment.

1276 The City Agriculturist shall receive such compensation, emoluments and allowances as may be
1277 determined by law.

1278 The City Agriculturist shall take charge of the agricultural services department, and shall:

- 1279 1. Formulate measures for the approval of the Sangguniang Panlungsod and provide
1280 technical assistance and support to the city mayor in carrying out said measures to ensure
1281 the delivery of basic services and provision of adequate facilities relative to agricultural
1282 services.
- 1283 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1284 the same, particularly those which have to do with agricultural programs and projects
1285 which the City Mayor is empowered to implement and which the Sangguniang
1286 Panlungsod is empowered to provide;
- 1287 3. Ensure that maximum assistance and access to resources in the production, processing and
1288 marketing of agricultural and aquacultural and marine products are extended to farmers,
1289 fishermen and local entrepreneurs;
- 1290 4. Be in the frontline of the delivery of basic agricultural services, particularly those needed
1291 for the survival of the inhabitants during and in the aftermath of man-made and natural
1292 disasters and calamities;
- 1293 5. Recommend to the Sangguniang Panlungsod and advise the city mayor on all other matters
1294 related to agriculture and aquaculture which will improve the livelihood and living
1295 conditions of the inhabitants; and
- 1296 6. Perform such other duties and functions and exercise such other powers as provided for
1297 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1298 and those that are prescribed by law or ordinance.

1299 **Section 43. The City Population Officer.** The City Population Officer must be a citizen of the
1300 Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree
1301 preferably with specialized training in population development from a recognized college or
1302 university, and a first-grade civil service eligible or its equivalent. He must have experience in the
1303 implementation of programs on population development or responsible parenthood for at least five (5)
1304 years immediately preceding the date of his appointment.

1305

1306 The City Population Officer shall receive such compensation, emoluments and allowances as may be
1307 determined by law or ordinance. The City Population Officer shall take charge of the Population
1308 Department, and shall:

- 1309 1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide
1310 technical assistance and support to the City Mayor in carrying out measures to ensure the
1311 delivery of basic services and provision of adequate facilities relative to the integration of
1312 population development principles and in providing access to said services and facilities;
- 1313 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1314 the same, particularly those which have to do with the integration of population
1315 development principles and methods in programs and projects which the City Mayor is
1316 empowered to implement and which the Sangguniang Panlungsod is empowered to
1317 provide; and
- 1318 3. Perform such other duties and functions and exercise such other powers as provided for
1319 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1320 and those that are prescribed by law or ordinance.

1321
1322
1323
1324
1325
1326
1327
1328

1329
1330

1331
1332

1333
1334
1335
1336
1337
1338
1339
1340
1341
1342
1343
1344
1345
1346
1347
1348
1349
1350
1351
1352
1353
1354
1355
1356
1357
1358
1359
1360
1361

Section 44. The City Environment and Natural Resources Officer. The City Environment and Natural Resources Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Environment, Forestry, 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 acquired experience in environment and natural resources management, conservation, and utilization work for at least five (5) years immediately preceding the date of his appointment.

The City Environment and Natural Resources Officer shall receive such compensation, emoluments and allowances as may be determined by law.

The City Environment and Natural Resources Officer shall take charge of the Environmental Services Department, and shall:

1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources services;
2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with environment and natural resources programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide;
3. Be in the frontline of the delivery of services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural disasters and calamities;
4. Enforce all laws, regulations and policies pertinent to environmental management and pollution control;
5. Design and maintain an waste collection and disposal system conforming to the requirements of RA 7160, 8749 and 9003;
6. Implement a civic consciousness program in support of its environmental and waste management programs.
7. Establish operational linkages with other local and national agencies concerned with environmental protection and waste management.
8. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to the protection, conservation, and maximum utilization, application of appropriate technology and other matters related to the environment and natural resources
9. Establishment of new regular reforestation projects, except those areas located in protected areas and critical watershed
10. Prevention of forest fire, illegal cutting and kaingin
11. Apprehension of violators of forest laws, rules and regulation; and
12. 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 45. The City Cooperatives Officer. The City Cooperatives Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree preferably in Business Administration with special training on cooperatives or any related course from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have experience for at least five (5) years immediately preceding the date of his appointment.

The City Cooperatives Officer shall receive such compensation, emoluments and allowances as may be determined by law or ordinance.

1369 The City Cooperatives Officer shall take charge of the Cooperatives Department, and shall:

- 1370 1. Formulate measures for consideration of the Sangguniang Panlungsod and provide
1371 technical assistance and support to the City Mayor in carrying out measures to ensure the
1372 delivery of basic services and provision of facilities through the development of
1373 cooperatives, and in providing access to such services and facilities
- 1374 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1375 the same, particularly those which have to do with the integration of cooperative principles
1376 and methods in programs and projects which the City Mayor is empowered to implement
1377 and which the Sangguniang Panlungsod is empowered to provide
- 1378 3. Be in the frontline of cooperative organizations, rehabilitation or viability enhancement,
1379 particularly during and in the aftermath of man-made and natural disasters and calamities,
1380 to aid in their survival and, if necessary, subsequent rehabilitation
- 1381 4. Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other
1382 matters relative to cooperatives development and viability enhancement which will
1383 improve the livelihood and quality of life of the inhabitants; and
- 1384 5. Perform such other duties and functions and exercise such other powers as provided for
1385 under Republic Act No. 7160, otherwise known as the Local Government Code of 1991,
1386 and those that are prescribed by law or ordinance.

1387 **Section 46. The City Human Resource Management Officer.** The City Human Resource Officer must
1388 be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a
1389 college degree from a recognized college or university, and a first-grade civil service eligible or its
1390 equivalent. He must have acquired experience in Human Resource Management for at least five (5)
1391 years immediately preceding the date of his appointment.

1392 The City Human Resource Officer shall take charge of the City Human Resource Management Office,
1393 and shall:

- 1394 1. Take charge in the administration of official personnel action of all municipal officials and
1395 employees, such as leaves, promotions, retirements, change of status, performance
1396 appraisal ratings and other related personnel matters;
- 1397 2. Advise the municipal officials on personnel policy, functions, practices, rules and
1398 regulations and problems;
- 1399 3. Determine the qualifications standards of all positions, salary grade and salary allocations
1400 that are in accordance with those prescribed by the Civil Service Commission, Department
1401 of Budget and Management and other agencies of the government concerned;
- 1402 4. Recommend to the Mayor the conduct of training and seminars for the upgrading of
1403 personnel skills and performances;
- 1404 5. Supervise all personnel and responsible for the updating of personnel records and
1405 safekeeping of 201 files of all officials and employees;
- 1406 6. Assists in staff training and development; and
- 1407 7. Exercise such other powers and perform such other duties and functions as may be
1408 prescribed by law or ordinance.

