



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 115

Submitted by the Committee on Local Government on February 11, 2026

Re: House Bill No. 7732

Recommending its approval in substitution of House Bills Numbered 4415 and 5776

Sponsor: Representatives Florencio T. Miraflores and James "Jojo" Ang Jr.

Mr. Speaker:

The Committee on Local Government to which were referred **House Bill No. 4415**, introduced by Representative Florencio T. Miraflores, entitled:

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

and **House Bill No. 5776**, introduced by Representative James "Jojo" Ang Jr., entitled:

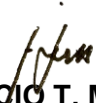
“AN ACT CONVERTING THE MUNICIPALITY OF MALAY IN THE PROVINCE OF AKLAN INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF MALAY BORACAY”

has considered the same and recommends that the attached House Bill No. 7732, entitled:

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

be approved in substitution of House Bills Numbered 4415 and 5776 with Representatives Florencio T. Miraflores and James "Jojo" Ang Jr. as author thereof.

Respectfully submitted,



FLORENCIO T. MIRAFLORES
Chairperson
Committee on Local Government

THE HONORABLE SPEAKER
House of Representatives
Quezon City



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7732
(In substitution of House Bill No. 4415 and 5776)

Introduced by **Representative Florencio T. Miraflores and James "Jojo" Ang Jr.**

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

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. Title. – This Act shall be known as the “Charter of the City of Malay Boracay”.

SEC. 2. The City of Malay Boracay. – The Municipality of Malay is hereby converted into a component city to be known as the City of Malay Boracay, also referred to as the “City,” which shall comprise the present territory of the Municipality of Malay in the Province of Aklan. The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of Malay.

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 Malay Boracay and the adjoining local government units (LGUs): *Provided*, That the territorial jurisdiction of the disputed area or areas shall remain

1 with the LGU exercising powers, prerogatives, and authorities over such disputed area or areas
2 under Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”, as
3 amended, until the final resolution of the case.
4

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

- 10 (a) To have a continuous succession in its corporate name;
11 (b) To sue and be sued;
12 (c) To have and use a corporate seal;
13 (d) To acquire and convey real or personal property;
14 (e) To enter into contracts; and
15 (f) To exercise such other powers as are granted to corporations, subject to the
16 limitations provided in this Act and other laws.
17

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

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

32 Within its territorial jurisdiction, the City shall ensure and support, among other things,
33 the preservation and enrichment of its culture, promote health and safety, enhance the right of
34 the people to a balanced ecology, encourage and support the development of appropriate and

1 self-reliant scientific and technological capabilities, improve public morals, enhance economic
2 prosperity and social justice, promote full employment among its residents, maintain peace and
3 order, and preserve the comfort and convenience of its inhabitants.

4
5 **SEC. 6. *Liability for Damages.*** – The City and its officials shall not be exempt from
6 liability for death or injury to persons or damage to property done or caused as a consequence
7 or result of the discharge or performance of official functions within the scope of their duties.

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

15 The city court of the City of Malay Boracay shall have concurrent jurisdiction with the
16 city or municipal courts of adjoining municipalities or cities, to try crimes and misdemeanors
17 committed within said drainage area, or within said spaces of one hundred (100) meters.

18 The court, first taking cognizance of such an offense, shall have jurisdiction to try said
19 cases to the exclusion of others. But any license that may be issued within said zone, area, or
20 spaces shall be granted by the proper authorities of the city or municipality concerned, and the
21 fees arising therefrom shall accrue to the treasury of the said city or municipality.

22
23 **ARTICLE II**
24 **OFFICIALS IN GENERAL**
25

26 **SEC. 8. *Officials of the City of Malay Boracay.*** – (a) There shall be in the City of
27 Malay Boracay a City Mayor, a Vice Mayor, and Sangguniang Panlungsod Members. The
28 appointive city officials are as follows:

- 29 (1) Secretary to the Sangguniang Panlungsod
30 (2) City Administrator
31 (3) City Treasurer and Assistant City Treasurer
32 (4) City Assessor and Assistant City Assessor
33 (5) City Accountant
34 (6) City Budget Officer

