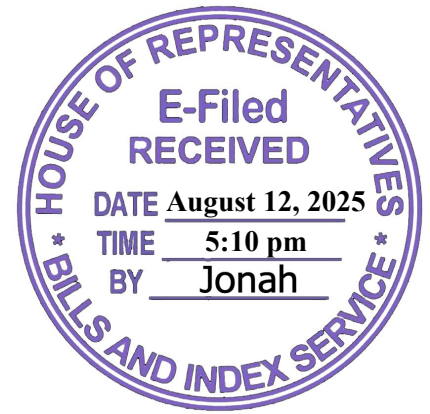


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 3609



Introduced by Representative
LEODY “ODIE” F. TARRIELA

EXPLANATORY NOTE

This bill seeks to convert the Municipality of San Jose into a component city of the Province of Occidental Mindoro to be known as City of San Jose.

Under the Local Government Code (LGC), political subdivisions shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals. Toward this end, the State shall provide for a more responsive and accountable local government structure instituted through a system of decentralization whereby local government units shall be given more powers, authority, responsibilities and resources. The process of decentralization shall proceed from the National Government to the local government units.¹

As such, Sec. 450 of RA 7160 or the Local Government Code as amended by RA 9009, and amended further by RA 11683, provides:

“SEC. 450. **Requisites for Creation.** – (a) A municipality or a cluster of barangays may be converted into a component city if it has a locally generated average annual income, as certified by the Department of Finance, of at least One hundred million pesos (P100,000,000.00) for the last two (2) consecutive years based on 2000 constant prices, and if it has either of the following requisites:

- (i) a contiguous territory of at least territory of at least one hundred (100) square kilometers, as certified by the Land Management Bureau; or
- (ii) a population of not less than one hundred fifty thousand (150,000) inhabitants, as certified by the Philippine Statistics Authority (PSA).

Provided, That the creation thereof shall not reduce the land area, population and income of the original unit or units at the time of said creation to less than the minimum requirements prescribed herein.

A municipality or a cluster of barangays with a locally generated average annual income, as certified by the Department of Finance, of at least Four hundred million pesos (P400,000,000.00) for the last two (2) consecutive years based on 2012 constant prices may also be converted into a component city if it has either a population of not less than one by the PSA or a contiguous territory of at least one

¹ Sec. 2 (a), Local Government Code, as amended.

hundred (100) square kilometers, as certified by the Land Management Bureau; Provided, That three (3) years after the effectivity of this Act and every three (3) years thereafter, the threshold amount of Four hundred million pesos (P400,000,000.00) shall be increased by five percent (5%).

(b) The territorial jurisdiction of a newly-created city shall be properly identified by metes and bounds. The requirement on land area shall not apply where the city proposed to be created is composed of one (1) or more islands. The territory need not be contiguous if it comprises two (2) or more islands.

(c) The average annual income shall include the income accruing to the general fund, exclusive of specific funds, transfers, and non-recurring income.

(d) In order to minimize the effect of conversion, the newly converted cities shall, upon enactment of this Act, bring their respective allotment derived from the national taxes as municipalities to the allotment of cities: Provided, That said portability shall be effective for a period of three (3) years from conversion into cityhood."

The Municipality of San Jose (San Jose) is a first-class municipality in the Province of Occidental Mindoro. San Jose has long proven its economic viability and stability. San Jose's locally generated average annual income For FY 2023 and FY 2024 reached Php140,566,741.00 with an average annual growth rate of 7.68% for the past three (3) years.

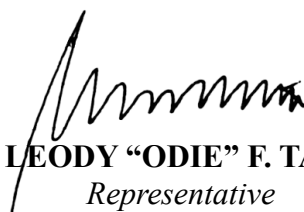
Meanwhile, its population based on the 2020 Census of Population and Housing (2020 CPH) conducted by the Philippine Statistics Authority is 153,267, while the estimated population count of its LGU for 2025 is 159,155. Furthermore, the Municipality of San Jose has a contiguous land area of approximately 446.70 square kilometers.

With this, the Municipality of San Jose fulfills the requisites on income, population and/or land area set forth by Sec. 450 of the Local Government Code, as amended.

Through this proposed law, the Municipality of San Jose avails of the perquisites for qualified towns as envisioned by the amendments of Sec. 450 of RA 7160, easing conversion of towns into cities, and addressing the inequity in the allocation of national resources by allowing a greater population enjoy the benefits of cityhood.

The proposed conversion will enhance San Jose's posture and capability of enticing more business and industries in the locality, increase its pace of development and consequently improve the lives of the inhabitants residing therein. Further, the cityhood will considerably improve San Jose's efficiency to respond to the ever-growing needs of its constituents for more and better services as a result of the city's greater power to generate its own resources of revenues for its exclusive use.

In this respect, the immediate consideration and passage of this bill is earnestly requested.



HON. LEODY "ODIE" F. TARRIELA
Representative
Lone District, Occidental Mindoro

The foregoing provision shall be without prejudice to the resolution, by the appropriate agency or forum, of existing boundary disputes or cases involving questions of territorial jurisdiction between the City of San Jose and the adjoining local government units (LGUs): Provided, That the territorial jurisdiction of the disputed area or areas shall remain with the LGU exercising powers, prerogatives and authorities over such disputed area or areas under

1 Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended,
2 until the final resolution of the case.

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

- 8
9 (a) To have continuous succession in its corporate name;
10 (b) To sue and be sued;
11 (c) To have and use a corporate seal;
12 (d) To acquire, hold and convey real or personal property;
13 (e) To enter into any contract agreement; and
14 (f) To exercise such other powers, prerogatives, or authorities granted to corporations,
15 subject to the limitations provided under the Local Government Code of 1991, as
16 amended, this Act or other laws.

17
18 The City shall have a common seal and it may continue using, modify, or change their
19 existing corporate seals: Provided, That any change of corporate seal shall be registered with
20 the Department of the Interior and Local Government (DILG).

21
22 Section 4. ***General Powers.*** - The City shall exercise the power to levy taxes, fees and
23 charges; to close and open roads, streets, alleys, parks or squares; to take, purchase, receive,
24 hold, lease, convey and dispose of real and personal property for the general interests of the
25 City; to expropriate or condemn private property for public use; to contract and be contracted
26 with, to sue and be sued; to prosecute and defend to final judgment and execution suits wherein
27 the City is involved or interested in; and to exercise all the powers under Sections 18, 19, 20,
28 and 21 of the Local Government Code of 1991, as amended, subject to the limitations provided
29 therein.

30
31 Section 5. ***General Welfare Clause.*** - The City shall exercise the powers expressly
32 granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or
33 incidental for its efficient and effective governance, and those which are essential to the
34 promotion of the general welfare.

Within its territorial jurisdiction, the City shall ensure and support, among other things, the preservation and enrichment of its culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among its residents, maintain peace and order, and preserve the comfort and convenience of its inhabitants.

Section 6. ***Liability for Damages.*** - The City and its officials shall not be exempt from liability for death or injury to persons and damage property.

Section 7. ***Jurisdiction of the City.*** - The jurisdiction of the City, for police purposes, 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 the territory within the drainage area of such water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the city water service.

The Municipal Trial Court in Cities of the City of San Jose and the municipal trial courts of the adjoining cities and municipalities shall have concurrent jurisdiction to try felonies and offenses committed within the said drainage area or areas within said spaces of one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the City water service delivery.

The court first taking jurisdiction of such felonies and offenses shall have jurisdiction to try cases to the exclusion of others. The police force of the municipalities and cities concerned shall have concurrent jurisdiction with the police forces of the City for maintenance of good order and the enforcement of ordinances throughout said zone, area or space. Any license that may be issued within said zone, area, or space 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 concerned.

ARTICLE II

OFFICIALS IN GENERAL

1
2 **Section 8. The Officials of the City of San Jose.** - (a) There shall be in the City of San
3 Jose: a City Mayor, a City Vice-Mayor, Sangguniang Panlungsod members, a Secretary to the
4 Sangguniang Panlungsod, a City Treasurer and an Assistant City Treasurer, a City Assessor and
5 an Assistant City Assessor, a City Accountant, a City Budget Officer, a City Planning and
6 Development Officer, a City Engineer and Assistant City Engineer, a City Building Official, a
7 City Health Officer and an Assistant City Civil Registrar, a City Administrator, a City Legal
8 Officer, a City Social Worker and Development Officer, a City Veterinarian, a City General
9 Services Officer and a City Register of Deeds.

10
11 (b) In addition, thereto, the City Mayor may appoint a City Environment and Natural
12 Resources Officer, a City Architect, a City Information Officer, a City Cooperatives Officer, a
13 City Population Officer, a City Public Order and Safety Officer, a City Agriculturist, a City
14 Human Resource Management Officer, and a City Tourism Officer.

15
16 (c) The Sangguniang Panlungsod may:

- 17 (1) Maintain existing offices not mentioned in subsections (a) and (b) hereof;
18 (2) Create such other offices as may be necessary to carry out the purposes of
19 the City Government; or
20 (3) Consolidate the functions of any office with those of another in the interest
21 of efficiency and economy.

22
23 (d) Unless otherwise provided herein, heads of departments and offices shall be
24 appointed by the City Mayor with the concurrence of the majority of all the Sangguniang
25 Panlungsod members, subject to civil service law, rules and regulations. The Sangguniang
26 Panlungsod shall act on the appointment within fifteen (15) days from the day of its submission,
27 otherwise the same shall be deemed confirmed.

28
29 (e) Elective and appointive city officials shall be entitled to compensation, allowances
30 and other emoluments as may be determined by law or ordinance, subject to the budgetary
31 limitations for personal services prescribed under Title Five, Book II of the Local Government
32 Code of 1991, as amended: Provided, that no increase in the compensation of the City Mayor,
33 City Vice-Mayor and the Sangguniang Panlungsod member shall take effect until after the
34 expiration of the full term of the local officials approving the increase.

1
2
3 **ARTICLE III**
4 **THE CITY MAYOR AND CITY VICE-MAYOR**

5 Section 9. *The City Mayor.* - (a) The City Mayor shall be the Chief Executive of the
6 City and shall be elected at large by the qualified voters of the City.
7

8 The City Mayor shall, at the time of the election, be at least twenty-one (21) years of
9 age, a resident of the City of San Jose for at least one (1) year immediately preceding the day
10 of the election, a qualified registered voter therein, and be able to read and write Filipino or
11 any local language or dialect.
12

13 The City Mayor, who shall hold office for three (3) years unless sooner removed, and
14 shall not serve for more than three (3) consecutive terms in the same position, shall receive a
15 minimum monthly compensation corresponding to Salary Grade (SG) 30 as prescribed under
16 Republic Act No. 6758, as amended, otherwise known as the Compensation and Position
17 Classification Act of 1989, and the implementing guidelines issued pursuant thereto and such
18 other compensation, emoluments and allowances as may be determined by law.
19

20 (b) The City Mayor, as the Chief Executive of the City Government, shall exercise such
21 powers and perform such duties and functions as provided under the Local Government Code
22 of 1991, as amended, this Act and other laws.
23

24 (c) For efficient, effective, and economical governance the purpose of which is the
25 general welfare of the City and its inhabitants, the City Mayor shall:
26

27 (1) Exercise general supervision and control over all programs, projects,
28 services, and activities of the City Government and, in this connection, shall:
29

30 (i) Determine the guidelines of city policies and be responsible to the
31 Sangguniang Panlungsod for the program of government;
32

1 (ii) Direct the formulation of the City Development Plan with the
2 assistance of the City Development Council and upon approval thereof by the
3 Sangguniang Panlungsod, implement the same;
4

5 (iii) Present the program of government and propose policies and
6 projects for the consideration of the Sangguniang Panlungsod at the opening of
7 the regular session of the Sangguniang Panlungsod every calendar year and, as
8 often as may be deemed necessary, as the general welfare of the inhabitants and
9 the needs of the City Government may require;
10

11 (iv) Initiate and propose legislative measures to the Sangguniang
12 Panlungsod and, as often as may be deemed necessary, provide such information
13 and data needed or requested by said Sanggunian in the performance of its
14 legislative functions;
15

16 (v) Appoint all officials and employees whose salaries and wages are
17 wholly or mainly paid out of city funds and whose appointments are not
18 otherwise provided under the Local Government Code of 1991, as amended,
19 and this Act, and those whose appointment the City Mayor may be authorized
20 by law to appoint;
21

22 (vi) Represent the City in all its business transactions and sign in its
23 behalf all bonds, contracts, obligations, and such other documents upon the
24 authority of the Sangguniang Panlungsod or pursuant to law or ordinance;
25

26 (vii) Carry out such emergency measures as may be necessary during
27 and in the aftermath of man-made and natural disasters and calamities;
28

29 (vii) Determine the time, manner and place of payment of salaries or
30 wages of the officials and employees of the City, in accordance with law or
31 ordinance;
32

1 (ix) Allocate and assign office space to the City and other officials and
2 employees who, by law or ordinance, are entitled to such space in the city hall
3 and other buildings owned or leased by the City Government;
4

5 (x) Ensure that all executive officials and employees of the City
6 faithfully discharge their duties and functions as provided for by law and the
7 Local Government Code of 1991, as amended, and cause to be instituted
8 administrative or judicial proceedings against any official or employee of the
9 City, who may have committed an offense in the performance of official duties;
10

11 (xi) Examine the books, records and other documents of all offices,
12 officials, agents or employees of the City, and in aid of the executive powers
13 and authority of the City Mayor, require all national officials and employees
14 stationed in or assigned to the City to make available such books, records and
15 other documents in their custody except those classified by law as confidential;
16

17 (xii) Furnish copies of executive orders issued by the City mayor to the
18 Office of the Provincial Governor within seventy-two (72) hours after their
19 issuance;
20

21 (xiii) Visit component barangays of the City, at least once every six (6)
22 months, to deepen his understanding of problems and conditions, to listen and
23 to give appropriate counsel to local officials and inhabitants, to inform
24 component barangay officials and inhabitants of general laws and ordinances
25 which especially concern them, and other wise, conduct visits and inspections
26 to ensure that the governance of the City will improve the quality of life of
27 inhabitants;
28