1409
1410 **Section 47. The City Public Employment Service Officer.** The City Public Employment Service Officer
1411 must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder
1412 of a college degree preferably in any of the following: operations management (OM), Human Resource
1413 Management (HRM), Human Resource Development (HRD) and/ or allied fields from a recognized
1414 college or university, and a first-grade civil service eligible or its equivalent. He must have acquired
1415 experience in human resource management for at least five (5) years immediately preceding the date
1416 of his appointment.

1417 The City Public Employment Service Officer shall take charge of the City Public Employment Service
1418 Office, and shall:

- 1419 1. Promote employment programs for city residents in need of jobs;
- 1420 2. Provide employment counselling, career guidance and other such services to the city's
1421 students and out-of-school youth;
- 1422 3. Promote industrial peace by mediating in labor management disputes upon the request of
1423 a contending party.
- 1424 4. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1425 the same, particularly those relating to public employment services which the City Mayor
1426 is empowered to implement and which the Sangguniang Panlungsod is empowered to
1427 provide; and
- 1428 5. Perform such other duties and functions and exercise such other powers as may be
1429 prescribed by law or ordinance.

1430 **Section 48. The City Procurement Officer.** The City Procurement Officer must be a citizen of the
1431 Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree from
1432 a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have
1433 acquired experience in procurement services for at least five (5) years immediately preceding the date
1434 of his appointment.

1435 The City Procurement Officer shall take charge of the City Procurement Office, and shall:

- 1436 1. Handles processing of requests for goods and services to be procured through bidding and
1437 other means of procurement
- 1438 2. Formulates policies, plans and projects
- 1439 3. Reviews and evaluates contracts and other pertinent documents to ensure compliance with
1440 the requirements under RA 9184
- 1441 4. Reviews and consolidates the PPMs into Annual Procurement Plan (APP)
- 1442 5. Monitors procurement activities and milestones
- 1443 6. Prepares the required statutory reports to the Government Procurement Policy Board
1444 (GPPB)
- 1445 7. Undertakes Procurement Price Monitoring
- 1446 8. Consolidates the Procurement Report of the City Government
- 1447 9. Prepares the Quality Objective and Plan
- 1448 10. Prepares the Quality Management Reports
- 1449 11. Conducts/coordinates training activities
- 1450 12. Provides administrative support to the BAC
- 1451 13. Organizes and makes all necessary arrangements for BAC meetings and conferences
- 1452 14. Prepares minutes of meeting and resolutions of the BAC
- 1453 15. Takes custody of procurement documents and other records
- 1454 16. Advertises and/or posts bidding opportunities, including Bidding Documents
- 1455 17. Assists in managing the procurement processes
- 1456 18. Acts as the central channel of communications for the BAC with end users, PMOs, other
1457 units of the line agency, other government agencies, providers of goods, infrastructure
1458 projects and consulting services, observers and the general public
- 1459 19. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1460 the same, particularly those relating to public employment services which the City Mayor
1461 is empowered to implement and which the Sangguniang Panlungsod is empowered to
1462 provide; and
- 1463 20. Perform such other duties and functions and exercise such other powers as may be
1464 prescribed by law or ordinance.

Section 49. The City College Administrator. The City College Administrator/President must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a doctorate degree, and a first grade civil service eligible or its equivalent. He must have acquired experience in City College Administration for at least five (5) years immediately preceding the date of his appointment.

The City College Administrator shall take charge of the Malay City College, and shall:

1. He/ She shall, on behalf of the Board of Trustees, have general supervision over all academic, administrative and financial operation of the college;
2. Promulgate and enforce general policies affecting the college and shall take action which, in his judgement are necessary for the protection of life, right, property and general welfare of the college.
3. Recommend to the Board, the appointment of qualified person to fill all vacancies and new positions; may designate officials to perform functions in concurrent capacity without additional compensation and may request for job orders;
4. Institute disciplinary actions against any personnel, or faculty for culpable violation of Civil Service Laws and School Policies and against any student of the college whose action adversely affect the general interest and good name of the college subject to the due process and approval of the Board of Trustees;
5. Decide appeals in controversies involving ranking officials, faculty and personnel of the college when penalty imposed exceeds thirty (30) days;
6. Grant or deny sabbatical leaves and leaves of absence without pay and/ or extension of such leaves, as well as extension of fellowship or any form of scholarship for a period not exceeding one academic semester, if the budget permits and for reason that may deem satisfactory subject to appeal to the Board of Trustees;
7. Grant permission for use of building and premises of the college for academe, professional, scientific and technology conventions, and other related non-academic activities with a fee fixed by the board.
8. Sign and execute all contracts, deed and instruments for the college, subject to the approval of the Board;
9. Cause the preparation of annual budget of the college and submit the same for review, consideration and approval of the Board of Trustees;
10. Cause the preparation of annual year-end report for the current year;
11. Perform such other powers as elsewhere provided in this charter as may be specifically authorized by the Board of Trustees and such other powers usually pertaining to the office of the College Administrator. He may delegate in writing any of his specific function to any office.
12. Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide; and
13. Perform such other duties and functions and exercise such other powers as may be prescribed by law or ordinance.

Section 50. The City Zoning Administrator. The City Zoning Administrator must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree from a recognized college or university, and a licensed Environmental Planner. He must have acquired experience in zoning administration for at least five (5) years immediately preceding the date of his appointment.

The City Zoning Administrator shall take charge of the Zoning Regulation and Administration Office, and shall:

- 1513 1. Act on all applications for all zoning-related certifications and clearances.
- 1514 2. Issue Locational Clearances or Certificates of Zoning Compliance for projects conforming
- 1515 to the zoning regulations and complying with the required documents.
- 1516 3. Issue Denial Decisions for Locational Clearances or Certificates of Zoning Compliance
- 1517 applications that are non-compliant to any provision of the Zoning Ordinance or other
- 1518 existing city ordinances.
- 1519 4. Issue Certificates of Land Classification for requesting landowners and concerned
- 1520 stakeholders.
- 1521 5. Issue the needed Order of Payment for the zoning fees that the applicant should be paying.
- 1522 6. Monitor on-going/existing projects and act on violations and non-compliance to the zoning
- 1523 ordinance.
- 1524 7. Conduct site inspections and monitoring visits to on-going/existing projects within the
- 1525 municipality and when warranted, issue Notices of Violation and show cause order to
- 1526 owners, developers, or managers of projects that are violating the zoning ordinance,
- 1527 pursuant to Section 3 of EO 72 and Section 2 of EO 71 and when necessary, refer subsequent
- 1528 actions thereon to the HLURB.
- 1529 8. Call and coordinate with the Philippine National Police for the enforcement of orders and
- 1530 processes pertinent to the implementation of this ordinance, if necessary.
- 1531 9. Coordinate with the Municipal Legal Officer for other legal actions/remedies relative to the
- 1532 foregoing.
- 1533 10. Impose the appropriate fines/penalties for violation of the provisions of the Zoning
- 1534 Ordinance.
- 1535 11. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
- 1536 the same, which the City Mayor is empowered to implement and which the Sangguniang
- 1537 Panlungsod is empowered to provide; and
- 1538 12. Perform such other duties and functions and exercise such other powers as may be
- 1539 prescribed by law or ordinance.