- 1 (7) City Planning and Development Officer
- 2 (8) City Engineer
- 3 (9) City Health Officer
- 4 (10) City Civil Registrar
- 5 (11) City Legal Officer
- 6 (12) City Veterinarian
- 7 (13) City Social Welfare and Development Officer
- 8 (14) City General Services Officer
- 9 (15) City Disaster Risk Reduction Management Officer
- 10 (16) City Public Employment and Services Officer
- 11 (17) City Tourism Officer
- 12 (18) City Youth Development Officer
- 13 (19) City Cooperatives Development Officer
- 14 (20) City Persons with Disability Affairs Officer
- 15 (21) City Office of the Senior Citizens Affairs Head
- 16 (22) City Agricultural and Biosystems Engineer
- 17 (23) City Agriculturist
- 18 (24) City Population Officer
- 19 (25) City Environment and Natural Resources Officer
- 20 (26) City Human Resource Management Officer
- 21 (27) City Zoning Administrator
- 22 (28) City Business Permitting and Licensing Officer
- 23 (29) City Economic Enterprise and Development Officer
- 24 (30) City Transportation Regulation Officer
- 25 (31) City College Administrator
- 26 (32) City Building and Architecture Officer
- 27 (33) City Sports Development Officer
- 28 (34) City Public Information Officer

29

30 (b) The City of Malay Boracay shall maintain a City Fire Station to be headed by a City

31 Fire Marshal and a City Jail to be headed by a City Jail Warden.

32

33 (c) The City of Malay Boracay, through the Sangguniang Panlungsod, may:

- 34 (1) Maintain existing offices not mentioned in subsections hereof;

- 1 (2) Create such other offices as may be necessary to carry out the purpose of the
2 City; or
3 (3) Consolidate the functions of any office with those of another in the interest of
4 efficiency and economy.
5

6 Unless otherwise provided herein, all appointive city officials of the City shall be
7 appointed by the City Mayor with the concurrence of the majority of the Sangguniang
8 Panlungsod Members, subject to Civil Service Law, rules, and regulations. The Sangguniang
9 Panlungsod shall act on the appointment within fifteen (15) days from the date of its
10 submission; otherwise, the same shall be deemed confirmed.
11

12 Elective and appointive city officials shall receive compensation, allowances, and other
13 emoluments as may be determined by law or ordinance, subject to the budgetary limitations on
14 personal services prescribed under Title Five, Book II of the LGC, as amended: *Provided*, That
15 no increase in compensation of the City Mayor, Vice Mayor and Sangguniang Panlungsod
16 members shall take effect until after the expiration of the full term of the said local officials
17 approving such increase.
18

19 **ARTICLE III**
20 **THE CITY MAYOR AND CITY VICE MAYOR**
21

22 **SEC. 9. *The City Mayor.*** – (a) The City Mayor shall be the Chief Executive of the City
23 of Malay Boracay and shall be elected at large by the qualified voters of the City.
24

25 The City Mayor shall, at the time of the election, be at least twenty-one (21) years of
26 age, a resident of the City of Malay Boracay for at least one (1) year immediately preceding
27 the day of the election, a qualified registered voter therein, and be able to read and write Filipino
28 or any local language or dialect.
29

30 The City Mayor, who shall hold office for three (3) years unless sooner removed, and
31 shall not serve for more than three (3) consecutive terms in the same position, shall receive a
32 minimum monthly compensation corresponding to Salary Grade (SG) 30 as prescribed under
33 Republic Act No. 6758, otherwise known as the “Compensation and Position Classification

1 Act of 1989”, as amended, and the implementing guidelines issued pursuant thereto, and such
2 other compensation, emoluments, and allowances as may be determined by law.

3
4 (b) The City Mayor, as the Chief Executive of the City Government, shall exercise such
5 powers and perform such duties and functions as provided under the LGC, as amended, this
6 Act, and other laws.

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

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

12 (i) Determine the guidelines of city policies and be responsible to the
13 Sangguniang Panlungsod for the program of government;

14 (ii) Direct the formulation of the City Development Plan with the
15 assistance of the City Development Council and, upon approval
16 thereof by the Sangguniang Panlungsod, implement the same;

17 (iii) Present the program of government and propose policies and
18 projects for the consideration of the Sangguniang Panlungsod at
19 the opening of the regular session of the Sangguniang Panlungsod
20 every calendar year and, as often as may be deemed necessary, as
21 the general welfare of the inhabitants and the needs of the City
22 Government may require;

23 (iv) Initiate and propose legislative measures to the Sangguniang
24 Panlungsod and, as often as may be deemed necessary, provide
25 such information and data needed or requested by said Sanggunian
26 in the performance of its legislative functions;