29 (xiv) Act on leave applications of appointed officials and employees and
30 the commutation of the monetary value of their leave credits in accordance with
31 law;
32

33 (xv) Authorize official trips of city officials and employees outside of
34 the City for a period not exceeding thirty (30) days: Provided, That trips abroad

1 for longer period may be authorized in accordance with the Local Government
2 Code of 1991, as amended;

3
4 (xvi) Call upon any national official or employee stationed in or assigned
5 to the City for advice on matters affecting the City and make recommendations
6 thereon;

7
8 (xvii) Coordinate with said officials or employees in the formulation and
9 the implementation of plans, programs and projects; and when appropriate,
10 initiate an administrative or judicial action against a National Government
11 official or employee, who may have committed an offense in the performance
12 of the official duties while stationed in or assigned to the City;

13
14 (xviii) Authorize payment for medical case, necessary transportation,
15 subsistence, hospital or medical fees of city officials and employees who are
16 injured while in the performance of their official duties and functions, subject
17 to availability of funds;

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

21
22 (xx) Conduct an annual Palarong Panlungsod which shall feature
23 traditional sports and disciplines included in national and international games,
24 in coordination with the Department of Education (DepEd); and

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

33

1 (2) Enforce all laws and ordinances relative to the governance of the City and
2 in the exercise of its appropriate corporate powers provided under Section 22 of the
3 Local Government Code of 1991, as amended, implement all approved policies,
4 programs, projects, services and activities of the City and in addition to the foregoing,
5 shall:

6
7 (i) Ensure that the acts of the City's component barangays and of its
8 officials and employees are in accordance with the scope of their prescribed
9 powers, duties and functions;

10
11 (ii) Call for the conduct of conventions, conferences, seminars or
12 meetings of elective or appointive officials of the City, including provincial and
13 national officials and employees stationed in or assigned to the City, at such
14 time and place and on such subjects as may be deemed important for the
15 promotion of the general welfare of the LGU and its inhabitants;

16
17 (3) Initiate and maximize the generation of resources and revenues and apply
18 the same to the implementation of development plans, program objectives and
19 priorities, particularly the resources and revenues programmed for agro-industrial
20 development and countryside growth and progress, and relative thereto, shall:

21
22 (i) Require head of an office or department to prepare and submit an
23 estimate of appropriations for the ensuing calendar year, in accordance with the
24 budget preparation process enshrined in the Local Government Code of 1991,
25 as amended;

26
27 (ii) Prepare and submit to the Sangguniang Panlungsod for approval the
28 executive and supplemental budgets of the City for the ensuing calendar year in
29 the manner provided for under the Local Government Code of 1991, as
30 amended;

31
32 (iii) Ensure that all taxes and other revenues of the City are collected and
33 that city funds are applied to the payment of expenses and settlement of
34 obligations of the City, in accordance with law or ordinance;

1
2 (iv) Issue licenses and permits and suspend or revoke the same for any
3 violation of the conditions stipulated by law or ordinance and upon which said
4 licenses or permits had been issued;
5

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

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

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

21 (viii) Provide efficient and effective property and supply management
22 for the City Government, and protect the funds, credits, rights and other
23 properties of the City; and
24

25 (ix) Institute or cause to be instituted administrative or judicial
26 proceedings for violation of ordinances in the collection of taxes, fees or
27 charges, and for the recovery of funds and property; and cause the City to be
28 defended against all suits to ensure that its interests, resources, and rights are
29 adequately protected.
30

31 (4) Ensure the delivery of basic services and the provision of adequate facilities
32 and, in addition thereto:
33

1 (i) Ensure that the construction and repair of roads and highways funded
2 by the National Government shall be, as far as practicable, carried out in a
3 spatially contiguous manner and in coordination with the construction and
4 repair of the roads and bridges of the City and the province;

5
6 (ii) Coordinate the implementation of technical services including public
7 works and infrastructure programs, rendered by national offices and provincial
8 office.

9
10 (5) Exercise such other powers and perform such other duties and functions as
11 provided under the Local Government Code of 1991, as amended, and those that are
12 prescribed by law or ordinance.

13
14 (d) The City Mayor shall hold office in the City Hall of the City of San Jose.

15
16 Section 10. ***The City Vice-Mayor.*** - (a) There shall be a City Vice-Mayor who shall be
17 elected in the same manner as the City Mayor and shall at the time of the election possess the
18 same qualifications as the City Mayor. The City Vice-Mayor shall hold office for three (3)
19 years, unless sooner removed, and who shall not serve for more than three (3) consecutive
20 terms in the same position, shall receive a monthly compensation corresponding to SG 26 as
21 prescribed under the Compensation and Position Classification Act of 1989, as amended, and
22 the implementing guidelines issued pursuant thereto, and such other compensation,
23 emoluments and allowances as may be determined by law.

24
25 (b) The City Vice-Mayor shall exercise the following duties:

26
27 (1) Act as presiding officer of the Sangguniang Panlungsod and sign all warrants
28 drawn on the City Treasury for all expenditures appropriated for the operation of the
29 Sangguniang Panlungsod.

30
31 (2) Subject to civil service law, rules and regulations, appoint all officials and
32 employees including the secretary of the Sangguniang Panlungsod, except those
33 manner of appointment is specifically provided under the Local Government Code of
34 1991, as amended;

1
2 (3) Assume the office of the City Mayor for the unexpired term of the latter in
3 the event of permanent vacancy as provided under the Local Government Code of 1991,
4 as amended;

5
6 (4) Exercise the powers and perform the duties and functions of the City Mayor
7 in cases of temporary vacancy as provided under the Local Government Code of 1991,
8 as amended; and

9
10 (5) Perform such other duties and functions, and exercise such other powers as
11 provided under the Local Government Code of 1991, as amended, and those that are
12 prescribed by law or ordinance.

13
14 **ARTICLE IV**
15 **THE SANGGUNIANG PANLUNGSOD**
16

17 Section 11. ***Composition and Compensation.*** - (a) The Sangguniang Panlungsod, the
18 legislative body of the City, shall be composed of the City Vice-Mayor as the presiding officer,
19 ten (10) regular Sanggunian Members, the President of the City Chapter of the Liga ng mga
20 Barangay, the President of the Panlungsod na Pederasyon ng mga Sangguniang Kabataan and
21 the three (3) sectoral representatives from the following sectors, as members: one (1) from the
22 woman sector; and, as shall be determined by the Sangguniang Panlungsod within ninety (90)
23 days prior to the holding of the local elections, one (1) from the agricultural or industrial
24 workers sector; and one (1) from the other sectors, including the urban poor, indigenous cultural
25 communities, or persons with disabilities (PWDs).

26
27 (b) The regular members of the Sangguniang Panlungsod and the sectoral
28 representatives shall be elected in the manner as may be provided for by law.

29
30 (c) The members of the Sangguniang Panlungsod shall receive a minimum monthly
31 compensation corresponding to SG 25 as prescribed under the Compensation and Position
32 Classification Act of 1989, as amended, and the implementing guidelines issued pursuant
33 thereto.
34

1 Section 12. ***Powers, Duties, and Functions.*** - (a) The Sangguniang Panlungsod, as the
2 legislative body of the City, shall enact ordinances, approve resolutions and appropriate funds
3 for the general welfare of the City and its inhabitants pursuant to Section 16 of the Local
4 Government Code of 1991, as amended, and in the proper exercise of the corporate powers of
5 the City as provided under Section 22 of the Local Government Code of 1991, as amended,
6 and in the proper exercise of the corporate powers of the City as provided under Section 22 of
7 the Local Government Code of 1991, as amended, and shall:

8
9 (1) Approve ordinances and pass resolutions necessary for an efficient and
10 effective City Government and relative hereto shall:

11
12 (i) Review all ordinances approved by the Sangguniang Barangay and
13 executive orders issued by the Punong Barangay to determine whether these are
14 within the scope of the prescribed powers of the Sangguniang Barangay and of
15 the Punong Barangay;

16
17 (ii) Maintain peace and order by enacting ordinances to prevent and
18 suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose
19 penalties for the violation of said ordinances;

20
21 (iii) Approve ordinances imposing fine not exceeding Five thousand
22 pesos (P5,000) or an imprisonment for a period not exceeding one (1) year, or
23 both at the discretion of the court, for violation of a city ordinance;

24
25 (iv) Adopt measures to protect the inhabitants of the City from the
26 harmful effects of man-made or natural disasters and calamities, and to provide
27 relief services and assistance for victims during and in the aftermath of said
28 disasters or calamities and in their return to productive livelihood following said
29 events;

30
31 (v) Enact ordinances intended to prevent, suppress and impose
32 appropriate penalties for habitual drunkenness in public places, mendicancy,
33 prostitution, establishment and maintenance of houses of ill-repute, gambling
34 and other prohibited games of chance, fraudulent devices and ways to obtain

1 money or property, drug addiction, maintenance of drug dens, drug pushing,
2 juvenile delinquency, the printing, distribution or exhibition of obscene or
3 pornographic materials or publications, and such other activities inimical to the
4 welfare and morals of the inhabitants of the City;

5
6 (vi) Protect the environment and impose appropriate penalties for acts
7 which endanger the environment, such as dynamite fishing and other forms of
8 destructive fishing, illegal logging, smuggling of logs, smuggling of natural
9 resources products and of endangered species of flora and fauna, slash-and-burn
10 farming and such other activities which result in pollution or in the acceleration
11 of siltation of rivers and lakes, or in ecological imbalance;

12
13 (vii) Subject to the provisions of the Local Government Code of 1991,
14 as amended, and the pertinent laws, determine the powers and duties of officials
15 and employees of the City;

16
17 (viii) Consistent with the Compensation and Position Classification Act
18 of 1989, as amended, determine the positions and the salaries, wages,
19 allowances and other emoluments and benefits of officials and employees paid
20 wholly or mainly from city funds and provide for expenditures necessary for the
21 proper conduct of programs, projects, services, and activities of the City
22 Government;

23
24 (ix) Authorize the payment of compensation to a qualified person, not in
25 the government service, who fills up a temporary vacancy, or grant an
26 honorarium to any qualified official or employee designated to fill a temporary
27 vacancy in a concurrent capacity, at the rate authorized by law;

28
29 (x) Provide a mechanism and the appropriate funds therefor to ensure
30 the safety and protection of all City Government property, public documents, or
31 records such as those relating to property inventory, land ownership, record of
32 births, marriages, deaths, assessments, taxation, accounts, business permits and
33 such other records and documents of public interest in the offices and
34 department of the government;

1
2 (xi) When the finance of the City Government allow, provide for
3 additional allowances and other benefits to judges, prosecutors, public
4 elementary and high school teachers, and other National Government officials
5 stationed in or assigned to the City;
6

7 (xii) Provide legal assistance to barangay officials who, in the
8 performance of their official duties or on the occasion thereof, have to invite
9 judicial proceedings or defend themselves against legal actions; and
10

11 (xiii) Provide for group insurance or additional insurance coverage for
12 all barangay officials, including members of barangay tanod brigades and other
13 service units, by public or private insurance companies, when the finances of
14 the City Government allow and coverage.
15

16 (2) Generate and maximize the use of resources and revenues for the
17 development plans, program objectives and priorities of the City, as provided under the
18 Local Government Code of 1991, as amended, with particular attention to agro-
19 industrial development and city-wide growth and progress, and relative thereto, shall:
20

21 (i) Approve the annual and supplemental budgets of the City
22 Government and appropriate funds for specific programs, projects, services and
23 activities of the City, or for other purposes not contrary to law in order to
24 promote the general welfare of the City and its inhabitants;
25

26 (ii) Subject to the provisions of Book II of the Local Government Code
27 of 1991, as amended, and applicable laws, and upon the majority vote of all the
28 members of the Sangguniang Panlungsod, enact ordinance levying taxes, fees
29 and charges, prescribing the rates thereof for general and specific purposes and
30 granting tax exemptions, incentives or reliefs;
31

32 (iii) Subject to the provisions of Book II of the Local Government Code
33 of 1991, as amended, and upon the majority vote of all the members of the

1 Sangguniang Panlungsod, authorize the City Mayor to negotiate and contract
2 loans and other forms of indebtedness;
3

4 (iv) Subject to the provisions of Book II of the Local Government Code
5 of 1991, as amended, and applicable laws, and upon the majority vote of all the
6 members of the Sangguniang Panlungsod, enact ordinances authorizing the
7 floating of bonds or other instruments of indebtedness, for the purpose of raising
8 funds to finance development projects;
9

10 (v) Appropriate funds for the construction and maintenance or the rental
11 of buildings for the use of the City; and, upon the majority vote of all the
12 members of the Sangguniang Panlungsod authorize by the City Mayor to lease
13 to private parties such public buildings held in proprietary capacity, subject to
14 existing laws, rules and regulations;
15

16 (vi) Prescribe reasonable limits and restraints on the use of property
17 within the jurisdiction of the City;
18

19 (vii) Adopt a comprehensive land use plan for the City: Provided, That
20 the formulation, adoption or modification of said plan shall be in coordination
21 with the approved provincial comprehensive land use plan;
22

23 (viii) Reclassify lands within the jurisdiction of the City subject to the
24 pertinent provisions of the Local Government Code of 1991, as amended;
25

26 (ix) Enact integrated zoning ordinance in consonance with the approved
27 comprehensive land use plan, subject to existing laws, rules and regulations;
28 establish fire limits or zones, particularly in populous centers, and regulate the
29 construction, repair or modification of buildings within said fire limits or zones
30 in accordance with the provisions of the Fire Code of the Philippines;
31

32 (x) Subject to national law, process and approve subdivision plans for
33 residential, commercial or industrial purposes and other development purposes,
34 and to collect processing fees and other charges, the proceeds of which shall