1540 **Section 51. The City Business Processing and Licensing Officer.** The City Business Processing and
1541 Licensing Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral
1542 character, a holder of a college degree from a recognized college or university, and a first-grade civil
1543 service eligible or its equivalent. He must have acquired experience in business processing and
1544 licensing for at least five (5) years immediately preceding the date of his appointment.

1545 The City Business Processing and Licensing Officer shall take charge of the City Business Processing
1546 and Licensing Department, and shall:

- 1547 1. Provide effective systems, procedures and practices in the issuance and renewal of business
- 1548 permits. It regulates the nature and/or operations of various business activities within the
- 1549 City of Malay.
- 1550 2. Issued Mayor's permits to businesses located in the City of Malay
- 1551 3. Provide an effective system of conducting inspections and verifications of all business
- 1552 establishments
- 1553 4. Monitor and enforce existing laws, ordinances, policies, rules and regulations in the
- 1554 operation of businesses and occupations in the city
- 1555 5. Undertake intensive campaign against illegal business operations
- 1556 6. Provide data and facts to the business sector and the public in general
- 1557 7. File cases with the City Prosecutor's Office and/or appropriate courts for violation of tax
- 1558 laws and ordinances
- 1559 8. Develop plans and strategies and, upon approval thereof by the city mayor, implement the
- 1560 same, which the city mayor is empowered to implement and which the Sangguniang
- 1561 Panlungsod is empowered to provide; and

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

Section 52. The City Economic Enterprise Development Officer. The City Economic Enterprise Development Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have acquired experience in economic enterprise development services for at least five (5) years immediately preceding the date of his appointment.

The City Economic Enterprise Development Officer shall take charge of the City Economic Enterprise and Development Department, and shall exercise the following powers and functions:

1. Exercise managerial control over the operations of various economic enterprise unit as well as its support services units.
2. Advise the City Mayor, the City Market Committee, and other special bodies that may thereafter be legally constituted, on all matters involving economic enterprises and development.
3. Develop policies and formulate rules and regulations, standards, and procedures to improve and enhance revenue generation based on sound financial concept and principles for adequate delivery of services, subject to the approval of the Sangguniang Panlungsod.
4. Prepare the annual budget of each Economic Enterprise and the Department as a whole.
5. Exercise management and supervision over all units and personnel under the City Economic Enterprise Office.
6. Exercise such other powers and perform such other duties and function as may be prescribed by law or ordinance incidental and necessary to this position.

Section 53. The City Chief Transportation Regulation Officer. The City Chief Transportation Regulation Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a master's degree from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in transportation regulation for at least five (5) years immediately preceding the date of his appointment.

The City Transportation Regulation Officer shall take charge of the City Transportation Regulation Department, and shall:

1. Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide;
2. Implement the provision of City Traffic Code, and;
3. Perform such other duties and functions and exercise such other powers as may be prescribed by law or ordinance.

Section 54. The City Disaster Risks Reduction Management Officer. The City Disaster Risks Reduction Management Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have acquired experience in disaster risks reduction management for at least five (5) years immediately preceding the date of his appointment.

The City Disaster Risks Reduction Management Officer shall take charge of the City Disaster Risks Reduction Management Department, and shall:

- 1607 1. Set the direction, development, implementation and coordination of disaster risk
1608 management programs within their territorial jurisdiction;
- 1609 2. Design, program and coordinate disaster risk reduction and management activities
1610 consistent with the National Council's standards and guidelines;
- 1611 3. Facilitate and support risk assessments and contingency planning activities at the local
1612 level;
- 1613 4. Consolidate local disaster risk information which includes natural hazard, vulnerabilities,
1614 and climate change risk, and maintain a local risk map;
- 1615 5. Organize and conduct training, orientation, and knowledge management activities on
1616 disaster risk reduction and management at the local level;
- 1617 6. Operate multi hazard early warning system, link to disaster risk reduction to provide
1618 accurate and timely advice to national or local emergency response organization and to the
1619 general public, through diverse mass media, particularly radio, landline communication,
1620 and technologies for communication within rural communities;
- 1621 7. Formulate and implement a comprehensive and integral CDRRMP and CCCAP in
1622 accordance with the national, regional and provincial framework, and policies on disaster
1623 risk reduction in close coordination with the Local Development Councils (LDCs)
- 1624 8. Prepare and submit to the local Sanggunian through the CDRRMC and the LDC the
1625 Annual CDRRMO Plan and Budget, the proposed programming of the CDRRMF, other
1626 dedicated disaster risk reduction and management resources, and other regular funding
1627 source/s and budgetary support of the CDRRMO/BDRRMC;
- 1628 9. Conduct continuous disaster monitoring and mobilize instrumentalities and entities of the
1629 LGUs. CSOs, private group and organized volunteers, to utilize their facilities and
1630 resources for the protection and preservation of life and properties during emergencies in
1631 accordance with existing policies and procedures;
- 1632 10. Identify, assess and manage the hazards vulnerabilities and risks that may occur in their
1633 locality;
- 1634 11. Disseminate information and raise public awareness about those hazards, vulnerabilities
1635 and risks, their nature, effects, early warning signs and counter measures;
- 1636 12. Identify and implement cost effective risk reduction measures/strategies;
- 1637 13. Maintain a database of human resource, equipment, directories, and location of critical
1638 infrastructures and their capacities such as hospitals and evacuations centers;
- 1639 14. Develop, strengthen and operationalize mechanisms for partnership or networking with
1640 the private sector, CSOs, and volunteer groups;
- 1641 15. Take all necessary steps on a continuing basis to maintain, provide or arrange the provision
1642 of or to otherwise make available, suitably-trained and competent personnel for effective
1643 civil defense and disaster risk reduction and management in its area;
- 1644 16. Organize, train, equip and supervise the local emergency response teams and the ACDVs,
1645 ensuring that humanitarian aid workers are equipped with basic skills to assist mothers to
1646 breastfeed;
- 1647 17. Respond to and manage the adverse effects of emergencies and carry out recover activities
1648 in the affected area, ensuring that there is an efficient mechanism for immediate delivery
1649 of food, shelter and medical supplies for women and children, endeavor to create a special
1650 place where internally-displaced mothers and children can find help with breastfeeding,
1651 feed and care for their babies and give support to each other;
- 1652 18. Within its area, promote and raise public awareness and compliance with the Act and
1653 legislative provisions relevant to the purpose of the Act;
- 1654 19. Serve as the secretariat and executive arm of the CDRRMC;
- 1655 20. Coordinate other disaster risk reduction and management activities;
- 1656 21. Establish linkage/network with other LGUs for disaster risk reduction and emergency
1657 response purposes;

22. Recommend through the CDRRMC the enactment of local ordinances consistent with the requirements of this Act;
23. Implement policies, approved plans and programs of the CDRRMC consistent with the policies and guidelines laid down in the Act;
24. Establish a City/Barangay Disaster Risk Reduction and Management Operations Center;
25. Prepare and submit, through the CDRRMC and the LDC, the report on the utilization of the CDRRMF and other dedicated disaster risk reduction and management resources to the local Commission on Audit (COA) for city level and internal audit for municipal and component city level, copy Operations Officer of the DILG; and
26. Act on the other matters that may be authorized by the CDRRMC.
27. Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide; and
28. Perform such other duties and functions and exercise such other powers as may be prescribed by law or ordinance.