27 (v) Appoint all officials and employees whose salaries and wages are
28 wholly or mainly paid out of city funds and whose appointments
29 are not otherwise provided under the LGC, as amended, and this
30 Act, and those whose appointment the City Mayor may be
31 authorized by law to appoint;

32 (vi) Represent the City in all its business transactions and sign on its
33 behalf all bonds, contracts, obligations, and such other documents

- 1 upon the authority of the Sangguniang Panlungsod or pursuant to
2 law or ordinance;
- 3 (vii) Carry out such emergency measures as may be necessary during
4 and in the aftermath of man-made and natural disasters and
5 calamities;
- 6 (viii) Determine the time, manner, and place of payment of salaries or
7 wages of the officials and employees of the City, in accordance
8 with law or ordinance;
- 9 (ix) Allocate and assign office space to the City and other officials and
10 employees who, by law or ordinance, are entitled to such space in
11 the city hall and other buildings owned or leased by the City
12 Government;
- 13 (x) Ensure that all executive officials and employees of the City
14 faithfully discharge their duties and functions as provided for by
15 law and the LGC, as amended, and cause to be instituted
16 administrative or judicial proceedings against any official or
17 employee of the City who may have committed an offense in the
18 performance of official duties;
- 19 (xi) Examine the books, records, and other documents of all offices,
20 officials, agents, or employees of the City, and in aid of the
21 executive powers and authority of the City Mayor, require all
22 national officials and employees stationed in or assigned to the City
23 to make available such books, records, and other documents in
24 their custody except those classified by law as confidential;
- 25 (xii) Furnish copies of executive orders issued by the City Mayor to the
26 Office of the Provincial Governor within seventy-two (72) hours
27 after their issuance;
- 28 (xiii) Visit component barangays of the City, at least once every six (6)
29 months, to deepen understanding of problems and conditions, to
30 listen and to give appropriate counsel to local officials and
31 inhabitants, to inform component barangay officials and
32 inhabitants of general laws and ordinances which primarily
33 concern them, and otherwise, conduct visits and inspections to

- 1 ensure that the governance of the City will improve the quality of
2 life of inhabitants;
- 3 (xiv) Act on leave applications of appointed officials and employees and
4 the commutation of the monetary value of their leave credits in
5 accordance with law;
- 6 (xv) Authorize official trips of city officials and employees outside of
7 the City for a period not exceeding thirty (30) days: *Provided*, That
8 trips abroad for extended periods may be authorized in accordance
9 with the LGC, as amended;
- 10 (xvi) Call upon any national official or employee stationed in or assigned
11 to the City for advice on matters affecting the City and make
12 recommendations thereon; coordinate with said officials or
13 employees in the formulation and the implementation of plans,
14 programs, and projects; and when appropriate, initiate an
15 administrative or judicial action against a National Government
16 official or employee, who may have committed an offense in the
17 performance of the official duties while stationed in or assigned to
18 the City;
- 19 (xvii) Authorize payment for medical care, necessary transportation,
20 subsistence, hospital, or medical fees of city officials and
21 employees who are injured while in the performance of their
22 official duties and functions, subject to availability of funds;
- 23 (xviii) Solemnize marriages, any provision of law to the contrary
24 notwithstanding;
- 25 (xix) Conduct an annual Palarong Panlungsod, which shall feature
26 traditional sports and disciplines included in national and
27 international games, in coordination with the Department of
28 Education (DepEd); and
- 29 (xx) Submit to the provincial governor of the following reports, an
30 annual report containing a summary of all matters pertinent to the
31 management, administration, and development of the City and all
32 information and data relative to its political, social and economic
33 conditions; supplemental reports when unexpected events and
34 situations arise at any time during the year, particularly when man-

1 made or natural disasters or calamities affect the general welfare of
2 the City.
3

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

- 8 (i) Ensure that the acts of the City's component barangays and of its
9 officials and employees are in accordance with the scope of their
10 prescribed powers, duties, and functions;
 - 11 (ii) Call for the conduct of conventions, conferences, seminars, or
12 meetings of elective or appointive officials of the City, including
13 provincial and national officials and employees stationed in or
14 assigned to the City, at such time and place and on such subjects
15 as may be deemed necessary for the promotion of the general
16 welfare of the LGU and its inhabitants;
 - 17 (iii) Issue such executive orders for the faithful and appropriate
18 enforcement and execution of laws and ordinances;
 - 19 (iv) Be entitled to carry the necessary firearm within his territorial
20 jurisdiction;
 - 21 (v) Act as the deputized representative of the National Police
22 Commission, formulate the peace and order plan of the city, and
23 upon its approval, implement the same; and as such exercise
24 generational and operational control and supervision over the local
25 police forces in the city, in accordance with Republic Act No.
26 6975, otherwise known as the "Department of the Interior and
27 Local Government Act of 1990", as amended; and
 - 28 (vi) Call upon the appropriate law enforcement agencies to suppress
29 disorder, riot, lawless violence, rebellion, or sedition, or to
30 apprehend violators of the law when the public interest so requires,
31 and the city police forces are inadequate to cope with the situations
32 or the violators;
- 33