1 accrue entirely of the City: Provided, however, That where approval of a
2 national agency or office is required, said approval shall not be withheld for
3 more than thirty (30) days from receipt of the application. Failure to act on the
4 application within the period stated above shall be deemed as approval thereof;
5

6 (xi) With the concurrence of at least two-thirds (2/3) of all the members
7 of the Sangguniang Panlungsod, grant tax exemptions, incentives or reliefs to
8 entities engaged in community growth-inducing industries, subject to the
9 provisions of the Local Government Code of 1991, as amended;
10

11 (xii) Grant loans or provide grants to other LGU or to national,
12 provincial and city charitable, benevolent or educational institutions: Provided,
13 That said institutions are operated and maintained within the City;
14

15 (xiii) Implement a numbering system for residential, commercial and
16 other buildings in the City; and
17

18 (xiv) Regulate the inspection, weighing, and measuring of articles of
19 commerce.
20

21 (3) Subject to the provisions of the Local Government Code of 1991, as
22 amended, enact ordinances that grant franchises and authorize the issuance of permits
23 or licenses, upon conditions and for purpose that promote the general welfare of the
24 inhabitants of the City, and pursuant to this legislative authority, perform the following
25 duties and functions:
26

27 (i) Fix and impose reasonable fees and charges for all services rendered
28 by the City Government to private persons or entities;
29

30 (ii) Regulate or fix license fees for any business or practice of profession
31 within the City and the conditions under which the license for said business or
32 practice of profession may be revoked and enact ordinances levying taxes
33 thereon;
34

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

5
6 (iv) Regulate the display of and fix the license fees for signs, signboards
7 or billboards at the place or places where the profession or business advertised
8 thereby is, in whole or in part, conducted;

9
10 (v) Any law to the contrary notwithstanding, authorize and license the
11 establishment, operation and maintenance of cockpits, and regulate
12 cockfighting and commercial breeding of gamecocks: Provided, That existing
13 rights should not be prejudiced;

14
15 (vi) Subject to the guidelines prescribed by the Department of
16 Transportation (DOTr), regulate the operation of tricycles and grant franchises
17 for the operation thereof within the territorial jurisdiction of the City; and

18
19 (vii) Upon approval by a majority vote of all the members of the
20 Sangguniang Panlungsod, grant a franchise to any person, partnership,
21 corporation or cooperative to do business within the City; establish, construct,
22 operate and maintain markets or slaughterhouses; or undertake such other
23 activities within the City as may be allowed by existing laws: Provided, That
24 cooperatives shall be given preference in the grant of such a franchise.

25
26 (4) Regulate activities relative to the use of land, buildings and structure within
27 the City in order to promote the general welfare and for said purpose shall:

28
29 (i) Declare, prevent or abate any nuisance;

30
31 (ii) Within the concurrence of the majority of the members of the
32 Sangguniang Panlungsod expressed during a meeting, deny the entry of
33 legalized gambling by ordinance into any part of the City;

34

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

7
8 (iv) Regulate the disposal of clinical and other wastes from hospitals,
9 clinics and other similar establishments;

10
11 (v) Regulate the establishment, operation and maintenance of cafes,
12 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses
13 and other similar establishments, including tourist guides and transportations;

14
15 (vi) Regulate the sale, giving away, or dispensing of any intoxicating
16 malt, wine, or mixed or fermented liquors at any retail outlets;

17
18 (vii) Regulate the establishment and provide for the inspection of steam
19 boilers or any heating device in buildings and storage of inflammable and highly
20 combustible materials within the City;

21
22 (viii) Regulate the establishment, operation, and maintenance of any
23 entertainment or amusement facilities, including theaters, circuses, billiard
24 halls, public dancing schools, public dance halls, sauna baths, massage parlors,
25 and other places for entertainment or amusement; regulate such other events or
26 activities for amusement or entertainment, particularly those which tend to
27 disturb the community or annoy the inhabitants, or require the suspension or
28 suppression of the same; or prohibit certain forms of amusement or
29 entertainment in order to protect the social and moral welfare of the community;

30
31 (ix) Regulate the establishment, operation, and maintenance of funeral
32 parlors and the burial or cremation of the dead, subject to existing laws, rules
33 and regulations; and
34

1 (x) Enforce impounding activities to contain stray animals; designate a
2 pound area; regulate the keeping of animals in homes or as a part of business,
3 and the slaughter, sale or disposition of the same; and adopt measures to prevent
4 and penalize animal cruelty.

5
6 (5) Approve ordinances which shall ensure the efficient and effective delivery
7 of the basic services and facilities as provided under Section 17 of the Local
8 Government Code of 1991, as amended, and in addition to said services and facilities,
9 shall:

10
11 (i) Provide for the establishment, maintenance, protection and
12 conservation of communal forests and watersheds, tree parks, green belt lands,
13 mangroves, and other similar forest development projects;

14
15 (ii) Establish markets, slaughterhouses or animal corrals and authorize
16 the operation thereof by the City Government; and regulate the construction and
17 operation of private markets, talipapa or other similar buildings and structures;

18
19 (iii) Regulate the preparation and sale of meat, poultry, fish, vegetables,
20 fruits, fresh dairy products, and other foodstuffs for public consumption;

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

30
31 (v) Regulate traffic on all streets and bridges; prohibit encroachments or
32 obstacles thereon and, when necessary in the interest of public welfare,
33 authorize the removal of encroachments and illegal constructions in public
34 places;

1
2 (vi) Subject to existing law, establish and provide for the maintenance,
3 repair, and operation of an efficient waterworks system to supply water for the
4 City's inhabitants and to purify the source of water supply; regulate the
5 construction, maintenance, repair and use of hydrants, pumps, cisterns and
6 reservoirs; protect the purity and quantity of the water supply of the City and,
7 for this purpose, extend the coverage of appropriate ordinances over all
8 territories within the drainage area of said water supply and within one hundred
9 (100) meters of the reservoir, canal, conduit, aqueduct, pumping station or
10 watershed used in connection with the water service; and regulate the
11 consumption, use or wastage of water and fix and collect charges therefor;
12

13 (vii) Regulate the drilling and excavation of the ground for the laying of
14 water, gas, sewer, and other pipes, telecommunication cable wires and the
15 construction, repair and maintenance of public drains, sewers, cesspools,
16 tunnels and similar structures; regulate the placing of poles and the use of cross
17 walks, curbs and gutters; adopt measures to ensure public safety against open
18 canals, manholes, live wires and other similar hazards to life and property; and
19 regulate the construction and use of private water closets, privies and other
20 similar structures in buildings and homes;
21

22 (viii) Regulate the placing, stringing, attaching, installing, repair, and
23 construction of all gas mains, electric telegraph and telephone wires, conduits,
24 meters and other apparatus; and provide for the correction, condemnation or
25 removal of the same when found to be dangerous, defective, or otherwise
26 hazardous to the welfare of the inhabitants;
27

28 (ix) Subject to the availability of funds and to existing laws, rules and
29 regulations, establish and provide for the operation of vocational and technical
30 schools and similar post-secondary institutions and, with the approval of the
31 DepEd and Technical Education and Skills Development Authority (TESDA),
32 as the case may be, fix and collect reasonable tuition fees and other school
33 charges in educational institutions supported by the City Government;
34

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

3
4 (xi) Approve measures and adopt quarantine regulations to prevent the
5 introduction and spread of diseases;

6
7 (xii) Provide for an efficient and effective system of solid waste and
8 garbage collection and disposal; prohibit littering and the placing or throwing
9 of garbage, refuse, and other wastes;

10
11 (xiii) Provide for the care of PWDs, paupers, the elderly, the sick,
12 persons of unsound mind, abandoned minors, juvenile delinquents, drug
13 dependents, abused children and the youth below eighteen (18) years of age;
14 and subject to availability of funds, establish and provide for the operation of
15 centers and facilities for the said needy and disadvantaged persons;

16
17 (xiv) Establish and provide for the maintenance and improvement of
18 jails and detention centers, institute a sound jail management program, and
19 appropriate funds for the subsistence of detained and convicted prisoners in the
20 City;

21
22 (xv) Establish a council which shall promote culture and the arts,
23 coordinate with government agencies and nongovernmental organizations and,
24 subject to the availability of funds, appropriate funds for the support and
25 development of the same; and

26
27 (xvi) Establish a council for the elderly which shall formulate policies
28 and adopt measures mutually beneficial to the elderly and to the community;
29 provide incentives for nongovernmental agencies and entities and, subject to the
30 availability of funds, appropriate funds to support programs and projects for the
31 benefit of the elderly.
32

1 (6) Perform other duties and functions, and exercise other powers as provided
2 under the Local Government Code of 1991, as amended, and those that are prescribed
3 by law or ordinance.
4
5
6
7

8 **ARTICLE V**
9 **PROCESS OF LEGISLATION**
10

11 Section 13. ***Internal Rules of Procedure.*** - (a) On the first regular session following
12 the election of its members and within ninety (90) days thereafter, the Sangguniang Panlungsod
13 shall adopt or update its existing rules of procedure.
14

15 (b) The rules of procedure shall provide for the following:
16

17 (1) The organization of the Sangguniang Panlungsod and the election of its
18 officers as well as the creation of standing committees which shall include the
19 committees on Appropriations, Revenues, Engineering and Public Works, Education
20 and Health, Women and Family, Human Rights, Youth and Sports Development,
21 Environmental Protection, Peace and Order and Traffic, and Cooperatives; the general
22 jurisdiction of each committees; and the election of the chairperson and members of
23 each committee;
24

25 (2) The order and calendar of business for each session;
26

27 (3) The legislative process;
28

29 (4) The parliamentary procedures which include the conduct of members during
30 sessions;
31

32 (5) The discipline of members for disorderly behavior and absences without
33 justifiable cause for four (4) consecutive sessions for which they may be censured,
34 reprimanded, or excluded from the session, suspended for not more than sixty (60) days

1 or expelled: Provided, That the penalty of suspension or expulsion shall require the
2 concurrence of at least two-thirds (2/3) vote of all the Sangguniang Panlungsod
3 members: Provided, further, That a member convicted by final judgment to
4 imprisonment of at least one (1) year for any crime involving moral turpitude shall be
5 automatically expelled from the Sangguniang Panlungsod; and
6

7 (6) Such other rules as the Sangguniang Panlungsod may adopt.
8

9 Section 14. ***Full Disclosure of Financial and Business Interests of Sangguniang***
10 ***Panlungsod Members.*** - (a) Every Sangguniang Panlungsod member shall, upon assumption
11 to office, make a full disclosure of their respective businesses and financial interests. The
12 disclosure shall also include any business, financial, professional relationship or any relation
13 by affinity or consanguinity within the fourth civil degree, which a Sangguniang member may
14 have with any person, firm or entity affected by any ordinance or resolution under consideration
15 by the Sangguniang Panlungsod and which relationship may result in conflict of interest. Such
16 relationship shall include:
17

18 (1) Ownership of stock or capital, or investment in the entity or firm to which
19 the ordinance or resolution may apply; and
20

21 (2) Contracts or agreements with any person or entity which the ordinance or
22 resolution under consideration may affect.
23

24 In the absence of a specific constitutional or statutory provision applicable to
25 the situation, "conflict of interest" refers to a situation where it may be reasonably
26 deduced that a member of the Sangguniang Panlungsod may not act in the public
27 interest due to some private, pecuniary or other personal considerations that may tend
28 to affect the exercise of judgment to the prejudice of the service or the public.
29

30 (b) The disclosure required under this Act shall be made in writing and
31 submitted to the Secretary of the Sangguniang Panlungsod or the Secretary of the
32 concerned committee. The disclosure shall, in all cases, form part of the record of the
33 proceedings and shall be made in the following manner:
34

1 (1) Disclosure shall be made before the member participates in the
2 deliberations on the ordinance or resolution under consideration: Provided, That
3 if the member did not participate during the deliberations, the disclosure shall
4 be made before voting on the ordinance or resolution on second and third
5 readings; and
6

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

11 Section 15. **Sessions.** - (a) On the first day of the session immediately following the
12 election of its members, the Sangguniang Panlungsod shall, by resolution, fix the day, time and
13 place of its sessions. The minimum number of regular sessions shall be once a week for the
14 Sangguniang Panlungsod and twice a month for the Sangguniang Barangay.
15

16 (b) When the public interest so demands, special sessions may be called by the City
17 Mayor or by a majority of the members of the Sangguniang Panlungsod.
18

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

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

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

32 (e) The Sangguniang Panlungsod shall keep a journal and record of its proceedings
33 which may be published upon resolution of the majority of its members.
34

1 Section 16. ***Quorum.*** - (a) A majority of all the members of the Sangguniang
2 Panlungsod, who have been elected and qualified, shall constitute a quorum to transact official
3 business. Should a question of quorum be raised during a session, the presiding officer shall
4 immediately proceed to call the roll of the members and thereafter announce the results.
5

6 (b) Where there is no quorum, the presiding officer may declare a recess until such time
7 as a quorum is constituted, or a majority of the members present may adjourn from day to day
8 and may compel the immediate attendance of any member absent without justifiable cause by
9 designating a member of the Sangguniang Panlungsod to escort a member to the place where
10 the session is being conducted, with the assistance of a member or members of the police force
11 assigned in the territorial jurisdiction of the City of San Jose, to arrest and present the absent
12 member at the session.
13

14 (c) If there is still no quorum despite the enforcement of the immediately preceding
15 subsection, no business shall be transacted. The presiding officer shall, upon proper motion
16 duly approved by the members present, declare the session adjourned for lack of quorum.
17

18 Section 17. ***Approval of Ordinances.*** - (a) The Sangguniang Panlungsod shall present
19 to the City Mayor every ordinance enacted. Each page thereof shall contain the affixed
20 signature of the City Mayor in case of approval. Otherwise, the ordinance shall be vetoed and
21 returned with statements of objections to the Sangguniang Panlungsod, which may proceed to
22 reconsider the same. The Sangguniang Panlungsod may override the veto of the City Mayor
23 by two-thirds (2/3) vote of all its members, thereby making the ordinance effective for all legal
24 intents and purposes.
25

26 (b) The City Mayor shall communicate the veto to the Sangguniang Panlungsod within
27 ten (10) days; otherwise, the ordinance shall be deemed approved as if it has been signed.
28

29 Section 18. ***Veto Power of the City Mayor.*** - (a) The City Mayor may veto any ordinance
30 of the Sangguniang Panlungsod on the ground that it is ultra vires or prejudicial to the public
31 welfare, and shall state the reasons for the veto in writing.
32

33 (b) The City Mayor shall have the power to veto any particular item or items of an
34 appropriates ordinance, an ordinance or resolution adopting a local development plan and

1 public investment program, or an ordinance directing the payment of money or creating
2 liability. In such case, the veto shall not affect the item or items which are not objected to. The
3 vetoed item or items shall not take effect unless the Sangguniang Panlungsod overrides the
4 veto in the manner herein provided; otherwise, the item or items in the appropriations ordinance
5 of the previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

6
7 (c) The City Mayor may veto an ordinance or resolution only once. The Sangguniang
8 Panlungsod may override the veto of the City Mayor by two-thirds (2/3) vote of all its members,
9 thereby making the ordinance effective even without the approval of the City Mayor.