Section 55. The City Tourism Officer. The City Tourism Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree in tourism, business, law, economic, marketing, public administration or other related fields from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in cultural and tourism services for at least five (5) years immediately preceding the date of his appointment.

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

1. Initiate and implement the city government's activities related to culture and tourism.
2. Acts on referrals/ instructions of the City Mayor on activities pertaining to culture, tourism, and historical matters; handles projects related to tourism;
3. Takes charge of the preservation and promotion of the cultural heritage of the city and of the nation in general by implementing projects related to culture;
4. Encourages the organization of cultural group in City of Malay through periodic competitions, exhibitions, and performances, both for public benefit and for the discovery, development, and presentation of individual and group talents;
5. Formulates plans programs, and projects related to the commemoration of historical events in City of Malay and other commemorative activities celebrated in the country.
6. Formulate programs related to cultural projects and the commemoration of historical events
7. Handle projects related to the promotion of tourism in the city
8. Serve as a channel in the establishment and sustenance of sister-city relations
9. Supervise the registration of tourism-oriented and tourism-related establishments
10. Develop plans and strategies and, upon approval thereof by the city mayor, implement the same, which the city mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide; and
11. Perform such other duties and functions and exercise such other powers as may be prescribed by law or ordinance.

Section 56. The City Building Official. The City Building Official must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree from a recognized college or university, and a licensed Civil Engineer or registered Architect and a member of good standing of a duly accredited organization of his profession for not less than two years. He must have acquired experience in for at least five (5) years in building design and construction immediately preceding the date of his appointment.

1707 The City Building Official shall take charge of the City Building Office, and shall:

- 1708 1. Implements the National Building Code of the Philippines, its referral codes and other laws
1709 and ordinances related thereto;
- 1710 2. Processes and issues building permits, including ancillary and auxiliary permit
1711 applications for all types of structures as required under the code;
- 1712 3. Conducts inspection of on-going and completed structures as a requirement in the
1713 processing and issuance of occupancy and other final permits related thereto;
- 1714 4. Conducts annual inspection of building and other structures to ensure compliance to safety
1715 standards to prevent unnecessary loss of life and property;
- 1716 5. Processes and issues excavation permits for public utilities; plans, design and imposes
1717 building regulatory measures and parameters needed to enhance the city development
1718 plans and programs.
- 1719 6. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1720 the same, which the City Mayor is empowered to implement and which the Sangguniang
1721 Panlungsod is empowered to provide; and
- 1722 7. Perform such other duties and functions and exercise such other powers as may be
1723 prescribed by law or ordinance.

1724 **Section 57. The City Internal Auditor.** The City Internal Auditor must be a citizen of the Philippines,
1725 a resident of the City of Malay, of good moral character, a holder of a master's degree and a graduate
1726 from an accredited college or university with a Bachelor's Degree in Accounting, Auditing, or a closely
1727 related field, professional-level experience as an Accountant or Auditor with a government entity or a
1728 public accounting firm. He must have acquired experience in internal auditing for at least five (5) years
1729 immediately preceding the date of his appointment.

1730 The City Internal Auditor shall take charge of the City Internal Audit Office, and shall:

- 1731 1. Responsible for planning and directing the financial and fiscal compliance, program,
1732 operational, and computer audits of city programs and related agencies;
- 1733 2. Responsible for independent audit of the management of city departments, offices and
1734 programs, analysis of financial management practices, and surveillance of municipal fiscal
1735 contracts. practice and of policies established by city management. This class performs related
1736 work as required. Qualifications of the City Internal Auditor are the following:
- 1737 3. Ascertaining the reliability and integrity of financial and operational information and means
1738 used to identify measures, classify and report such information.
- 1739 4. Ascertaining the extent of compliance with established policies, and applicable laws and
1740 regulations, and reviewing the system established to ensure compliance with government
1741 policies, plans and procedures, laws and regulation which could have a significant impact on
1742 operations;
- 1743 5. Ascertaining the extent to which the assets and other resources of the institutions are accounted
1744 for and safeguarded from losses of all kinds;
- 1745 6. Reviewing and evaluating the soundness, adequacy and application of accounting, financial
1746 and other operating controls and promoting the most effective control at reasonable cost;
- 1747 7. Reviewing operations or programs to ascertain whether or not results are consistent with
1748 established objectives and goals and whether or not such programs are being carried out as
1749 planned;
- 1750 8. Evaluating the quality of performance of groups/individual in carrying out their assigned
1751 responsibilities; and
- 1752 9. Recommending corrective actions on operational deficiencies observed.
- 1753 10. Pre-audit of vouchers and countersignature of checks;

- 1754 11. Inspection of deliveries, although the internal auditor may, as part of his examination, observe
1755 inspection;
1756 12. Preparation of treasury and bank reconciliation statements
1757 13. Development and installation of systems and procedures; however, in exceptional cases, the
1758 internal auditor may assist by the way of giving suggestions preferably during the
1759 development stage;
1760 14. Taking physical inventories; however, the internal auditor may review the plans in advance
1761 and observe the test-check the accuracy of counting, costing and summarizing;

1762 **Section 58. The City Sports and Development Officer.** The City Sports Development Officer must be
1763 a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college
1764 degree from a recognized college or university, and a first-grade civil service eligible or its equivalent.
1765 He must have acquired experience in Sports Development or in any related field for at least five (5)
1766 years immediately preceding the date of his appointment.

1767 The City Sports Development Officer shall receive such compensation, emoluments and allowances as
1768 may be determined by law.

1769 The City Sports and Development Officer shall take charge of the City Sports Development and Games
1770 Office, and shall:

- 1771 1. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1772 the same, particularly those which have to do with youth and sports programs and projects
1773 which the City Mayor is empowered to implement and which the Sangguniang
1774 Panlungsod is empowered to provide; and
1775 2. Perform such other duties and functions and exercise such other powers as may be
1776 prescribed by law or ordinance.

1777 **Section 59. The City Public Order and Safety Officer.** The City Public Order and Safety Officer must
1778 be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a
1779 college degree from a recognized college or university, and a first-grade civil service eligible or its
1780 equivalent. He must have acquired experience in Public Safety Management for at least five (5) years
1781 immediately preceding the date of his appointment.