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

5 (i) Require the head of an office or department to prepare and submit
6 an estimate of appropriations for the ensuing calendar year, in
7 accordance with the budget preparation process enshrined in the
8 LGC, as amended;

9 (ii) Prepare and submit to the Sangguniang Panlungsod for approval
10 the executive and supplemental budgets of the City for the ensuing
11 calendar year in the manner provided for under the LGC, as
12 amended;

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

17 (iv) Issue licenses and permits and suspend or revoke the same for any
18 violation of the conditions stipulated by law or ordinance, and
19 upon which said licenses or permits had been issued;

20 (v) Issue permits, without the need for approval from any national
21 agency, for the holding of activities for any charitable or welfare
22 purpose, excluding prohibited games of chance or shows contrary
23 to law, public policy, and public morals;

24 (vi) Require owners of illegally constructed houses, buildings, or other
25 structures to obtain the necessary permits, subject to such fines and
26 penalties as may be imposed by law or ordinance, or to make
27 necessary changes in the construction of the same when said
28 construction violates any law or ordinance, or to order the
29 demolition or removal of said house, building, or structure within
30 the period prescribed by law or ordinance;

31 (vii) Adopt adequate measures to safeguard and conserve land, mineral,
32 forest, marine, and other resources of the City; provide efficient
33 and effective property and supply management for the City

Government, and protect the funds, credits, rights, and other properties of the City; and

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

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

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

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

(5) Exercise such other powers and perform such other duties and functions as provided under the LGC, as amended, and those that are prescribed by law or ordinance.

(d) The City Mayor shall hold office in the City Hall of the City of Malay Boracay. The Office of the Mayor may create the following offices, which will be supervised by an officer with a salary equivalent to City Assistant Department Head, to effectively and efficiently deliver services:

(1) City Procurement Management Division

(2) City Internal Audit Division

(3) City Information and Communications Technology Development Division

(4) City Public Order and Safety Division

SEC. 10. *The City Vice Mayor.* – (a) There shall be a City Vice Mayor who shall be elected in the same manner as the City Mayor and shall, at the time of the election, possess the

1 same qualifications as the City Mayor. The City Vice Mayor shall hold office for three (3)
2 years, unless sooner removed, and shall not serve for more than three (3) consecutive terms in
3 the same position, shall receive a monthly compensation corresponding to SG 26 as prescribed
4 under Republic Act No. 6758, as amended, and the implementing guidelines issued pursuant
5 thereto, and such other compensation, emoluments, and allowances as may be determined by
6 law.

7 (b) The City Vice Mayor shall exercise the following duties:

8 (1) Act as presiding officer of the Sangguniang Panlungsod and sign all
9 warrants drawn on the City Treasury for all expenditures appropriated for
10 the operation of the Sangguniang Panlungsod.

11 (2) Subject to civil service laws, rules, and regulations, appoint all officials
12 and employees, including the Secretary of the Sangguniang Panlungsod,
13 except that manner of appointment is specifically provided under the LGC,
14 as amended;

15 (3) Assume the office of the City Mayor and serve for the remainder of the
16 unexpired term of the latter in the event of permanent vacancy as provided
17 under the LGC, as amended;

18 (4) Exercise the powers and perform the duties and functions of the City
19 Mayor in cases of temporary vacancy as provided under the LGC, as
20 amended; and

21 (5) Perform such other duties and functions, and exercise such other
22 powers as provided under the LGC, as amended, and those that are
23 prescribed by law or ordinance.