10
11 Section 19. ***Review of City Ordinances by the Sangguniang Panlalawigan.*** - (a)
12 Within three (3) days after approval, the Secretary to the Sangguniang Panlungsod shall
13 forward to the Sangguniang Panlalawigan for review, copies of approved ordinances and the
14 resolutions approving the local development plans and public investment programs formulated
15 by the local development council.

16
17 (b) Within thirty (30) days after receipt of copies of such ordinances and resolutions,
18 the Sangguniang Panlalawigan shall examine the documents or transmit them to the Provincial
19 Attorney, or if there be none, to the Provincial Prosecutor for prompt examination. The
20 provincial Attorney or the Provincial Prosecutor shall, within a period of ten (10) days from
21 receipt of the documents, inform the Sangguniang Panlalawigan in writing of their comments
22 or recommendations, which may be considered by the Sangguniang Panlalawigan in making
23 its decision.

24
25 (c) If the Sangguniang Panlalawigan finds that such an ordinance or resolution is
26 beyond the power conferred upon the Sangguniang Panlungsod, it shall declare such ordinance
27 or resolution invalid in whole or in part. The Sangguniang Panlalawigan shall enter its action
28 in the minutes and shall advise the corresponding city authorities of the action it has taken.

29
30 (d) If no action has been taken by the Sangguniang Panlalawigan within thirty (30) days
31 after submission of such an ordinance or resolution, the same shall be presumed consistent with
32 law and therefor valid.

33

1 Section 20. ***Review of Barangay Ordinances by the Sangguniang Panlungsod.*** - (a)
2 Within ten (10) days after their enactment, the Sangguniang Barangay shall furnish copies of
3 all barangay ordinance to the Sangguniang Panlungsod for review, as to whether the ordinance
4 is consistent with law and city ordinances.

5
6 (b) If the Sangguniang Panlungsod fails to take action on barangay ordinance within
7 thirty (30) days from receipt thereof, the same shall be deemed approved.

8
9 (c) If the Sangguniang Panlungsod finds the barangay ordinances inconsistent with law
10 or city ordinances, the Sangguniang Panlungsod shall, within thirty (30) days from receipt
11 thereof, return the same with its comments and recommendations to the Sangguniang Barangay
12 concerned for adjustment, amendment or modification, in which case, the effectivity of the
13 barangay ordinance is suspended until such time as the revision called for is effected.

14
15 Section 21. ***Enforcement of Disapproved Ordinances or Resolutions.*** - Any attempt to
16 endorse any ordinance or any resolution approving the local development plan and public
17 investment program, after the disapproval thereof, shall be sufficient ground for the suspension
18 or dismissal of the official or employee concerned.

19
20 Section 22. ***Effectivity of Ordinances or Resolutions.*** - (a) Unless otherwise stated in
21 the ordinance or the resolution approving the local development plan and public investment
22 program, the same shall take effect after ten (10) days from the date of a copy thereof is posted
23 in a bulletin board at the entrance of the City Hall of San Jose, and in at least two (2) other
24 conspicuous places in the City of San Jose not later than five (5) days after approval thereof.

25
26 (b) The Secretary of the Sangguniang Panlungsod shall cause the posting of an
27 ordinance or resolution in the bulletin board at the entrance of the City Hall, and in at least two
28 (2) conspicuous places in the City not later than five (5) days after approval thereof.

29
30 The text of the ordinance or resolution shall be disseminated and posted in Filipino or
31 English and in the language or dialect understood by the majority of the people in the City, and
32 the Secretary of the Sangguniang Panlungsod shall record such fact in a book kept for the
33 purpose, stating the dates of approval and posting.

34

1 (c) The gist of all ordinances with penal sanctions shall be posted at prominent places
2 in the City Hall, for a minimum period of three (3) consecutive weeks. Such ordinances shall
3 also be published in a newspaper of general circulation within the City and in the City's official
4 website.

5
6 **ARTICLE VI**
7 **DISQUALIFICATIONS AND SUCCESSION FOR ELECTIVE CITY OFFICIALS**
8

9 Section 23. ***Disqualifications for Elective City Officials.*** - The following persons are
10 disqualified from running for any elective position in the City:
11

12 (a) Those sentenced by final judgment for an offense involving moral turpitude
13 or an offense punishable by one (1) year or more imprisonment, within two (2) years
14 after serving sentence;
15

16 (b) Those removed from office as a result of an administrative case;
17

18 (c) Those convicted by final judgment for violating the oath of allegiance to the
19 Republic of the Philippines;
20

21 (d) Those with dual citizenship as a result of naturalization;
22

23 (e) Fugitives from justice in criminal or nonpolitical cases here and abroad;
24

25 (f) Permanent residents in a foreign country or those who have acquired the right
26 to reside abroad and continue to avail of the same right after the effectivity of the Local
27 Government Code of 1991, as amended; and
28

29 (g) The insane or feeble-minded.
30

31 Section 24. ***Permanent Vacancy in the Offices of the City Mayor and City Vice-Mayor.***
32 - If a permanent vacancy occurs in the office of the City Mayor, the City Vice-mayor shall
33 become the City Mayor. If a permanent vacancy occurs in the office of the City Vice-mayor,
34 the highest ranking Sangguniang Panlungsod member or, in case of the latter's permanent

1 incapacity, the second highest ranking Sangguniang Panlungsod member shall become the City
2 Mayor or City Vice-Mayor, as the case may be. Subsequent vacancies in the said offices shall
3 be filled automatically by the other Sangguniang Panlungsod members according to their
4 ranking as defined under the Local Government Code of 1991, as amended.

5
6 For purpose of this Act, a permanent vacancy arises when an elective local officials fills
7 in a higher vacant office, refuses to assume office, fails to qualify, dies, is removed from office,
8 voluntarily resigns or is otherwise permanently incapacitated to discharge the functions of the
9 office.

10
11 For purposes of succession as provided in this Act, ranking in the Sangguniang
12 Panlungsod shall be determined on the basis of the proportion of votes obtained by each
13 winning candidate to the total number of registered voters in the City in the immediately
14 preceding local election.

15
16 Section 25. ***Permanent Vacancies in the Sangguniang Panlungsod.*** - (a) Permanent
17 vacancies in the Sangguniang Panlungsod where automatic succession, as provided above, does
18 not apply shall be filled by appointments in the following manner:

19
20 (1) The Provincial Governor shall make the aforesaid appointments;

21
22 (2) Only the nominee of the political party under which the Sangguniang
23 Panlungsod member concerned had been elected and whose elevation to the position
24 next higher in rank created the last vacancy in the Sangguniang Panlungsod shall be
25 nominated in the manner provided herein. The appointee shall come from the political
26 party as that of the Sangguniang Panlungsod member who caused the vacancy and shall
27 serve the unexpired term of the vacant office.

28
29 In the appointment herein mentioned, a nomination and a certificate of
30 membership of the appointee from the highest official of the political party concerned
31 shall be conditions sine qua non, and any appointment without such nomination and
32 certification shall be null and void ab initio and shall be ground for administrative action
33 against the official responsible therefor;

1 (3) In case the permanent vacancy is caused by a Sangguniang Panlungsod
2 member who does not belong to any political party, the City Mayor shall, upon
3 recommendation of the Sangguniang Panlungsod, appoint a qualified person to fill the
4 vacancy; and
5

6 (4) In case of vacancy in the representation of the youth and the barangay in the
7 Sangguniang Panlungsod, said vacancy shall be filled automatically by the official next
8 in rank of the organization concerned.
9

10 Section 26. ***Temporary Vacancy in the Office of the City Mayor.*** - (a) When the City
11 Mayor is temporarily incapacitated to perform the duties for physical or legal reasons such as,
12 but not limited to, leave of absence, travel abroad, or suspension from office, the City Vice-
13 Mayor or the highest ranking Sangguniang Panlungsod member, as the case may be, shall
14 automatically exercise the powers and perform the duties and functions of the City Mayor,
15 except the power to appoint, suspend or dismiss employees which can only exercised if the
16 period of temporary incapacity exceeds thirty (30) working days.
17

18 (b) The temporary incapacity shall terminate upon submission of the City Mayor of a
19 written declaration of having reported back to the office to the Sangguniang Panlungsod. In
20 case where the temporary incapacity is due to legal cause, the City Mayor shall also submit the
21 necessary documents showing that the legal cause no longer exists.
22

23 (c) When traveling within the country but outside the territorial jurisdiction of the City
24 for a period not exceeding three (3) consecutive days, the City Mayor may designate in writing
25 the officer-in-charge of the office. Such authorization shall specify the powers and functions
26 that the local official concerned shall exercise in the absence of the City Mayor, except the
27 power to appoint, suspend or dismiss employees.
28

29 (d) If the City Mayor fails or refuses to issue such authorization, the City Vice-Mayor
30 or the highest ranking Sangguniang Panlungsod member, as the case may be, shall have the
31 right to assume the powers, duties and functions of the said office on the fourth (4th) day of
32 absence of the City Mayor, subject to the limitations provided in subsection (c) hereof.
33

1 (e) Except as provided above, the City Mayor shall, in no case, authorize any local
2 official to assume the powers, duties and functions of the office, other than the City Vice-Mayor
3 or the highest ranking Sangguniang Panlungsod member, as the case may be.
4

5 **ARTICLE VII**
6 **THE APPOINTIVE OFFICIALS OF THE CITY:**
7

8 **QUALIFICATIONS, POWERS AND DUTIES**
9

10 Section 27. *The Secretary to the Sangguniang Panlungsod.* - (a) There shall be a
11 Secretary of the Sangguniang Panlungsod who shall be a career official with the rank and salary
12 equal to a head of a department or office.
13

14 (b) The Secretary to the Sangguniang Panlungsod must be a citizen of the Philippines,
15 a resident of the City of San Jose, of good moral character, a holder of a bachelor's degree
16 preferably in law, commerce, or public administration conferred by a recognized college or
17 university, and a first-grade civil service eligible or its equivalent.
18

19 (c) The Secretary to the Sangguniang Panlungsod shall:
20

21 (1) Attend meetings of the Sangguniang Panlungsod and keep a journal of its
22 proceedings;
23

24 (2) Keep the seal of the City and affix it with signature to all ordinances,
25 resolutions, and other official acts of the Sangguniang Panlungsod and present the same
26 for the signature of the presiding officer;
27

28 (3) Forward to the City Mayor, for approval, copies of ordinances enacted by
29 the Sangguniang Panlungsod duly certified by the presiding officer, in the manner
30 provided in Section 54 of the Local Government Code of 1991, as amended;
31

32 (4) Forward to the Sangguniang Panlalawigan copies of duly approved
33 ordinances in the manner provided in Sections 56 and 57 of the Local Government Code
34 of 1991, as amended;

1
2 (5) Furnish, upon request of any interested party, certified copies of records of
3 public character in custody, upon payment to the City Treasurer of such fees as may be
4 prescribed by ordinance;
5

6 (6) Record in a book kept for the purpose, all ordinances and resolutions enacted
7 or adopted by the Sangguniang Panlungsod, with the dates of passage and publication
8 thereof;
9

10 (7) Keep his or her office and all non-confidential records therein open to the
11 public during usual business hours;
12

13 (8) Translate into the dialect used by the majority of the inhabitants all ordinance
14 and resolutions immediately after their approval and cause the publication of the same
15 together with the original version in the manner provided under the Local Government
16 Code of 1991, as amended;
17

18 (9) Take custody of the local archives and where applicable, the local library,
19 and annually account for the same; and
20

21 (10) Perform other duties and functions and exercise such other powers as
22 provided under the Local Government Code of 1991, as amended, and those that may
23 be prescribed by law or ordinance relative to his position.
24

25 Section 28. ***The City Treasurer.*** - (a) The City Treasurer shall be appointed by the
26 Secretary of the Department of Finance (DOF) from a list of at least three (3) ranking eligible
27 recommendees of the City Mayor, subject to civil service law, rules and regulations.
28

29 (b) The City Treasurer shall be under the administrative supervision of the City Mayor,
30 to whom the City Treasurer shall report regularly on the tax collection efforts of the City.
31

32 (c) The City Treasurer must be a citizen of the Philippines, a resident of the City of San
33 Jose, of good moral character, a holder of a bachelor's degree in commerce, public
34 administration, or law from recognized college or university, a first grade civil service eligible

1 or its equivalent and must have acquired at least five (5) years of expiration in treasury or
2 accounting service.