1782 The City Public Safety Officer shall take charge of the Public Safety Department, and shall:

- 1783 1. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1784 the same, particularly those relating to public safety which the City Mayor is empowered
1785 to implement and which the Sangguniang Panlungsod is empowered to provide;
1786 2. Provide public security
1787 3. Augment auxiliary services on traffic management
1788 4. Formulate plans and programs that improve public safety
1789 5. Undertake protective and disaster relief services
1790 6. Clear sidewalks of illegal vendors and obstructions.
1791 7. Perform such other duties and functions and exercise such other powers as may be
1792 prescribed by law or ordinance.
1793

1794 **Section 60. The City Trade and Industry Officer.** The City Trade and Industry Officer must be a citizen
1795 of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree
1796 in Business, Accountancy, Economics or any related course from a recognized college or university,
1797 and a first-grade civil service eligible or its equivalent. He must have acquired experience in business
1798 or any related field for at least five (5) years immediately preceding the date of his appointment.

1799 The City Trade and Industry Officer shall receive such compensation, emoluments and allowances as
1800 may be determined by law.

1801 The City Trade and Industry Officer shall take charge of the Trade and Industry Department, and shall:

- 1802 1. Formulate measures for the consideration of the Sangguniang Panlungsod and provide
1803 technical assistance to the City Mayor in carrying out measures to ensure the delivery of
1804 basic services and provision of adequate facilities relative to trade and industry;
- 1805 2. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1806 the same, particularly those which have to do with trade, commerce, industry and
1807 economic promotion; and
- 1808 3. Perform such other duties and functions and exercise such other powers as may be
1809 prescribed by law or ordinance.

1810

1811 **Section 61. The City Economic Investments and Incentives Promotion Officer.** The City Economic
1812 Investments and Incentives Promotion Officer must be a citizen of the Philippines, a resident of the City
1813 of Malay, of good moral character, a holder of a college degree from a recognized college or university,
1814 and a first-grade civil service eligible or its equivalent. He must have acquired experience in economic
1815 investment and incentives promotion for at least five (5) years immediately preceding the date of his
1816 appointment.

1817 The City Economic Investments and Incentives Promotion Officer shall take charge of the City
1818 Economic Investments and Incentives Promotion department, and shall:

- 1819 1. Spur inclusive growth and development by stimulating entrepreneurship, growing micro
1820 and small enterprises, and strengthening cooperatives through appropriate organizational
1821 and business development program and service.
- 1822 2. Oversee and facilitate the planning, delivery, coordination, consolidation, and convergence
1823 of all stakeholder efforts to develop and promote micro and small enterprises and
1824 entrepreneurship in the City of Malay.
- 1825 3. Classify Micro and Small Enterprises according to its business activity, product/services
1826 offered and target market.
- 1827 4. Implementing arm of the Micro and Small Enterprises Development Council (MSED
1828 Council)
- 1829 5. Undertake planning, development, and monitoring of MSE and Cooperatives programs
- 1830 6. Function as the Technical Secretariat of the MSED Council
- 1831 7. Evaluate Micro Enterprises covered by RA9178 or BMBE Law.
- 1832 8. Develop a medium-term and long-term investment promotions and retention plan to be
1833 approved by the board in coordination with the City Development Council (CDC) and
1834 consistent with national investment policies. The plan shall be broken down into annual
1835 investment programs to be integrated into the local priorities for implementation;
- 1836 9. Facilitate the efficient and effective operations of CEIPD through:
 - 1837 1. Compilation and processing of information, studies, and reports relevant to the local
1838 economic environment and the identified investment priority areas.
 - 1839 2. Establishment and update of a data bank on general business information and a web
1840 based information system to disseminate key messages, procedures, and information
1841 necessary to attract and retain investments
 - 1842 3. Preparation and updating of an operations manual specifying processes, activities,
1843 roles and responsibilities for the administration of investment promotion and
1844 retention. The operations manual shall include a client/citizens charter specifying
1845 accountability and maximum periods for the processing of documents for investments
1846 and code of conduct for MEIPC management and staff;

4. Assist in: (1) securing licenses and permits; (2) identifying business or joint venture partners, raw materials suppliers and possible business sites; (3) sourcing skilled manpower and service providers; and (4) facilitating the resolution of issues and concerns encountered by business enterprises;
5. Undertake investment promotions activities based on value added in relation to costs;
6. Develop and disseminate investments promotion collaterals, (i.e. brochures, industry and project profiles, cost of doing business in the LGU);
7. Respond to information needs of investors;
8. Conduct of marketing and investment targeting strategies such as investment meetings, fairs, and missions;
9. Conduct briefings of potential investors whenever necessary;
10. Conduct follow through activities to convert potential investors to actual locators in the LGU;
10. Receive, process and evaluate applications for registration and grant of local incentives for approval of the board;
11. Render after-care services to all investment/business locators particularly the registered enterprises;
12. Recommend to the board any modifications/amendments to existing legislation and procedures on local investments for its appropriate action;
13. Establish cooperative undertakings with other LGUs, private sector, NGOs, NGAs and other institutions as maybe necessary, useful, and incidental to the effective and efficient implementation of the CEIC;
14. Monitor and supervise project implementation of registered enterprises.
15. Represent the city in trade and investments meetings, conferences, conventions and other similar gatherings as maybe directed by the board;
16. Perform such other functions as may be necessary to implement the intent of the Code.
17. Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide; and
18. Perform such other duties and functions and exercise such other powers as may be prescribed by law or ordinance.

Section 62. The City Housing and Community Development and Resettlement Officer. The City Housing and Community Development and Resettlement Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a college degree from a recognized college or university, and a first-grade civil service eligible or its equivalent. He must have acquired experience in housing and community development and resettlement for at least five (5) years immediately preceding the date of his appointment.

The City Housing and Community Development and Resettlement Officer shall take charge of the City Housing and Community Development and Resettlement Office, and shall:

1. Implement Republic Act No. 7279, otherwise known as the Urban Development Housing Act of 1992 (UDHA), in coordination with the Social Housing Finance Corporation, Housing and Urban Development Coordination Council, the Department of Interior and Local Government and other government agencies concerned, the private sector and other non-government particularly focusing on socialized housing and resettlement programs for the city's underprivileged and homeless constituents or informal settler families (ISFs);
2. To undertake programs that will ensure sustained development in the resettlement areas or communities through continuing education, training, providing health and welfare assistance through efficient, honest, and committed delivery of public/basic services by its employees.

- 1897 3. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1898 the same, which the City Mayor is empowered to implement and which the Sangguniang
1899 Panlungsod is empowered to provide; and
1900 4. Perform such other duties and functions and exercise such other powers as may be
1901 prescribed by law or ordinance.
1902

1903 **Section 63. The City Barangay and Community Relations Officer.** The City Barangay and Community
1904 Officer must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a
1905 holder of a college degree from a recognized college or university, and a first grade civil service eligible
1906 or its equivalent. He must have acquired experience in barangay and community relations for at least
1907 five (5) years immediately preceding the date of his appointment.