24 25 **ARTICLE IV**

26 **THE SANGGUNIANG PANLUNGSOD**

27
28 **SEC. 11. *Composition, Qualifications, and Compensation.*** – (a) The Sangguniang
29 Panlungsod, the legislative body of the City, shall be composed of the City Vice Mayor as the
30 presiding officer, ten (10) regular Sanggunian Members, the President of the City Chapter of
31 the Liga ng mga Barangay, the President of the Panlungsod na Pederasyon ng mga
32 Sangguniang Kabataan (SK), and the three (3) sectoral representatives from the following
33 sectors as members: one (1) from the women sector; one (1) from the agricultural or industrial
34 workers sector as shall be determined by the Sangguniang Panlungsod within ninety (90) days

1 prior to the holding of the local elections; and one (1) from the other sectors, including the
2 urban poor, indigenous cultural communities, or persons with disabilities (PWDs).

3
4 Members of the Sangguniang Panlungsod must be citizens of the Philippines; registered
5 voters in the City of Malay Boracay; residents of the City for at least one (1) year immediately
6 preceding the day of the election; and able to read and write Filipino or any other local language
7 or dialect.

8
9 Candidates for the position of Vice Mayor must be at least twenty-one (21) years of
10 age, and candidates for the position of member of the Sangguniang Panlungsod must be at least
11 eighteen (18) years of age on election day.

12
13 The regular member shall be elected by district, with each district electing five (5)
14 members of the Sangguniang Panlungsod, as follows:

15 (1) The First District to be known as the District of Mainland Malay,
16 composed of the fourteen (14) barangays that are geographically located
17 in Mainland Malay: Barangay Caticlan, Sambiray, Argao, Napaan, Cogon,
18 Cubay Norte, Cubay Sur, Nabaoy, Motag, Balusbos, Poblacion, Dumlog,
19 Cabulihan, and Naasug; and

20 (2) The Second District to be known as the District of Boracay Island,
21 composed of the three (3) barangays in Boracay Island: Manocmanoc,
22 Balabag, and Yapak.

23
24 (b) The regular members of the Sangguniang Panlungsod and the sectoral
25 representatives shall be elected in the manner as may be provided for by law.

26
27 (c) The members of the Sangguniang Panlungsod shall receive a minimum monthly
28 compensation corresponding to SG 25 as prescribed under Republic Act No. 6758, as amended,
29 and the implementing guidelines issued pursuant thereto, and such other compensation,
30 emoluments, and allowances as may be determined by law.

31
32 **SEC. 12. Powers, Duties, and Functions.** – (a) The Sangguniang Panlungsod, as the
33 legislative body of the City, shall enact ordinances, approve resolutions and appropriate funds
34 for the general welfare of the City and its inhabitants pursuant to Section 16 of the LGC, as

1 amended, and in the proper exercise of the corporate powers of the City as provided under
2 Section 22 of the LGC, as amended, and shall:

3
4 (1) Approve ordinances and pass resolutions necessary for an efficient and
5 effective City Government, and relative hereto shall:

- 6 (i) Review all ordinances approved by the Sangguniang Barangay and
7 executive orders issued by the Punong Barangay to determine
8 whether these are within the scope of the prescribed powers of the
9 Sangguniang Barangay and of the Punong Barangay;
- 10 (ii) Maintain peace and order by enacting ordinances to prevent and
11 suppress lawlessness, disorder, riot, violence, rebellion, or
12 sedition, and impose penalties for the violation of said ordinances;
- 13 (iii) Approve ordinances imposing a fine not exceeding Five thousand
14 pesos (P5,000) or imprisonment for a period not exceeding one (1)
15 year, or both, at the discretion of the court, for violation of a city
16 ordinance;
- 17 (iv) Adopt measures to protect the inhabitants of the City from the
18 harmful effects of human-made or natural disasters and calamities,
19 and to provide relief services and assistance for victims during and
20 in the aftermath of said disasters or calamities and in their return
21 to productive livelihood following said events;
- 22 (v) Enact ordinances intended to prevent, suppress and impose
23 appropriate penalties for habitual drunkenness in public places,
24 mendicancy, prostitution, establishment and maintenance of
25 houses of ill-repute, gambling and other prohibited games of
26 chance, fraudulent devices and ways to obtain money or property,
27 drug addiction, maintenance of drug dens, drug pushing, juvenile
28 delinquency, the printing, distribution or exhibition of obscene or
29 pornographic materials or publications, and such other activities
30 inimical to the welfare and morals of the inhabitants of the City;
- 31 (vi) Protect the environment and impose appropriate penalties for acts
32 which endanger the environment, such as dynamite fishing and
33 other forms of destructive fishing, illegal logging, smuggling of
34 logs, smuggling of natural resources products and of endangered