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

6
7 (e) The City Treasurer shall supervise the City Finance Department, and shall:

8
9 (1) Advise the City Mayor, the Sangguniang Panlungsod and other local
10 government and national officials concerned regarding the disposition of local
11 government funds and on such other matters relative to public finance;

12
13 (2) Take custody and exercise proper management of the funds of the City;

14
15 (3) Take charge of the disbursement of all funds of the City and such other funds
16 the custody of which may be entrusted to the City Treasurer by law or other competent
17 authority;

18
19 (4) Inspect private commercial and industrial establishments, within the
20 jurisdiction of the City, in relation to the implementation of tax ordinances pursuant to
21 the provisions of the Local Government Code of 1991, as amended;

22
23 (5) Maintain and update the tax information system of the City; and

24
25 (6) Perform other duties and functions, and exercise such other powers as
26 provided under the Local Government Code of 1991, as amended, and those that are
27 prescribed by law or ordinance.

28
29 Section 29. **Assistant City Treasurer.** - (a) The Assistant City Treasurer may be
30 appointed by the Secretary of the DOF from a list of at least three (3) ranking eligible
31 recommendees of the City Mayor, subject to civil service law, rules and regulations;

32
33 (b) The Assistant City Treasurer must be a citizen of the Philippines, a resident of the
34 City of San Jose, of good moral character, a holder of bachelor's degree preferably in

1 commerce, public administration or law from a recognized college or university, a first grade
2 civil service eligible or its equivalent and must have acquired at least five (5) years experience
3 in treasury or accounting service.
4

5 (c) The Assistant City Treasurer shall assist the City Treasurer and perform such duties
6 as may be assigned by the latter.
7

8 (d) The Assistant City Treasurer shall have authority to administer oaths concerning
9 notices and notifications to those delinquent in the payment of the real property tax and
10 concerning official matters relating to the accounts of the City Treasurer or otherwise arising
11 in the office of the City Treasurer and the City Assessor.
12

13 (e) The Assistant City Treasurer shall receive such compensation, emoluments and
14 allowances as may be determined by law.
15

16 Section 30. ***The City Assessor.*** - (a) The City Assessor must be a citizen of the
17 Philippines, a resident of the City of San Jose, of good moral character, a holder of bachelor's
18 degree preferably in civil or mechanical engineering, commerce, or any other related course
19 from a recognized college or university, a first grade civil service eligible or its equivalent and
20 must have acquired at least five (5) years experience in real property assessment work or in
21 any related field immediately preceding the date of appointment.
22

23 (b) The City Assessor shall receive such compensation, emoluments and allowances as
24 may be determined by law.
25

26 (c) The City Assessor shall take charge of the City Assessor's Department, and shall:
27

28 (1) Ensure that all laws and policies governing the appraisal and assessment of
29 real properties for taxation purposes are properly executed;
30

31 (2) Initiate, review, and recommend changes in policies and objectives, plans
32 and programs, techniques, procedures and practices in the evaluation and assessment
33 of real properties for taxation purposes;
34

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

2
3 (4) Install and maintain real property identification and accounting system;

4
5 (5) Prepare, install, and maintain a system of tax mapping, showing graphically
6 all properties subject to assessment and gather all data concerning the same;

7
8 (6) Conduct frequent physical surveys to verify and determine whether all real
9 properties within the City are properly listed in the assessment rolls;

10
11 (7) Exercise the functions of appraisal and assessment primarily for taxation
12 purposes of all real properties in the City;

13
14 (8) Prepare a schedule of the fair market value of the different classes of real
15 properties in accordance with the provisions of the Local Government Code of 1991,
16 as amended;

17
18 (9) Issue, upon request of any interested party, certified copies of assessment
19 records of real properties and all other records relative to its assessment, upon payment
20 of a service charge or fee to the City Treasurer;

21
22 (10) Submit every semester a report of all assessments, as well as cancellations
23 and modifications of assessments to the City Mayor and the Sangguniang Panlungsod;

24
25 (11) Attend personally or through an authorized representative all sessions of
26 the Local Board of Assessment Appeals whenever an assessment is subject of an appeal,
27 and present or submit any information or record in the possession of the City Property
28 Valuation and Assessment Department as may be required by the Board; and

29
30 (12) Perform such other duties and functions, and exercise such other powers as
31 provided under the Local Government Code of 1991, as amended, and those that are
32 prescribed by law or ordinance.
33

1 Section 31. ***The Assistant City Assessor.*** - (a) The Assistant City Assessor must be a
2 citizen of the Philippines, a resident of the City of San Jose, of good moral character, a holder
3 of a bachelor's degree preferably in civil or mechanical engineering, commerce, or any other
4 related course from a recognized college or university, a first grade civil service eligible or its
5 equivalent and must have acquired at least three (3) years experience in real property
6 assessment work or in any related field immediately preceding the date of the appointment.

7
8 (b) The Assistant City Assessor shall assist the City Assessor and perform such other
9 duties as may be assigned by the latter.

10
11 (c) The Assistant City Assessor shall have the authority to administer oaths on all
12 declarations of real property for purposes of assessments.

13
14 (d) The Assistant City Assessor shall receive such compensation, emoluments, and
15 allowances as may be determined by law.

16
17 Section 32. ***The City Accountant.*** - (a) The City Accountant must be a citizen of the
18 Philippines, a resident of the City of San Jose, of good moral character, a certified public
19 accountant and must have acquired experience in either treasury or accounting work
20 immediately preceding the date of the appointment for at least five (5) years.

21
22 (b) The City Accountant shall receive such compensation, emoluments and allowances
23 as may be determined by law.

24
25 (c) The City Accountant shall take charge of both the office of the accounting and
26 internal audit services of the City, and shall:

27
28 (1) Install and maintain an internal audit system in the City;

29
30 (2) Prepare and submit financial statements to the City Mayor and to the
31 Sangguniang Panlungsod;

32
33 (3) Apprise the Sangguniang Panlungsod and other officials on the financial
34 condition and operations of the City;

1
2 (4) Certify the availability of budgetary allotment to which expenditures and
3 obligations may be properly charged;
4

5 (5) Review supporting documents before the preparation of vouchers to
6 determine the completeness of requirements;
7

8 (6) Prepare statements of cash advances, liquidations, salaries, allowances,
9 reimbursement and remittances pertaining to the City;
10

11 (7) Prepare statements of journal vouchers and liquidation of the same and other
12 adjustments related thereto;
13

14 (8) Post individual disbursements to the subsidiary ledgers and other appropriate
15 record keeping instruments;
16

17 (9) Maintain individual ledgers for officials and employees of the City
18 pertaining to payrolls and deductions;
19

20 (10) Record and post the details of purchased furniture fixtures and equipment,
21 including disposal thereof, if any;
22

23 (11) Account for all issued requests for obligations and maintain and keep all
24 records and reports related thereto;
25

26 (12) Prepare journals and the analysis of obligations and maintain and keep all
27 records and reports related thereto; and
28

29 (13) Perform such other duties and functions, and exercise such other powers as
30 provided under the Local Government Code of 1991, as amended, and those that are
31 prescribed by law or ordinance.
32

33 Section 33. ***The City Budget Officer.*** - (a) The City Budget Officer must be a citizen of
34 the Philippines, a resident of the City of San Jose, of good moral character, a holder of

1 bachelor's degree preferably in accounting, economics, public administration or any related
2 course from a recognized college or university, a first grade civil service eligible or its
3 equivalent, and must have acquired at least five (5) years experience in government budgeting
4 or in any related field immediately preceding the date of appointment.

5
6 (b) The City Budget Officer shall receive such compensation, emoluments, and
7 allowances as may be determined by law.

8
9 (c) The City Budget Officer shall take charge of the City Budget Department, and shall:

10
11 (1) Prepare forms, orders, and circulars embodying instructions on budgetary
12 and appropriation matters for the signature of the City Mayor;

13
14 (2) Review and consolidate the budget proposals of the different departments
15 and offices of the City;

16
17 (3) Provide assistance to the City Mayor in the preparation of the City's annual
18 budget and in presenting the same during the budget hearings;

19
20 (4) Study and evaluate budgetary implications of proposed legislation and
21 submit comments and recommendations thereon;

22
23 (5) Submit periodic budgetary reports to the Department of Budget and
24 Management (DBM);

25
26 (6) Coordinate with the City Treasurer, the City Accountant and the City
27 Planning and Development Officer for the purpose of budgeting;

28
29 (7) Assist the Sangguniang Panlungsod in reviewing the approved budgets of
30 component barangays;

31
32 (8) Coordinate with the City Planning and Development Officer in the
33 formulation of the development plan of the City; and
34

1 (9) Perform such other duties and functions, and exercise such other powers as
2 provided under the Local Government Code of 1991, as amended, and those that are
3 prescribed by law or ordinance.
4

5 Section 34. ***The City Planning and Development Officer.*** - (a) The City Planning and
6 Development Officer must be a citizen of the Philippines, a resident of the City of San Jose, of
7 good moral character, a holder of a bachelor's degree preferably in urban planning,
8 development studies, economics, public administration, or in any related course from a
9 recognized college or university, a first grade civil service eligible or its equivalent, and must
10 have at least five (5) years experience in development planning or in any related field
11 immediately preceding the date of the appointment.
12

13 (b) The City Planning and Development Officer shall receive such compensation,
14 emoluments and allowances as may be determined by law.
15

16 (c) The City Planning and Development Officer shall take charge of the City Planning
17 and Development Coordinating Office, and shall:
18

19 (1) Formulate integrated economic, social, physical and other development
20 plans and policies for consideration of the City;
21

22 (2) Conduct continuing studies, researches and training programs necessary to
23 evolve plans and programs for implementation;
24

25 (3) Integrate and coordinate all sectoral plans and studies undertaken by the
26 different functional groups or agencies;
27

28 (4) Monitor and evaluate the implementation of the different development
29 programs, projects and activities in the City in accordance with the approved
30 development plan;
31

32 (5) Prepare comprehensive plans and other development planning documents
33 for the consideration of the local development council;
34

1 (6) Analyze the income and expenditure patterns, and formulate and recommend
2 fiscal plans and policies for consideration of the finance committee of the City as
3 provided under the Local Government Code of 1991, as amended;
4

5 (7) Promote people's participation in development planning within the City;
6

7 (8) Exercise supervision and control over the secretariat of the Local
8 Development Council; and
9

10 (9) Perform such other functions and duties and exercise such other powers as
11 provided under the Local Government Code of 1991, as amended, and those that are
12 prescribed by law or ordinance.
13

14 Section 35. ***The City Engineer.*** - (a) The City Engineer must be a citizen of the
15 Philippines, a resident of the City of San Jose, of good moral character, a licensed civil
16 engineer, and must have practiced the engineering profession for at least five (5) years.
17

18 (b) The City Engineer shall receive such compensation, emoluments and allowances as
19 may be determined by law.
20

21 (c) The City Engineer shall take charge of the City Engineering Office, and shall:
22

23 (1) Initiate, review and recommend changes in infrastructure development and
24 public works policies, objectives, plans and programs of the City, and the techniques,
25 procedures and practices to be implemented relative thereto;
26

27 (2) Advise the City Mayor on infrastructure, public works and other engineering
28 matters;
29

30 (3) Administer, coordinate, supervise and control the construction, maintenance,
31 improvement and repair of roads, bridges, other engineering and public works projects
32 of the City;
33

1 (4) Provide engineering service to the City, including investigation and survey,
2 engineering designs, feasibility studies and project management; and
3

4 (5) Perform such other duties and functions, and exercise such other powers as
5 provided for under the Local Government Code of 1991, as amended, and those that
6 are prescribed by law or ordinance.
7

8 Section 36. ***The Assistant City Engineer.*** - (a) The Assistant City Engineer must be a
9 citizen of the Philippines, a resident of the City of San Jose, of good moral character, a holder
10 of a bachelor's degree preferably in civil or mechanical engineering, commerce or any related
11 course from a recognized college or university and a first grade civil service eligible or its
12 equivalent and must have practiced the engineering profession or any related field for at least
13 three (3) years.
14

15 (b) The Assistant City Engineer shall assist in the City Engineer and perform such other
16 duties as may be assigned by the latter.
17

18 (c) The Assistant City Engineer shall receive such compensation, emoluments and
19 allowances as may be determined by law.
20

21 Section 37. ***The City Building Official.*** - (a) The City Building Official shall be
22 appointed by the Secretary of the Department of Public works and Highways (DPWH) from a
23 list of at least three (3) ranking eligible recommendees of the City Mayor, subject to civil
24 service law, rules and regulations.
25

26 (b) The City Building Official shall be under the administrative supervision of the City
27 Mayor, to whom the City Building Official shall report regularly;
28

29 (c) The City Building Official must be a citizen of the Philippines, a resident of the City
30 of San Jose, of good moral character, a licensed architect or civil engineer, a member of good
31 standing of a duly accredited organization of his profession and have practiced his profession
32 for at least five (5) years with diversified and professional experience in building design and
33 construction, and attended and successfully completed a seminar workshop on Presidential
34 Decree No. 1096, otherwise known as the National Building Code, conducted by the DPWH.

1
2 (d) The City Building Official shall take charge of the City Building Office,
3 independent of the City Engineering Office, and shall:
4

5 (1) Be primarily responsible for the enforcement of the provisions of the
6 National Building Code and its implementing rules and regulations, as well as circulars,
7 memoranda, opinions and decisions/orders issued pursuant thereto. His actions shall
8 always be guided by appropriate orders/directives from the Secretary;
9

10 (2) Have overall administrative control and/or supervision over all works
11 pertinent to buildings/structures in his area of responsibility and shall be charged with
12 the processing of all permit applications and certificates as well as the issuance of the
13 same;
14

15 (3) Ensure that all changes, modifications, and alterations in the design plans
16 during the construction phase shall not start until the modified design plan has been
17 evaluated and the necessary amendatory permit issued;
18

19 (4) Undertake annual inspections of all buildings/structures and keep an up-to-
20 date record of their status;
21

22 (5) Keep a permanent record and accurate account of all fees and other charges
23 fixed and authorized to be collected and received under Presidential Decree No. 1096,
24 otherwise known as the National Building Code; and
25

26 (6) Perform other duties and functions, and exercise such other powers as
27 provided under the National Building Code, as amended, and those that are prescribed
28 by law or ordinance, or as may thereafter be delegated to him from time to time.
29

30 Section 38. ***The City Health Officer.*** - (a) The City Health Officer must be a citizen of
31 the Philippines, a resident of the City of San Jose, of good moral character, a licensed medical
32 practitioner, and must have practiced the medical profession for at least five (5) years.
33

1 (b) The City Health Officer shall receive such compensation, emoluments and
2 allowances as may be determined by law.