1908 The City Barangay and Community Officer shall take charge of the City Barangay and Community
1909 Relations Office, and shall:

- 1910 1. Act as the Administrative and Operational Arm of the City Government on barangay
1911 matters as one of the major conduits in attaining the goals and in achieving the mission,
1912 vision and thrusts of the City Mayor towards the growth and development of the
1913 barangays as well as in strengthening barangay initiatives and actions in the delivery of
1914 necessary services to the constituents of the City of Malay.
1915 2. Designed programs such as Administrative and Barangay Benefits Assistance Program,
1916 Barangay Information/Awareness and Training Program, Monitoring and Coordination
1917 Program, Barangay Technical and Legal Assistance Program, and Special Task/Project
1918 Implementation Assistance Program.
1919 3. Take charge of the issuance of certifications for elected barangay officials and service
1920 records of barangay officials.
1921 4. Develop plans and strategies and, upon approval thereof by the city mayor, implement the
1922 same, which the city mayor is empowered to implement and which the Sangguniang
1923 Panlungsod is empowered to provide; and
1924 5. Perform such other duties and functions and exercise such other powers as may be
1925 prescribed by law or ordinance.
1926

1927 **Section 64. The City Research and Development Officer.** The City Research and Development Officer
1928 must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder
1929 of a college degree from a recognized college or university, and a first grade civil service eligible or its
1930 equivalent. He must have acquired experience in research and development for at least five (5) years
1931 immediately preceding the date of his appointment.

1932 The City Research and Development Officer shall take charge of the City Research and Development
1933 Office, and shall:

- 1934 1. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
1935 the same, which the City Mayor is empowered to implement and which the Sangguniang
1936 Panlungsod is empowered to provide;
1937 2. Conduct extensive research for new products and develop new solutions that could help
1938 boost the local economy;
1939 3. Conduct extensive research not limited to natural plants, woods, grasses, bamboos,
1940 coconuts, etc... present and abundant in the locality for possible product development;
1941 4. Research, design and evaluate materials, assemblies, processes and equipment for
1942 continuous improvement of products and produce/harvests for the benefit of local
1943 producers and farmers;
1944 5. Transfer new technologies, products, and manufacturing process into and out of the
1945 municipality.

- 1946 6. Conduct other research and development that may support in the advancement of science
1947 and technology not limited to engineering methods in construction industry, machineries,
1948 refinery, mass transportation, medical research, etc...; and
1949 7. Perform such other duties and functions and exercise such other powers as may be
1950 prescribed by law or ordinance.
1951

1952 **Section 65. The City Public Affairs and Information Services Officer.** The City Public Affairs and
1953 Information Services Officer must be a citizen of the Philippines, a resident of the City of Malay, of
1954 good moral character, a holder of a college degree from a recognized college or university, and a first-
1955 grade civil service eligible or its equivalent. He must have acquired experience in public affairs and
1956 information services for at least five (5) years immediately preceding the date of his appointment.

1957 The City Public Affairs and Information Services Officer shall take charge of the City Public Affairs and
1958 Information Services Office, and shall:

- 1959 1. Develop and implement programs and necessary mechanisms pertaining to the delivery
1960 of information relating to the plans, programs, policies, achievements and official activities
1961 of the City Mayor and the city government;
1962 2. Develop, manage and operate city government-owned or controlled public
1963 information/mass communications structure/facilities to provide the City Mayor in
1964 particular and the city government in general, access to the people as an alternative to mass
1965 media entities;
1966 3. Set up and maintain a network of people and entities and system to ensure that accurate
1967 information from the City Mayor and the city government is effectively and efficiently
1968 relayed, delivered and disseminated to the public;
1969 4. Manage, control, supervise or assist as may be necessary the various city government units
1970 involved in information dissemination;
1971 5. Coordinate and cultivate relations with the media; manage and administer the city
1972 government's official news and information website and social media pages and accounts;
1973 6. Deals with the public, including the media, by advancing the city government's mission,
1974 vision, goals and interests;
1975 7. Explain how the city government's programs and policies impact the public;
1976 8. Help the citizenry understand the city government's plans and actions;
1977 9. Prepare and distribute information materials on behalf of the city government;
1978 10. Monitor how the media reports on the city government as well as events and developments
1979 impact the city and its people;
1980 11. Respond to media inquiries, arrange interviews, and facilitate access to information,
1981 resource persons and subject matter experts;
1982 12. Correct erroneous information and try to improve the interpretation and understanding of
1983 existing information;
1984 13. Counter disinformation with the right information;
1985 14. Engage the public through various media platforms/channels and encourage people's
1986 participation in local governance and community development;
1987 15. Provide sound advice and expertise to city officials on matters pertaining to media and
1988 mass communications;
1989 16. Develop plans and strategies and, upon approval thereof by the city mayor, implement the
1990 same, which the city mayor is empowered to implement and which the Sangguniang
1991 Panlungsod is empowered to provide; and
1992 17. Perform such other duties and functions and exercise such other powers as may be
1993 prescribed by law or ordinance.

1994 **Section 66. The City Youth Development Officer.** The Youth Development Officer shall be preferably
1995 not more than 30 years old at the time of his or her appointment; of good moral character; must have
1996 acquired experience in youth development affairs or involvement in youth or youth serving
1997 organizations for at least 3 years and he or she shall be appointed by the local chief executive, but in no
1998 case is he or she be within the fourth civil degree of consanguinity or affinity of the appointing
1999 authority.

2000 The office is responsible to promote and protect the physical, moral, spiritual, intellectual and social
2001 well-being of Filipino youth, inculcating in them patriotism and nationalism and encourage their
2002 involvement in public and civic affairs.

2003 Duties and Responsibilities. The City Youth Development Officer shall perform the following duties
2004 and responsibilities:

- 2005 1. Register and verify youth had youth-serving organizations;
- 2006 2. Provide technical assistance to the city Youth Development Council (YDC) in the
2007 formulation of the Youth Development Plan;
- 2008 3. Facilitate the election of the YDC representatives;
- 2009 4. Serve as Secretariat to the YDC and as such, shall provide the necessary administrative,
2010 operational, staff and technical staff to the YDC;
- 2011 5. Conduct the mandatory and continuing training of SK officials and YDC members,
2012 pursuant to the programs jointly designed and implemented by the National Youth
2013 Commission and the Department of the Interior and Local Government;
- 2014 6. Provide technical, logistical and other support in the conduct of the mandatory and
2015 continuing training programs, and to such other programs of the NYC and DILG;
- 2016 7. Coordinate with the NYC with regard to the youth programs within their jurisdiction and
2017 perform other functions as may be prescribed by law, ordinance or as the local chief
2018 executive may require.
- 2019

2020 **Section 67. The City Information Technology Officer.** The City Information Technology Officer must
2021 be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder of a
2022 college degree preferably Information Technology and Computer Engineering from a recognized
2023 college or university, and a first-grade civil service eligible or its equivalent. He must have acquired
2024 experience in public affairs and information services for at least five (5) years immediately preceding
2025 the date of his appointment.