- 1 species of flora and fauna, slash-and-burn farming and such other
2 activities which result in pollution or in the acceleration of siltation
3 of rivers and lakes, or in ecological imbalance;
- 4 (vii) Subject to the provisions of the LGC, as amended, and other
5 pertinent laws, determine the powers and duties of officials and
6 employees of the City;
- 7 (viii) Consistent with Republic Act No. 6758, as amended, determine the
8 positions and the salaries, wages, allowances, and other
9 emoluments and benefits of officials and employees paid wholly
10 or mainly from city funds and provide for expenditures necessary
11 for the proper conduct of programs, projects, services, and
12 activities of the City Government;
- 13 (ix) Authorize the payment of compensation to a qualified person, not
14 in the government service, who fills a temporary vacancy, or grant
15 an honorarium to any qualified official or employee designated to
16 fill a temporary vacancy in a concurrent capacity, at the rate
17 authorized by law;
- 18 (x) Provide a mechanism and the appropriate funds therefor to ensure
19 the safety and protection of all City Government property, public
20 documents, or records such as those relating to property inventory,
21 land ownership, record of births, marriages, deaths, assessments,
22 taxation, accounts, business permits and such other records and
23 documents of public interest in the offices and departments of the
24 government;
- 25 (xi) When the finances of the City Government allow, provide for
26 additional allowances and other benefits to judges, prosecutors,
27 public elementary and high school teachers, and other National
28 Government officials stationed in or assigned to the City;
- 29 (xii) Provide legal assistance to barangay officials who, in the
30 performance of their official duties or on the occasion thereof, have
31 to initiate judicial proceedings or defend themselves against legal
32 actions; and
- 33 (xiii) Provide for group insurance or additional insurance coverage for
34 all barangay officials, including members of barangay tanod

1 brigades and other service units, by public or private insurance
2 companies, when the finances of the City Government allow
3 coverage.
4

5 (2) Generate and maximize the use of resources and revenues for the development
6 plans, program objectives, and priorities of the City, as provided under the LGC,
7 as amended, with particular attention to agro-industrial development and city-
8 wide growth and progress, and relative thereto, shall:

9 (i) Approve the annual and supplemental budgets of the City
10 Government and appropriate funds for specific programs, projects,
11 services, and activities of the City, or for other purposes not
12 contrary to law, in order to promote the general welfare of the City
13 and its inhabitants;

14 (ii) Subject to the provisions of Book II of the LGC, as amended, and
15 applicable laws, and upon the majority vote of all the members of
16 the Sangguniang Panlungsod:

17 (a) Enact an ordinance levying taxes, fees, and charges, prescribing
18 the rates thereof for general and specific purposes, and granting tax
19 exemptions, incentives, or reliefs;

20 (b) Authorize the City Mayor to negotiate and contract loans and
21 other forms of indebtedness; and

22 (c) Enact ordinances authorizing the floating of bonds or other
23 instruments of indebtedness, for the purpose of raising funds to
24 finance development projects;

25 (iii) Appropriate funds for the construction and maintenance of the
26 rental of buildings for the use of the City; and, upon the majority
27 vote of all the members of the Sangguniang Panlungsod authorized
28 by the City Mayor to lease to private parties such public buildings
29 held in proprietary capacity, subject to existing laws, rules, and
30 regulations;

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

33 (v) Adopt a Comprehensive Land Use Plan (CLUP) for the
34 City: *Provided*, That the formulation, adoption, or modification of

1 said plan shall be in coordination with the approved provincial
2 comprehensive land use plan;

3 (vi) Reclassify lands within the jurisdiction of the City subject to the
4 pertinent provisions of the LGC, as amended;

5 (vii) Enact an integrated Zoning Ordinance in consonance with the
6 approved CLUP, subject to existing laws, rules, and regulations;
7 establish fire limits or zones, particularly in populous centers, and
8 regulate the construction, repair, or modification of buildings
9 within said fire limits or zones in accordance with the provisions
10 of the Fire Code of the Philippines;

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

20 (ix) With the concurrence of at least two-thirds (2/3) of all the members
21 of the Sangguniang Panlungsod, grant tax exemptions, incentives,
22 or reliefs to entities engaged in community growth-inducing
23 industries, subject to the provisions of the LGC, as amended;

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

28 (xi) Implement a numbering system for residential, commercial, and
29 other buildings in the City; and

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

32
33 (3) Subject to the provisions of the LGC, as amended, enact ordinances that grant
34 franchises and authorize the issuance of permits or licenses, upon conditions and