3
4 (c) The City Health Officer shall take charge of the City Health Services Office, and
5 shall:

6
7 (1) Supervise the personnel and staff of the said office, formulate program
8 implementation guidelines and rules and regulations for the operation of the said office
9 for the approval of the City Mayor in order to assist him in efficient, effective and
10 economical implementation of health service program geared to implement health-
11 related projects and activities;

12
13 (2) Formulate measures for the consideration of the Sangguniang Panlungsod
14 and provide technical assistance and support to the City Mayor in carrying out activities
15 to ensure the delivery of basic services and provision of adequate facilities relative to
16 health services provided under Section 17 of the Local Government Code of 1991, as
17 amended;

18
19 (3) Develop plans and strategies, and upon approval thereof by the City Mayor,
20 implement these with the health programs and projects which the City Mayor is
21 empowered to implement and which the Sangguniang Panlungsod is empowered to
22 implement and which the Sangguniang Panlungsod is empowered to provide under the
23 Local Government Code of 1991, as amended;

24
25 (4) Coordinate with national, regional and provincial health officials and with
26 other agencies of the government in the implementation of mitigation policies and other
27 measures during public health emergencies;

28
29 (5) Supervise the delivery of basic health service, all city health centers,
30 hospitals, and clinics in accordance with city and national health policies and programs
31 such as those on dental health, maternal health, family planning, nutrition,
32 immunization, and environmental safety and sanitation;

33

1 (6) In addition to the foregoing duties and functions, the City Health Officer
2 shall:

3
4 (i) Formulate and implement policies, plans and projects to promote the
5 health of the people in the City;

6
7 (ii) Advise the City Mayor and the Sangguniang Panlungsod on matter's
8 pertaining to health;

9
10 (iii) Execute and enforce all laws, ordinances and regulations relating to
11 public health;

12
13 (iv) Recommend to the Sangguniang Panlungsod, through the Local
14 Health Board, the passage of such ordinances necessary for the preservation of
15 public health;

16
17 (v) Recommend the prosecution of any violation of sanitary laws,
18 ordinances or regulations;

19
20 (vi) Direct the sanitary inspection of all business establishments selling
21 food items or providing lodging accommodations such as hotels, motels,
22 lodging houses, and pension houses, in accordance with the Sanitation Code;

23
24 (vii) Conduct health information campaigns and render health
25 intelligence services; and

26
27 (viii) Coordinate with other government agencies and nongovernmental
28 organizations involved in the promotion and delivery of health services;

29
30 (7) Be in the frontline of the delivery of health services, particularly during and
31 in the aftermath of man-made and natural disasters and calamities; and
32

1 (8) Perform such other duties and functions, and exercise such other powers as
2 provided under the Local Government Code of 1991, as amended, and those that are
3 prescribed by law or ordinance.
4

5 Section 39. ***The Assistant City Health Officer.*** - (a) The Assistant City Health Officer
6 must be a citizen of the Philippines, a resident of the City of San Jose, of good moral character,
7 a licensed medical practitioner, and must have practiced the medical profession for at least
8 three (3) years.
9

10 (b) The Assistant City Health Officer shall assist the City Health Officer and perform
11 such other duties as may be assigned by the latter.
12

13 (c) The Assistant City Health Officer shall receive such compensation, emoluments and
14 allowances as may be determined by law.
15

16 Section 40. ***The City Civil Registrar.*** - (a) The City Civil Registrar must be a citizen of
17 the Philippines, a resident of the City of San Jose, of good moral character, a holder of a
18 bachelor's degree from a recognized college or university, a first grade civil service eligible or
19 its equivalent and must have acquired at least five (5) years experience in civil registry work.
20

21 (b) The City Civil Registrar shall receive such compensation, emoluments and
22 allowances as may be determined by law.
23

24 (c) The City Civil Registrar shall be responsible for the civil registration program in the
25 City of San Jose pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws,
26 rules and regulations issued to implement them.
27

28 (d) The City Civil Registrar shall take charge of the office of the City Civil Registrar,
29 and shall:
30

31 (1) Develop plans and strategies, and upon approval thereof by the City Mayor,
32 implement the same, particularly those which have to do with the management and
33 administration-related programs and projects which the City Mayor is empowered to

1 implement and which the Sangguniang Panlungsod is empowered to provide under the
2 Local Government Code of 1991, as amended;
3

4 (2) In addition to the foregoing duties and functions, the City Civil Registrar
5 shall:
6

7 (i) Accept all registrable documents and judicial decrees affecting the
8 civil status of persons;
9

10 (ii) File, keep and preserve in a secure place the books required by law;
11

12 (iii) Transcribe and enter immediately upon receipt all registrable
13 documents and judicial decrees affecting the civil status of persons in the
14 appropriate civil registry books;
15

16 (iv) Transmit to the Office of the Civil Registrar-General within the
17 prescribed period, duplicate copies of registered documents required by law;
18

19 (v) Issue certified transcripts or copies of any certificate or registered
20 documents upon payment of the required fees to the city treasurer;
21

22 (vi) Receive applications for the issuance of a marriage license and, after
23 determining that the requirements and supporting certificates and publication
24 thereof for the prescribed period have been complied with, issue the license
25 upon payment of the authorized fee to the City Treasurer; and
26

27 (vii) Coordinate with the Philippine Statistics Authority (PSA) in
28 conducting educational campaigns for vital registration and assist in the
29 preparation of demographic data and other statistics for the City of San Jose;
30 and
31

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

1
2 Section 41. ***The Assistant City Civil Registrar.*** - (a) The Assistant City Civil Registrar
3 must be a citizen of the Philippines, a resident of the City of San Jose, of good moral character,
4 a holder of bachelor's degree from a recognized college or university, a first grade civil service
5 eligible, and must have acquired at least three (3) years experience in civil registry work or any
6 related field.

7
8 (b) The Assistant City Civil Registrar shall assist in the City Civil Registrar and perform
9 such other duties as may be assigned by the latter.

10
11 (c) The Assistant City Civil Registrar shall receive such compensation, emoluments and
12 allowances as may be determined by law.

13
14 Section 42. ***The City Administrator.*** - (a) The City Administrator must be a citizen of
15 the Philippines, a resident of the City of San Jose, of good moral character, a holder of a
16 bachelor's degree preferably in public administration, law, or any other related course from a
17 recognized college or university, a first grade civil service eligible or its equivalent, and must
18 have acquired at least five (5) years of experience in management and administrative work.

19
20 (b) The term of the City Administrator is coterminous with that of the appointing
21 authority.

22
23 (c) The City Administrator shall receive such compensations, emoluments and
24 allowances as may be determined by law.

25
26 (d) The City Administrator shall take charge of the City Administrator's Office, and
27 shall:

28
29 (1) Develop plans and strategies and upon approval thereof by the City Mayor,
30 implement the same, particularly those which have to do with the management of
31 administration-related programs and projects which the City Mayor is empowered to
32 implement and which the Sangguniang Panlungsod is empowered to provide under the
33 Local Government Code of 1991, as amended;

34

1 (2) Assist in the coordination of the work of all the officials of the City under
2 the supervision, direction and control of the City Mayor, and for this purpose, may
3 convene the chiefs of offices and other officials of the LGU;
4

5 (3) Establish and maintain a sound human resource development program
6 designed to promote career development and uphold the merit principle in the local
7 government service;
8

9 (4) Conduct a continuing organizational development program with the end in
10 view of instituting effective administrative reforms;
11

12 (5) Be in the frontline of the delivery of administrative support services,
13 particularly those related to situation during and in the aftermath of man-made and
14 natural disasters or calamities;
15

16 (6) Recommend to the Sangguniang Panlungsod and the City Mayor policies,
17 programs and activities, relative to the management and administration of the City; and
18

19 (7) Perform such other duties and functions, and exercise such other powers as
20 provided under the Local Government Code of 1991, as amended, and those that are
21 prescribed by law or ordinance.
22

23 Section 43. ***The City Legal Officer.*** - (a) The City Legal Officer must be a citizen of
24 the Philippines, a resident of the City of San Jose, of good moral character, a member of the
25 Philippine Bar, and must have practiced the law profession for at least five (5) years.
26

27 (b) The term of City Legal Officer shall be coterminous with that of the appointing
28 authority.
29

30 (c) The City Legal Officer shall receive such compensation, emoluments and
31 allowances as may be determined by law.
32

33 (d) The City Legal Officer, the chief legal counsel of the City, shall take charge of the
34 Office of the City Legal Service, and shall:

1
2 (1) Formulate measures and ordinances for the consideration of the
3 Sangguniang Panlungsod and provide legal assistance and support to the City Mayor in
4 carrying out the delivery of basic services and provisions of adequate facilities;
5

6 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
7 implement the same, particularly those which have to do with programs and projects
8 related to legal services which the City Mayor is empowered to implement and which
9 the Sangguniang Panlungsod is empowered to provide;
10

11 (3) Represent the City in all civil actions and special proceedings wherein the
12 LGU or any official thereof, in official capacity, is a party: Provided, That in actions or
13 proceedings where the City of San Jose is a party adverse to the provincial government
14 or to another component city or municipality, a special legal officer may be employed
15 to represent the adverse party;
16

17 (4) When required by the City Mayor or Sangguniang Panlungsod, draft
18 ordinances, contracts, bonds, leases and other instruments involving any interest of the
19 City and provide comments and recommendations on any instruments already drawn;
20

21 (5) Render an opinion in writing on any question of law when requested to do
22 so by the City Mayor or Sangguniang Panlungsod;
23

24 (6) Investigate or cause to be investigated any local official or employee for
25 administrative neglect or misconduct in office and recommend the appropriate action
26 to the City Mayor or Sangguniang Panlungsod, as the case may be;
27

28 (7) Investigate or cause to be investigated any person, firm, or corporation
29 holding any franchise of exercising any public privilege for failure to comply with any
30 term or condition in the grant of such franchise or privilege, and recommend
31 appropriate action to the City mayor or Sangguniang Panlungsod, as the case may be;
32

1 (8) When directed by the City Mayor or Sangguniang Panlungsod, initiate and
2 prosecute, in the interest of the City, any civil action on any bond, lease, or other
3 contract upon any breach or violation thereof;
4

5 (9) Review and submit recommendation on ordinances approved and executive
6 orders issued by component units;
7

8 (10) Advise the City Mayor on all matters related to upholding the rule of law;
9

10 (11) Be in the frontline of protecting human rights and prosecuting any
11 violations thereof, particularly those which occur during and in the aftermath of man-
12 made and natural disasters or calamities and
13

14 (12) Perform such other duties and functions, and exercise such other powers as
15 provided under the Local Government Code of 1991, as amended, and those that are
16 prescribed by law or ordinance.
17

18 Section 44. ***The City Social Welfare and Development Officer.*** - (a) The City Social
19 Welfare and Development Officer must be a citizen of the Philippines, a resident of the City of
20 San Jose, of good moral character, a duly licensed social worker or a holder of a bachelor's
21 degree preferably in the fields of social work, sociology, or any other related course from a
22 recognized college or university, a first grade civil service eligible or its equivalent, and must
23 have acquired at least five (5) years experience in the practice of the social work profession
24 immediately preceding the date of appointment.
25

26 (b) The City Social Welfare and Development Officer shall receive compensation,
27 emoluments and allowances as may be determined by law.
28

29 (c) The City Social Welfare and Development Officer shall take charge of the Office of
30 Social Welfare and Development, and shall:
31

32 (1) Formulate measures and strategies to ensure the delivery of basic services
33 and the provision of adequate facilities relative to social welfare and development

1 services for the approval of the Sangguniang Panlungsod and to assist the City Mayor
2 in carrying out these measures;

3
4 (2) In addition to the foregoing duties, the City Social Welfare and Development
5 Officer shall:

6
7 (i) Identify the basic needs of the needy, the disadvantaged and
8 impoverished and develop and implement appropriate measures to alleviate
9 their problems and improve their living conditions;

10
11 (ii) Provide relief and appropriate crisis intervention for victims of abuse
12 and exploitation and recommend appropriate measures to deter further abuse
13 and exploitations;

14
15 (iii) Assist in the City Mayor in implementing the barangay level
16 program for the total development and protection of children up to six (6) years
17 of age;

18
19 (iv) Facilitate the implementation of welfare programs for the disabled,
20 elderly and victims of drug addition, the rehabilitation of prisoners and parolees,
21 the prevention of juvenile delinquency and such other activities which would
22 eliminate and minimize the ill-effects of poverty;

23
24 (v) Initiate and support youth welfare program that will enhance the role
25 of youth in nation-building;

26
27 (vi) Coordinate with government agencies and nongovernmental
28 organizations whose purpose is the promotion and the protection of all the
29 needy, disadvantaged, underprivileged or impoverished groups or individuals,
30 particularly those identified to be vulnerable and high risk to exploitation, abuse
31 and neglect;

32

1 (3) Be in the frontline of the delivery of services particularly those concerned
2 with immediate relief and assistance during and in the aftermath of man-made and
3 natural disasters and calamities;
4

5 (4) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
6 all other matters related to social welfare and development services that will improve
7 the livelihood and living conditions of the City's inhabitants; and
8

9 (5) Perform such other duties and functions, and exercise such other powers as
10 provided under the Local Government Code of 1991, as amended, and those that are
11 prescribed by law or ordinance.
12

13 Section 45. ***The City Veterinarian.*** - (a) The City Veterinarian must be a citizen of the
14 Philippines, a resident of the City of San Jose, of good moral character, a licensed doctor of
15 veterinary medicine and must have practiced the profession for at least three (3) years.
16

17 (b) The City Veterinarian shall receive such compensation, emoluments and allowances
18 as may be determined by law.
19

20 (c) The City Veterinarian shall take charge of the Office of Veterinary Services, and
21 shall:
22

23 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
24 and provide technical assistance and support to the City Mayor in carrying out measures
25 to ensure the delivery of basic services and provision of adequate facilities;
26

27 (2) Develop plans and strategies, and upon approval thereof by the City mayor,
28 implement the same, particularly those which have to do with veterinary-related
29 activities which the City Mayor is empowered to implement and which the
30 Sangguniang Panlungsod is empowered to provide;
31

32 (3) Advise the City Mayor on all matters pertaining to the slaughter of animals
33 for human consumption and the regulation of slaughterhouses;
34

1 (4) Regulate the keeping of domestic animals;

2
3 (5) Regulate and inspect poultry, milk and dairy products for public
4 consumption;

5
6 (6) Enforce all laws and regulations for the prevention of cruelty to animals;

7
8 (7) Take the necessary measures to eradicate, prevent or cure all forms of animal
9 disease;

10
11 (8) Be in the frontline of veterinary-related activities such as during the outbreak
12 of highly contagious and deadly diseases and in situations involving the depletion of
13 animals for work and for human consumption, particularly those arising from and as a
14 result of man-made and natural disasters or calamities;

15
16 (9) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
17 all matter relative to veterinary services which will increase the number and improve
18 the quality of livestock, poultry and other domestic animals used for work or human
19 consumption; and

20
21 (10) Perform such other duties and functions, and exercise such other powers as
22 provided under the Local Government Code of 1991, as amended, and those that are
23 prescribed by law or ordinance.