2026 The City Information Technology Officer shall take charge of the City Information Technology
2027 Development Office, and shall:

- 2028 1. Provide for the city government's full range of infotech services and requirements, from
2029 acquisition to programming to networking to archiving.
- 2030 2. Establish a central electronic data center that consolidates and archives all information
2031 pertinent to the city government's plans, programs and projects, to establish a service
2032 bureau in support of that data center.
- 2033 3. Handles database maintenance and systems support operations.
- 2034 4. Provide support in the development of small to medium-sized office automation and or
2035 computer applications;
- 2036 5. Provide support in the enhancement of software applications/ systems to reduce operating
2037 time or improve efficiency;
- 2038 6. Provide support in preparing required documentation, including both program-level and
2039 user-level documentation;
- 2040 7. Develop plans and strategies and, upon approval thereof by the City Mayor, implement
2041 the same, which the City Mayor is empowered to implement and which the Sangguniang
2042 Panlungsod is empowered to provide;

- 2043 8. Perform such other duties and functions and exercise such other powers as may be
2044 prescribed by law or ordinance.
2045

2046 **Section 68. The City Persons with Disability Affairs Officer.** The City Persons with Disability Officer
2047 must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, a holder
2048 of a college degree from a recognized college or university, and a first-grade civil service eligible or its
2049 equivalent. He must be a duly accredited PWD organization with a track record of at least three (3)
2050 years. He must have acquired a 5 experience in position/s involving management and supervision, 1
2051 year of which is relevant to disability affairs.

2052 The City Persons with Disability Affairs Officer shall take charge of the City Person with Disability
2053 Office, and shall:

- 2054 1. Formulate and implement policies, plans and programs for the promotion of the welfare of
2055 persons with disabilities in coordination with concerned national and local government
2056 agencies;
- 2057 2. Coordinate and implement the provision of RA No. 10070, Batas Pambansa Blg.344,
2058 otherwise known as the Accessibility Law, and other relevant laws at the local level;
- 2059 3. Represent persons with disabilities in meetings of local development councils and other
2060 special bodies;
- 2061 4. Recommend and enjoin the participation of Non-Government Organizations (NGOs) and
2062 People's Organization (POs) in the implementation of all disability-related laws and policies;
- 2063 5. Gather and compile relevant data on persons with disabilities in their localities;
- 2064 6. Disseminate information including, but not limited to programs and activities for persons
2065 with disabilities, statistics on persons with disabilities, including children with disability, and
2066 training and employment opportunities for persons with disabilities;
- 2067 7. Submit reports to the office of their respective governor or city/municipal mayor on the
2068 implementation of programs and services for the promotion of the welfare of persons with
2069 disabilities in their respective areas of jurisdiction;
- 2070 8. Ensure that policies, plans and programs for the promotion of welfare of persons with
2071 disabilities are funded by both the national and local government;
- 2072 9. Monitor fundraising activities being conducted for the benefit of persons with disabilities;
- 2073 10. Seek donations in cash or in kind from local or foreign donors to implement an approved
2074 work plan for persons with disabilities, in accordance with existing laws and regulations; and
- 2075 11. Perform such other functions as maybe necessary for the promotion and protection of the
2076 welfare of persons with disabilities;
- 2077 12. Manage and oversee the efficient operations of the Persons with Disabilities Affairs Office
2078 and general supervision of its personnel;
- 2079 13. Develop, promote and monitor the implementation of policies, plans, programs, and services
2080 for the development of persons with disabilities in coordination with national and local
2081 government agencies;
- 2082 14. Ensure representation of persons with disabilities in the local development councils and other
2083 special bodies;
- 2084 15. Build the capacity of non – government organizations and people's organizations to
2085 participate in the implementation of all disability related laws and policies;
- 2086 16. Establish coordination with the province, city or municipality, as the case maybe and ensure
2087 the inclusion of disability concerns in all local government programs and services;
- 2088 17. Network with local, national and international organizations and establish partnership on
2089 disability programs and resource mobilizations;
- 2090 18. Develop and submit to the concerned municipal/city mayor or governor an Annual Work and
2091 Financial Plan;

19. Design and implement yearly work programs and projects in accordance with R.A. 7277 (Magna Carta for Disabled Persons), Batas Pambansa 344 (Accessibility Law) and the UN Convention on the Rights of PWDs (UNCRPD);
20. Advocate for equal opportunity and accessibility of PWDs the programs for education, employment, health, socio-cultural and sports development;
21. Propose measures for the welfare of the person with disabilities (PWDs) as approved by the Sangguniang Panlungsod;
22. Maintain and regularly update the list of PWDs and issue individual PWD identification cards;
23. Organize the identified PWDs in every barangay and federate them in the city;
24. Serve as consultative and advisory body in the issuance of building and occupancy permits relative to the effective implementation of BP 344 also known as the Accessibility Law; and
25. Monitor and report to the Department of Justice, the incidents violating the RA 7277, BP 344, RA 10070, RA 10754 and PWD related laws.

Section 69. The Office of the Senior Citizen Affairs Head. The OSCA HEAD must be a citizen of the Philippines, a resident of the City of Malay, of good moral character, able to read and write and at least a high school graduate. He must be physically and mentally capable of performing the tasks of OSCA Head, a bonafide member of a duly registered senior citizen's organization which has a track record of at least three consecutive years;

The OSCA Head shall take charge of the Office of the Senior Citizens Affairs, and shall:

1. In consultation with the City or Municipal Social Work and Development Officer and duly registered senior citizen organizations, to plan, develop, implement, consolidate, and monitor yearly work programs in pursuance of the objectives of the Act and its Rules;
2. To draw up a list of available and required services which can be provided by the registered federations and associations of senior citizens;
3. To maintain and regularly update on a quarterly basis the list of senior citizens and to issue national uniform individual identification cards and purchase booklets, free of charge, which shall be valid anywhere in the country;
4. To serve as a general information and liaison center the needs of the senior citizens;
5. To monitor compliance of the provisions of the Act and its Rules particularly the grant of special discounts and privileges to senior citizens;
6. To report to the Mayor, any person, natural or judicial; establishments, business, entity, institution or agency found violating any provision of the Act and its Rules;
7. To facilitate the creation of a city or municipality coordinating and monitoring board consisting of OSCA Head, the City or Municipal Social Work and Development Officer and the presidents of concerned duly registered senior citizens organizations to deliberate and act on the complaints;
8. To assist senior citizens in filling complaints or charges against any person, natural or judicial; establishment, institution, or agency refusing to comply with the privileges under the Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court;
9. To assist and coordinate with the concerned person, natural or judicial, establishment, institution or agency in investigating fraudulent practices and abuses of the discount and privileges exclusively granted to senior citizens ; and
10. To establish linkages and work together with the accredited NGOs, people's organizations, and the barangays in their respective areas.