1 for purposes that promote the general welfare of the inhabitants of the City, and
2 pursuant to this legislative authority, perform the following duties and functions:

- 3 (i) Fix and impose reasonable fees for all services rendered by the
4 City Government to private persons or entities;
- 5 (ii) Regulate or fix license fees for any business or practice of
6 profession within the City and the conditions under which the
7 license for said business or practice of profession may be revoked,
8 and enact ordinances levying taxes thereon;
- 9 (iii) Provide for and set the terms and conditions under which public
10 utilities owned by the City shall be operated by the City
11 Government, and prescribe the conditions under which the same
12 may be leased to private persons or entities, preferably
13 cooperatives;
- 14 (iv) Regulate the display of and fix the license fees for signs,
15 signboards, or billboards at the place or places where the
16 profession or business is advertised, thereby is, in whole or in part,
17 conducted;
- 18 (v) Any law to the contrary notwithstanding, authorize and license the
19 establishment, operation, and maintenance of cockpits, and
20 regulate cockfighting and commercial breeding of
21 gamecocks: *Provided*, That existing rights should not be
22 prejudiced;
- 23 (vi) Subject to the guidelines prescribed by the Department of
24 Transportation, regulate the operation of tricycles and grant
25 franchises for the operation thereof within the territorial
26 jurisdiction of the City; and
- 27 (vii) Upon approval by a majority vote of all the members of the
28 Sangguniang Panlungsod, grant a franchise to any person,
29 partnership, corporation or cooperative to do business within the
30 City; establish, construct, operate, and maintain markets or
31 slaughterhouses; or undertake such other activities within the City
32 as may be allowed by existing laws: *Provided*, That cooperatives
33 shall be given preference in the grant of such a franchise.

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

- 3 (i) Declare, prevent, or abate any nuisance;
- 4 (ii) Within the concurrence of the majority of the members of the
5 Sangguniang Panlungsod expressed during a meeting, deny the
6 entry of legalized gambling by ordinance into any part of the City;
- 7 (iii) Require that buildings and the premises thereof and any land
8 within the City be kept and maintained in a clean and sanitary
9 condition; impose penalties for any violation thereof; or upon
10 failure to comply with said requirement, have the work done at the
11 expense of the owner, administrator, or tenant concerned; or
12 require the filling of any land or premise to a grade necessary for
13 proper sanitation;
- 14 (iv) Provide for the regulation of the safe, sanitary, and
15 environmentally sound disposal of clinical and other healthcare-
16 related wastes from hospitals, clinics and comparable
17 establishments;
- 18 (v) Regulate the establishment, operation, and maintenance of cafes,
19 restaurants, beerhouses, hotels, motels, inns, pension houses,
20 lodging houses, and other similar establishments, including tourist
21 guides and transportation;
- 22 (vi) Regulate the sale, giving away, or dispensing of any intoxicating
23 malt, wine, or mixed or fermented liquors at any retail outlets;
- 24 (vii) Regulate the establishment and provide for the inspection of steam
25 boilers or any heating device in buildings and storage of
26 inflammable and highly combustible materials within the City;
- 27 (viii) Regulate the establishment, operation, and maintenance of any
28 entertainment or amusement facilities, including theaters, circuses,
29 billiard halls, public dancing schools, public dance halls, sauna
30 baths, massage parlors, and other places for entertainment or
31 amusement; regulate such other events or activities for amusement
32 or entertainment, particularly those which tend to disturb the
33 community or annoy the inhabitants, or require the suspension or
34 suppression of the same; or prohibit certain forms of amusement

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

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

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

10
11 (5) Approve ordinances which shall ensure the efficient and effective delivery of
12 the basic services and facilities as provided under Section 17 of the LGC, as
13 amended, and in addition to said services and facilities, shall:

14 (i) Provide for the establishment, maintenance, protection, and
15 conservation of communal forests and watersheds, tree parks,
16 green belt lands, mangroves, and other similar forest development
17 projects;

18 (ii) Establish markets, slaughterhouses, or animal corrals and
19 authorize the operation thereof by the City Government; and
20 regulate the construction and operation of private markets,
21 talipapa, or other similar buildings and structures;

22 (iii) Authorize the establishment, maintenance and operation by the
23 City Government of ferries, wharves, and other structures intended
24 to accelerate productivity related to marine and seashore or
25 offshore activities;