24
25 Section 46. ***The City General Services Officer.*** - (a) The City General Services Officer
26 must a citizen of the Philippines, a resident of the City of San Jose, of good moral character, a
27 holder of a bachelor's degree in public administration, business administration, or management
28 conferred by a recognized college or university, a first grade civil service eligible or its
29 equivalent and must have acquired at least five (5) years experience in general services,
30 including the management of supply, property, solid waste disposal and general sanitation.

31
32 (b) The City General Services Officer shall receive such compensation, emoluments
33 and allowances as may be determined by law.

34

1 (c) The City General Services Officer shall take charge of the Office of the General
2 Services, and shall:

3
4 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
5 and provide technical assistance and support to the City Mayor in carrying out measures
6 to ensure the delivery of basic services and provisions of adequate facilities that require
7 general services expertise in technical support services;

8
9 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
10 implement the same, particularly those which have to do with the general services that
11 are supportive of the welfare of the inhabitants of the City which the City Mayor is
12 empowered to implement and which the Sangguniang Panlungsod is empowered to
13 provide;

14
15 (3) Take custody of and accountable for all properties, real or personal, owned
16 by the City, and those conveyed to it in the form of donation, reparation, assistance and
17 counterpart of joint projects;

18
19 (4) With the approval of the City Mayor, assign building or land space to local
20 officials or other public officials who, by law, are entitled to the space;

21
22 (5) Recommend to the City Mayor the reasonable rental rates for local
23 government properties, whether real or personal which will be leased to public or
24 private entities by the local government;

25
26 (6) Recommend to the City Mayor reasonable rental rates of private properties
27 which may be leased for the official use of the City;

28
29 (7) Maintain and supervise janitorial, security, landscaping and other related
30 services in all local government public buildings and other real property, whether
31 owned or leased by the City;

32
33 (8) Collate and disseminate information regarding prices, shipping and other
34 costs of supplies and other items commonly used by the City;

1
2 (9) Perform archival and record management with respect to records of offices
3 and departments of the City;
4

5 (10) Perform all other functions pertaining to supply and property management
6 and enforce policies on records creation, maintenance and disposal;
7

8 (11) Be in the frontline of general services-related activities such as the possible
9 and imminent destruction or damage to records, supplies, properties and structure
10 materials or debris, particularly during and in the aftermath of man-made and natural
11 disasters and calamities;
12

13 (12) Advise the City Mayor on all matters relative to general services; and
14

15 (13) Perform such other duties and functions, and exercise such other powers as
16 provided under the Local Government Code of 1991, as amended, and those that are
17 prescribed by law or ordinance.
18

19 Section 47. ***The City Environment and Natural Resources Officer.*** - (a) The City
20 Environment and Natural Resources Officer must be a citizen of the Philippines, a resident of
21 the City of San Jose, of good moral character, a holder of a bachelor's degree preferably in
22 environment, forestry, agriculture or any other related course from a recognized college or
23 university, a first grade civil service eligible or its equivalent and must have acquired at least
24 five (5) years experience in environment and natural resources management, conservation, and
25 utilization work.
26

27 (b) The City Environment and Natural Resources Officer shall receive such
28 compensation, emoluments and allowances as may be determined by law.
29

30 (c) The City Environment and Natural Resources Officer shall take charge of the Office
31 of the Environment Service Department, and shall:
32

33 (1) Formulate measures and ordinances for the consideration of the
34 Sangguniang Panlungsod and provide assistance and support to the City Mayor in

1 carrying out measures to ensure the delivery of basic services and provisions of
2 adequate facilities relative to environment and natural resources services as provided
3 under Section 17 of the Local Government Code of 1991, as amended;
4

5 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
6 implement the same, particularly those which have to do with environment and natural
7 resources programs and projects which the City Mayor is empowered to implement and
8 which the Sangguniang Panlungsod is empowered to provide;
9

10 (3) Establish, maintain, protect and preserve communal forests, watersheds, tree
11 parks, mangroves, green belt lands, commercial forests and similar projects like
12 industrial tree farms and agro-forestry projects;
13

14 (4) Provide extension services to beneficiaries of forest development projects
15 and technical, financial and infrastructure assistance;
16

17 (5) Manage and maintain seed banks and produce seedlings for forest and tree
18 parks;
19

20 (6) Provide extension services to beneficiaries of forest development projects
21 and render assistance for natural resources-related conservation and utilization
22 activities consistent with ecological balance;
23

24 (7) Coordinate with government agencies and nongovernmental organizations
25 in the implementation of measures to prevent and control land, air, and water pollution
26 with the assistance of the Department of Environment and Natural Resources (DENR);
27

28 (8) Be in the frontline of the delivery of services concerning the environment
29 and natural resources, particularly in the renewal and rehabilitation of the environment
30 during and in the aftermath of man-made and natural disasters and calamities;
31

32 (9) Recommend measures to the Sangguniang Panlungsod and advise the City
33 Mayor on all matters relative to the protection, conservation, maximum utilization,

1 application of appropriate technology and other matters related to the environment and
2 natural resources; and
3

4 (10) Perform such other duties and functions, and exercise such other powers as
5 provided under the Local Government Code of 1991, as amended, and those that are
6 prescribed by law or ordinance.
7

8 Section 48. ***The City Architect.*** - (a) The City Architect must be a citizen of the Philippines, a
9 resident of the City of San Jose, of good moral character, a duly licensed architect and must
10 have practiced the architectural profession for at least five (5) years.
11

12 (b) The City Architect shall receive such compensation, emoluments and allowances as
13 may be determined by law.
14

15 (c) The City Architect shall take charge of the Office of Architectural Planning and
16 Design, and shall:
17

18 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
19 and provide technical assistance and support to the City Mayor in carrying out measures
20 to ensure the delivery of basic services and provision of adequate facilities relative to
21 architectural planning and design;
22

23 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
24 implement the same, particularly those which have to do with architectural planning
25 and design programs and projects which the City Mayor is empowered to implement
26 and which the Sangguniang Panlungsod is empowered to provide;
27

28 (3) Prepare and recommend for consideration of the Sangguniang Panlungsod
29 the architectural plan and design for the City or a part thereof, including the renewal of
30 slums and blighted areas, land reclamation activities, the greening of landscapes, the
31 development of appropriate plans for the preservation and protection of marine and
32 foreshore areas;
33

1 (4) Review and recommend for appropriate action of the Sangguniang
2 Panlungsod or City Mayor, as the case may be, the architectural plans and design
3 submitted by governmental and nongovernmental entities or individuals, particularly
4 those for undeveloped, underdeveloped, and poorly designated areas;
5

6 (5) Coordinate with government and nongovernmental entities and individuals
7 involved in the aesthetics and the maximum utilization of the land and water within the
8 jurisdiction of the City in the implementation of plans and programs for the preservation
9 of environmental integrity and ecological balance;
10

11 (6) Be in the frontline of the delivery of services involving architectural
12 planning, design, and spatial distribution of basic facilities and physical structures
13 especially in the aftermath of man-made and natural disasters or calamities;
14

15 (7) Advise the City Mayor on all matters relative to architectural planning and
16 design as its relates to the total socio-economic development of the City; and
17

18 (8) Perform such other duties and functions, and exercise such other powers as
19 provided under the Local Government Code of 1991, as amended, and those that are
20 prescribed by law or ordinance.
21

22 Section 49. ***The City Information Officer.*** - (a) The City Information Officer must be
23 a citizen of the Philippines, a resident of the City of San Jose, of good moral character, a holder
24 of bachelor's degree preferably in journalism, mass communications, or any related course from
25 a recognized college or university, a first grade civil service eligible or its equivalent and must
26 have acquired at least three (3) years experience in writing articles and research papers, or
27 writing for print, television, or broadcast media,
28

29 (b) The City Information Officer shall receive such compensation, emoluments and
30 allowances as may be determined by law.
31

32 (c) The term of the City Information Officer shall be coterminous with that of the
33 appointing authority;
34

1 (d) The City Information Officer shall take charge of the Office of the City Information
2 and Community Relations Department, and shall:

3
4 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
5 and provide technical assistance and support to the City Mayor in providing the
6 appropriate information and research data required for the delivery of basic services
7 and provision of adequate facilities so that the public becomes aware of said services
8 and may fully avail of the same;

9
10 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
11 implement the same, particularly those which have to do with public information and
12 research data to support programs and projects which the City Mayor is empowered to
13 implement and which the Sangguniang Panlungsod is empowered to provide;

14
15 (3) Provide relevant, adequate and timely information to the City and its
16 residents;

17
18 (4) Furnish information and data on the local government agencies or offices as
19 may be required by law or ordinance, and nongovernmental organization to be
20 furnished to said agencies and organizations;

21
22 (5) Maintain effective liaison with the various sectors of the community on
23 matters and issues that affect the livelihood and the quality of life of the City's
24 inhabitants and encourage support for programs of the local and National Government;

25
26 (6) Be in the frontline in providing information during and in the aftermath of
27 man-made and natural calamities and disasters or calamities, with special attention to
28 the victims thereof, to help minimize injuries and casualties during and after the
29 emergency, and to accelerate relief and rehabilitation;

30
31 (7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
32 all matters relative to public information and research data as it relates to the total
33 socioeconomic development of the City; and
34

1 (8) Perform such other duties and functions, and exercise such other powers as
2 provided under the Local Government Code of 1991, as amended, and those that are
3 prescribed by law or ordinance.
4

5 Section 50. ***The City Cooperatives Officer.*** - (a) The City Cooperatives Officer must be
6 a citizen of the Philippines, a resident of the City of San Jose, of good moral character, a holder
7 of a bachelor's degree preferably in business administration with special training on
8 cooperatives or any related course from a recognized college or university, a first grade civil
9 service eligible or its equivalent and must have acquired at least five (5) years experience on
10 cooperative development, organization, and management.
11

12 (b) The City Cooperatives Officer shall receive such compensation, emoluments and
13 allowances as may be determined by law.
14

15 (c) The City Cooperatives Officer shall take charge of the Office of the Development
16 of Cooperatives, and shall:
17

18 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
19 and provide technical assistance and support to the City Mayor in carrying out measures
20 to ensure the delivery of basic services and the provision of facilities through the
21 development of cooperatives, and in providing access to such services and facilities;
22

23 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
24 implement the same, particularly those which have to do with the integration of
25 cooperatives principles and methods in programs which the City Mayor is empowered
26 to implement and which the Sangguniang Panlungsod is empowered to provide;
27

28 (3) Assist in the organization of cooperatives;
29

30 (4) Provide technical and other forms of assistance to existing cooperatives to
31 enhance their viability as an economic enterprise and social organization;
32

1 (5) Assist cooperatives in establishing linkages with government agencies and
2 nongovernment organizations involved in the promotion and integration of the concept
3 of cooperatives in the livelihood of the people and other community activities;
4

5 (6) Be in the frontline of cooperative organization, rehabilitation or viability-
6 enhancement, particularly during and in the aftermath of man-made and natural
7 calamities or disasters, to aid in their survival and, if necessary, subsequent
8 rehabilitation;
9

10 (7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
11 all other matters relative to cooperatives development and viability enhancement which
12 will improve the livelihood and quality of life of the inhabitants; and
13

14 (8) Perform such other duties and functions, and exercise such other powers as
15 provided under the Local Government Code of 1991, as amended, and those that are
16 prescribed by law or ordinance.
17

18 Section 51. ***The City Population Officer.*** - (a) The City Population Officer must be a
19 citizen of the Philippines, a resident of the City of San Jose, of good moral character, a holder
20 of a bachelor's degree in any of the social science discipline conferred by a recognized college
21 or university, and preferably specialized training in population development, a first grade civil
22 service eligible or its equivalent and must have acquired at least five (5) years experience in
23 the implementation of programs on population development or responsible parenthood.
24

25 (b) The City Population Officer shall receive such compensation, emoluments and
26 allowances as may be determined by law.
27

28 (c) The City Population Officer shall take charge of the Office on Population
29 Development, and shall:
30

31 (1) Formulate measures for the consideration of the Sangguniang Panlungsod
32 and provide technical assistance and support to the City mayor in carrying out measures
33 to ensure the delivery of basic services and provision of adequate facilities through the

1 integration of the population development principles and in providing access to said
2 services and facilities;

3
4 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
5 implement the same, particularly those which have to do with the integration of
6 population development principles and methods in program and projects which the City
7 Mayor is empowered to implement and which the Sangguniang Panlungsod is
8 empowered to provide; and

9
10 (3) Assist the City Mayor in the implementation of the constitutional provisions
11 relative to population development and the promotion of responsible parenthood;

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

16
17 (5) Implement appropriate training programs responsive to the cultural heritage
18 of the inhabitants; and

19
20 (6) Perform such other duties and functions, and exercise such other powers as
21 provided under the Local Government Code of 1991, as amended, and those that are
22 prescribed by law or ordinance.