2141 **Section 70. Benefits of Employees working in the City Government.** These are benefits of city
2142 government employees apart from their regular salaries and wages. The city government employee
2143 will be entitled to fringe benefits. These includes those benefits that are relatively small in value and
2144 are not taxable and are called “de minimis benefits.”

2145 These privileges furnished or offered to city employees to promote health, goodwill, contentment, or
2146 efficiency of city employees. “De minimis benefits”, like fringe benefits, are granted by the city
2147 government on top of the employee’s basic compensation but are not considered as taxable
2148 compensation for income tax purposes nor subject to the fringe benefit tax.

2149 **Section 71. The City Fire Station Service.**

2150 (a) There shall be established in the City at least one (1) fire station with adequate personnel,
2151 firefighting facilities, and equipment, subject to the standards, rules and regulations that may
2152 be promulgated by the DILG. The City shall provide the necessary land or site of the station.

2153 (b) The city fire station shall be headed by a city fire marshal whose qualifications shall be as
2154 those provided for under Republic Act No. 9263, as amended, otherwise known as the "Bureau
2155 of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of
2156 2004.

2157 (c) The city fire station shall be responsible for providing emergency services such as the rescue
2158 and evacuation of injured people related to incidents and, in general, all fire prevention and
2159 suppression measures to secure the safety of life and property of the citizenry.

2160 **Section 72. The City Jail Service.**

2161 (a) There shall be established and maintained in the city a secured, clean, adequately equipped,
2162 and sanitary jail facility for the custody and safekeeping of prisoners, any fugitive from justice,
2163 or person detained awaiting investigation or trial and/or violent mentally ill person who
2164 endangers himself or the safety of others, duly certified as such by the proper Medical Health
2165 Officer, pending the transfer to a mental institution.

2166 (b) The city jail service shall be headed by a City Jail Warden whose qualifications shall be as
2167 those provided for under Republic Act No. 9263, as amended, otherwise known as the "Bureau
2168 of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of
2169 2004". One shall assist in the immediate rehabilitation of individuals or detention of prisoners.
2170 Great care must be exercised so that human rights of these prisoners are respected and
2171 protected, and their spiritual and physical well-being are properly and promptly attended to.

2172

2173 **Section 73. The City School Division.**

2174 (a) There shall be established and maintained by the DepED a city school division of the City
2175 of Malay, headed by a City Schools Division Superintendent.

2176 (b) The City School Division shall be headed by a City Schools Division Superintendent who
2177 must possess the necessary qualifications required by the DepED.

2178 **Section 74. The City Prosecution Service.**

(a) There shall be established in the city 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 Department of Justice (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 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 the quality of prosecution service in the city 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.

Section 75. Establishment of Extension or Satellite Offices. There shall be established in the City of Malay extension or satellite offices of the Registry of Deeds, Land Transportation Office, Department of Human Settlements and Urban Development, Government Service Insurance System, Social Security System, Philippine Health Insurance and Overseas Workers Welfare Administration Office, which shall be organizationally part of their respective national offices, and under the supervision and control of their respective heads of national offices and whose qualifications, manner of appointment, rank, salary and benefits shall be governed by existing laws covering their respective departments or offices. They shall extend services and perform such other functions as mandated by their, respective charters to the residents of the city and its neighboring local government units.

Article X

Reclamation of Foreshore Lands and Ownership of Waterwork System Water Springs or Water Sources

Section 76. Reclamation of Foreshore Lands. The city alone shall have the authority to reclaim foreshore lands, including submerged lands within its jurisdiction in accordance with the provisions of Republic Act No. 1899: Provided, however, that should the city desire to reclaim the said foreshore lands and submerged lands through third parties, the contracts relating thereto shall become effective only when the said contracts shall have been approved by the City Council and City Mayor.

Section 77. Ownership of Waterworks System, Water Springs or Water Sources, Roads, Streets, etc. Notwithstanding the provision of Republic Act No. 1383 and other existing laws, all existing waterworks belonging to the national government, water springs and water sources shall be owned by the City of Malay and all revenues therefrom shall accrue to the general fund of the city. All existing municipal, provincial and national roads, streets, bridges, docks, piers, wharves, machineries, equipment and other public works improvements shall be owned by the City of Malay *except those that are pre-owned by the Provincial Government, Philippine Port Authority and other National Government Agencies unless turned over to the City Government of Malay.*

2225
2226

2227
2228
2229
2230

2231
2232
2233
2234
2235
2236

2237
2238
2239
2240
2241

2242
2243
2244
2245
2246

2247
2248
2249
2250
2251

2252
2253
2254

2255
2256
2257
2258
2259

2260
2261
2262
2263
2264

2265
2266

2267
2268

Article XI
Transitory and Final Provisions

Section 78. Municipal Ordinances. Existing Ordinances at the Time of the Approval of this Act. All municipal ordinances of the Municipality of Malay existing at the time of the approval of this Act shall continue to be in force within the City of Malay until the Sangguniang Panlungsod shall, by ordinance, provide otherwise.

Section 79. Tax Moratorium. Upon the effectivity of this Act, the City of Malay shall maintain a tax moratorium for five (5) years, wherein no increase in the rates of taxes shall be imposed. Furthermore, it shall abide by the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, which limit the authority of local government units in adjusting tax rates which shall not be oftener than once every five (5) years, but in no case shall such adjustment exceed ten percent (10%) of the rates fixed under this Code.

Section 80. Plebiscite. The City of Malay 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 Malay within sixty (60) days from the approval of this Act. The expenses for such plebiscite shall be borne by the Municipality of Malay. The Commission on Elections shall conduct and supervise such plebiscite.

Section 81. Officials of the City of Malay. The present elective officials of the Municipality of Malay 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 Malay.

Section 82. Succession Clause. The City of Malay shall succeed to all the assets, properties, liabilities and obligations of the Municipality of Malay.

Section 83. Representative District. Until otherwise provided by law, the City of Malay shall continue to be a part of the Second Congressional District of the Province of Aklan.

Section 84. Reservation. Nothing herein contained shall preclude the determination by the appropriate agency or forum of boundary disputes or cases involving questions or territorial jurisdiction between the City of Malay and any of the adjoining local government units even after the effectivity of this Act.

Section 85. Applicability of Laws. The provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, other laws pertaining to the Province of Aklan, and such laws as are applicable to cities shall govern the City of Malay insofar as they are not inconsistent with the provisions of this Act. Provided, however, that the land requirement prescribed under Republic Act No. 9009 shall not apply to the City of Malay.

Section 86. Separability Clause. If, for any reason or reasons, any part or provisions of this Charter shall be held unconstitutional, invalid, or inconsistent with the Local Government Code of 1991, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect. Moreover, in cases where this Charter is silent or unclear, the pertinent provisions of the Local Government Code shall govern, if so, provided therein.

Section 87. Repealing Clause. All laws, decrees, rules or regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 88. Effectivity Clause. This Act shall take effect upon its approval.

Approved,