23
24 Section 52. ***The City Agriculturist.*** (a) The City Agriculturist must be a citizen of the
25 Philippines, a resident of the City of San Jose, of good moral character, a holder of a bachelor's
26 degree in agriculture or any other related course conferred by a recognized college or
27 university, a first grade civil service eligible or its equivalent, and must have practiced the
28 agriculture profession or acquired at least five (5) years experience in agriculture or a related
29 field.

30
31 (b) The City Agriculturist shall receive such compensation, emoluments and allowances
32 as may be determined by law.

33

1 (c) The City Agriculturist shall take charge of the Office for Agricultural Services, and
2 shall:
3

4 (1) Formulate measures for consideration of the Sangguniang Panlungsod and
5 provide technical assistance and support to the City Mayor in carrying out measures to
6 ensure the delivery of basic services and provision of adequate facilities relative to
7 agricultural services;
8

9 (2) Develop plans and strategies, and upon approval thereof by the City Mayor,
10 implement the same, particularly those which have to do with agricultural programs
11 and projects which the City Mayor is empowered to implement and which the
12 Sangguniang Panlungsod is empowered to provide;
13

14 (3) In addition to the foregoing duties and functions, the City Agriculturist shall:
15

16 (i) Ensure that maximum assistance and access to resources in the
17 production, processing and marketing of agricultural and aqua-cultural and
18 marine products are extended to farmers, fishermen, and local entrepreneurs;
19

20 (ii) Conduct or cause to be conducted location-specific agricultural
21 researches and assist in making available the appropriate technology arising out
22 of and disseminating information on basic research on crops, prevention and
23 control of plant diseases and pests, and other agricultural matters which will
24 maximize productivity;
25

26 (iii) Assist in the City Mayor in the establishment and extension services
27 of demonstration farms on aquaculture and marine products;
28

29 (iv) Enforce rules and regulations relating to agriculture and
30 aquaculture; and
31

32 (v) Coordinate with government agencies and nongovernmental
33 organizations which promote agricultural productivity through applied
34 technology compatible with environmental integrity.

1
2 (4) Be in the frontline in the delivery of basic agricultural services and provide
3 technical advice to farmers and fisher-folk in the adoption of critical climate adaptation
4 and disaster mitigation practices and techniques, and ensure the availability of staple
5 food such as rice, corn, and produce especially in preparation for an impending natural
6 calamity, and in the aftermath of man-made or natural disasters;

7
8 (5) Recommend to the Sangguniang Panlungsod and advise the City Mayor on
9 all other matters related to agriculture and aquaculture which will improve the
10 livelihood and living conditions of the inhabitants; and

11
12 (6) Perform such other duties and functions, and exercise such other powers as
13 provided under the Local Government Code of 1991, as amended, and those that are
14 prescribed by law or ordinance.

15
16 Section 53. ***The City Human Resource Management Officer.*** - (a) The City Human
17 Resource Management Officer must be a citizen of the Philippines, a resident of the City of
18 San Jose, of good moral character, a holder of a bachelor's degree preferably in human resource,
19 psychology, and other related course conferred by a recognized college or university, a first
20 grade civil service eligible or its equivalent and must have acquired at least five (5) years
21 experience in organization design and strategic workforce planning, recruitment and staffing,
22 performance management, compensation and benefits, and training and development traffic
23 management immediately preceding the date of appointment.

24
25 (b) The City Human Resource Management Officer shall receive compensation,
26 emoluments, and allowances as may be determined by law.

27
28 (c) The City Human Resource Management Officer shall take charge of the City Human
29 Resource and Management Office, and shall:

30
31 (1) Develop a human resource management plan aimed at improving the
32 productivity and professional growth of the City Government's employees, and
33 recommend the same to the City Mayor, and if warranted, to the Sangguniang
34 Panlungsod for approval and implementation;

(2) Ensure that the recruitment, selection and placement is based on merit and fitness;

(3) Design, develop, coordinate, implement, deliver and evaluate training programs that support organization objectives that are aligned with the organizations strategic plans;

(4) Develop and implement heads and staff development programs that support the organizations succession plans;

(5) Ensure the implementation of a Strategic Performance Management System that includes individual Performance Contracts, ensures results-based performance, and the provision of rewards and recognition for outstanding performance and loyalty in the service; and

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

Section 54. ***The City Tourism Officer.*** - (a) The City Tourism Officer must be a citizen of the Philippines, a resident of the City of San Jose, of good moral character, a holder of a bachelor's degree in tourism or a related field conferred by a recognized college or university, and preferably specialized training in tourism development, a first grade civil service eligible or its equivalent, and must have acquired at least five (5) years experience in implementing programs on tourism development.

(b) The City Tourism Officer shall receive such compensation, emoluments and allowances as may be determined by law.

(c) The City Tourism Officer shall assist the City mayor and the local tourism council in developing and implementing programs and shall:

(1) Encourage the LGU to enact local legislation adopting the Department of Tourism (DOT) accreditation stands for tourism facilities and services;

1
2 (2) Ensure a pleasant experience and stay of tourists while at the same time
3 protecting the interests, welfare and rights of the City;
4

5 (3) Develop tourist products and destinations that will benefit the City and its
6 local community;
7

8 (4) Pursue the implementation of the national tourism master plans, the national
9 ecotourism strategy and the area specific plans of the national and LGUs;
10

11 (5) Support the LGU in promoting festivals, fiestas and other tourism-related
12 activities; and
13

14 (6) Perform such other duties and functions and exercise such other powers as
15 provided for under the Local Government Code of 1991, as amended, and those that are
16 prescribed by law or ordinance.
17

18 Section 55. ***The Public Order and Safety Officer.*** - (a) The City Public Order and Safety
19 Officer must be a citizen of the Philippines, a resident of the City of San Jose, of good moral
20 character, a holder of a bachelor's degree from a recognized college or university and a first
21 grade civil service eligible or its equivalent. He must have acquired experience in public safety
22 management for at least five (5) years immediately preceding the date of his appointment.
23
24
25
26
27

28 **ARTICLE VIII**
29 **THE CITY FIRE STATION SERVICE, THE CITY JAIL**
30 **SERVICE, THE CITY SCHOOLS DIVISION, AND THE CITY**
31 **PROSECUTION SERVICE**
32

33 Section 56. ***The City Fire Station Service.*** - (a) There shall be established in the City
34 of San Jose at least one (1) fire station with adequate personnel, firefighting facilities and

1 equipment, subject to the standards, rules and regulations that may be promulgated by the
2 DILG. The City shall provide necessary site for the station.

3
4 (b) The City Fire Station Service shall be responsible for the provision of various
5 emergency services such as rescue and evacuation of injured people related to fire incidents
6 and, in general, fire prevention and suppression measures to secure the safety of life and
7 property of the citizenry.

8
9 (c) The City Fire Station Service shall be headed by a City Fire Marshal whose
10 qualifications shall be as provided under Republic Act No. 9263, as amended, otherwise known
11 as the "Bureau of Fire Protection and Bureau of Jail Management and Penology
12 Professionalization Act of 2004".

13
14 Section 57. ***The City Jail Service.*** - (a) At least five (5) months from the commencement
15 of the corporate existence of the City, the DILG shall establish and maintain a secured, clean,
16 adequately equipped and sanitary jail facility for the custody and safekeeping of prisoners, any
17 fugitive from justice, or person detained awaiting investigation or trial or transfer to the national
18 penitentiary, or a violent mentally-ill persona who may endanger oneself or the safety of others,
19 as duly certified by the proper medical health officer, prior to the transfer ot such person to a
20 mental institution.

21
22 (b) The City Jail Service shall be headed by a City Jail Warden whose qualifications
23 shall be provided for under Republic Act No. 9263, as amended, otherwise known as the
24 "Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization
25 Act of 2004". The Provincial Jail Warden shall assist in the immediate rehabilitation of
26 individuals or detention of prisoners. Great care must be exercised so that human rights of these
27 prisoners are respected and protected, and their spiritual and physical well-being are properly
28 and promptly attended to.

29
30 Section 58. ***The City Schools Division.*** - The Department of Education (DepEd) shall
31 establish and maintain a City Schools Division of the City of San Jose whose area of
32 jurisdiction will cover all the school districts within the City.

1 The City Schools Division shall be headed by a City Schools Division Superintendent who
2 must possess the necessary qualifications required by the DepEd.

3
4 Section 59. ***The City Prosecution Service.*** - (a) The Department of Justice (DOJ) shall,
5 within two (2) months from the commencement of the corporate existence of the City, establish
6 and maintain a prosecution service. It shall be headed by a City Prosecutor, who shall be
7 assigned by such number of assistant prosecutors as may be necessary, and whose
8 qualifications, manner of appointment, rank, salary and benefits shall be governed by existing
9 laws covering prosecutors in the DOJ. The City Prosecution Service shall be organizationally
10 part of the DOJ, and under the supervision and control of the Secretary of the DOJ.

11
12 (b) The City Prosecutor shall handle the criminal prosecution in the municipal trial
13 courts in the City as well as in the regional trial courts, for criminal cases originating in the
14 territory of the City, and shall render to or for the City such services as are required by law,
15 ordinance, or regulation of the DOJ.

16
17 (c) The Secretary of Justice shall always ensure the adequacy and quality of prosecution
18 service in the City and for this purpose, shall, in the absence or lack or insufficiency in number
19 of assistant city prosecutors as provided hereinabove, designate from among the assistant
20 provincial prosecutors a sufficient number to perform and discharge the function of the City
21 Prosecution Service as provided hereinabove.

22 23 ARTICLE IX 24 THE CITY REGISTRY OF DEEDS 25

26 Section 60. ***The City Registry of Deeds Office.*** - There shall be established in the City
27 a Registry of Deeds Office, subject to the standards, rules, and regulations as may be
28 promulgated by the DOJ, which shall discharge its duties under the general supervision of the
29 Administrator of the Land Registration Authority and the Secretary of the DOJ.

30
31 Section 61. ***The City Register of Deeds.*** - (a) The City Register of Deeds shall be the
32 head of the City Registry of Deeds Office, He must be a citizen of the Philippines, of good
33 moral character, a member of the Integrated Bar, and must have practiced his profession for at
34 least five (5) years immediately preceding the date of his appointment.

1
2 (b) The City Register of Deeds shall receive such compensation, emoluments, and
3 allowances as may be determined by law.
4

5 (c) The City Register of Deeds shall take charge of the City Registry of Deeds Office
6 and shall perform such duties and functions and exercise such other powers as provided by law.
7

8 **ARTICLE X**
9 **TRANSITORY AND FINAL PROVISIONS**
10

11 Section 62. ***Municipal Ordinances Existing at the Time of the Approval of this Act.*** -
12 All municipal ordinances of the Municipality of San Jose existing at the time of the approval
13 of this Act shall continue to be in force within the City of San Jose until the Sangguniang
14 Panlungsod shall provide otherwise.
15

16 Section 63. ***Plebiscite.*** - The City of San Jose shall acquire corporate existence upon
17 the ratification of its creation by a majority of the votes cast by the qualified voters in a
18 plebiscite to be conducted in the present Municipality of San Jose within sixty (60) days from
19 the approval of this Act.
20

21 The Commission on Elections (COMELEC) shall conduct and supervise such
22 plebiscite. The expenses for such plebiscite shall be borne by the Municipality of San Jose.
23

24 Section 64. ***Holdover Authority of the Officials of the Municipality of San Jose.*** - The
25 present elective officials of the Municipality of San Jose shall continue to exercise their powers
26 and functions until such time that a new election is held and the duly-elected officials shall
27 have already qualified and assumed their offices. Appointive officials and employees of the
28 Municipality of San Jose shall, likewise, continue exercising their functions and duties and they
29 shall automatically be absorbed by the City Government of the City of San Jose.
30

31 Section 65. ***Succession Clause.*** - The City of San Jose shall succeed to all the assets,
32 properties, liabilities and obligations of the Municipality of San Jose.
33

1 Section 66. ***Election of Provincial Governor and Sangguniang Panlalawigan***
2 ***Members of the Province of Occidental Mindoro.*** - The qualified voters of the City of San
3 Jose shall be qualified to vote and run for any elective position in the elections for provincial
4 governor, provincial vice governor, Sangguniang Panlalawigan members and other elective
5 offices of the Province of Occidental Mindoro.

6
7 Section 67. ***Jurisdiction of the Province of Occidental Mindoro.*** - The City of San Jose
8 shall, unless otherwise provided by law, continue to be under the jurisdiction of the Province
9 of Occidental Mindoro.

10
11 Section 68. ***Suspension of Increase in Rates of Local Taxes.*** - No increase in the rates
12 of local taxes shall be imposed by the City of San Jose within the period of five (5) years from
13 its acquisition of corporate existence.

14
15 Section 69. ***Legislative District.*** - Until otherwise provided by law, the City of San Jose
16 shall continue to be part of the Lone District of the Province of Occidental Mindoro.

17
18 Section 70. ***Applicability of Laws.*** - The provisions of the Local Government Code of
19 1991, as amended, and such other laws as are applicable to component cities shall govern the
20 City of San Jose insofar as they are not inconsistent with the provisions of this Act.

21
22 Section 71. ***Separability Clause.*** - If, for any reason or reasons, any part or provision
23 of this Charter shall be held unconstitutional, invalid or inconsistent with the Local
24 Government Code of 1991, as amended, the other parts or provisions hereof which are not
25 affected shall continue to be in full force and effect.

26
27 Section 72. ***Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
28 in the Official Gazette or in a newspaper of general circulation.

29
30 Approved,
31