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

29 (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges,
30 parks, and other public places and approve the construction,
31 improvement, repair and maintenance of the same; establish bus
32 and vehicle stops and terminals or regulate the use of the same by
33 privately-owned vehicles which serve the public; regulate garages
34 and operation of conveyances for hire; designate stands to be

1 occupied by public vehicles when not in use; regulate the putting
2 up of signs, signposts, awnings and awning posts on the streets;
3 and provide for the lighting, cleaning, and sprinkling of streets and
4 public places;

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

9 (vii) Subject to existing laws, establish and provide for the maintenance,
10 repair, and operation of an efficient waterworks system to supply
11 water for the City's inhabitants and to purify the source of water
12 supply; regulate the construction, maintenance, repair and use of
13 hydrants, pumps, cisterns and reservoirs; protect the purity and
14 quantity of the water supply of the City and, for this purpose,
15 extend the coverage of appropriate ordinances over all territories
16 within the drainage area of said water supply and within one
17 hundred (100) meters of the reservoir, canal, conduit, aqueduct,
18 pumping station, or watershed used in connection with the water
19 service; and regulate the consumption, use, or wastage of water
20 and fix and collect charges therefor;

21 (viii) Regulate the drilling and excavation of the ground for the laying
22 of water, gas, sewer, other pipes, and telecommunication cable
23 wires, and the construction, repair, and maintenance of public
24 drains, sewers, cesspools, tunnels, and similar structures; regulate
25 the placing of poles and the use of cross walks, curbs, and gutters;
26 adopt measures to ensure public safety against open canals,
27 manholes, live wires, and other similar hazards to life and property;
28 and regulate the construction and use of private water closets,
29 privies, and other similar structures in buildings and homes;

30 (ix) Regulate the placing, stringing, attaching, installing, repairing, and
31 constructing of all gas mains, electric telegraph and telephone
32 wires, conduits, meters, and other apparatus; and provide for the
33 correction, condemnation, or removal of the same when found to

- 1 be dangerous, defective, or otherwise hazardous to the welfare of
2 the inhabitants;
- 3 (x) Subject to the availability of funds and to existing laws, rules and
4 regulations, establish and provide for the operation of vocational
5 and technical schools and similar post-secondary institutions and,
6 with the approval of the DepEd and Technical Education and Skills
7 Development Authority, as the case may be, fix and collect
8 reasonable tuition fees and other school charges in educational
9 institutions supported by the City Government;
- 10 (xi) Establish a scholarship fund for poor but deserving students in
11 schools located within its jurisdiction or for students residing
12 within the City;
- 13 (xii) Approve measures and adopt quarantine regulations to prevent the
14 introduction and spread of diseases;
- 15 (xiii) Provide for an efficient and effective system of solid waste
16 management and garbage collection and disposal; prohibit littering
17 and provide proper disposal of garbage, refuse, and other wastes;
- 18 (xiv) Provide for the care of PWDs, paupers, the elderly, the sick,
19 persons of unsound mind, abandoned minors, juvenile delinquents,
20 drug dependents, abused children, and the youth below eighteen
21 (18) years of age; and subject to availability of funds, establish and
22 provide for the operation of centers and facilities for the said needy
23 and disadvantaged persons;
- 24 (xv) Establish and provide for the maintenance and improvement of
25 jails and detention centers, institute a sound jail management
26 program, and appropriate funds for the subsistence of detained and
27 convicted prisoners in the City;
- 28 (xvi) Establish a council which shall promote culture and the arts,
29 coordinate with government agencies and nongovernmental
30 organizations (NGOs), and, subject to the availability of funds,
31 appropriate funds for the support and development of the same;
32 and
- 33 (xvii) Establish a council for the elderly, which shall formulate policies
34 and adopt measures mutually beneficial to the elderly and to the

community; provide incentives for nongovernmental agencies and entities, and, subject to the availability of funds, appropriate funds to support programs and projects for the benefit of the elderly.

(6) Perform other duties and functions, and exercise other powers as provided under the LGC, as amended, and those that are prescribed by law or ordinance.

ARTICLE V

PROCESS OF LEGISLATION

SEC. 13. *Internal Rules of Procedure.* – On the first regular session following the election of its members and within ninety (90) days thereafter, the Sangguniang Panlungsod shall adopt or update its existing rules of procedures.

The rules of procedure shall provide for the following:

(a) The organization of the Sanggunian and the election of its officers as well as the creation of standing committees which shall include the Committees on Appropriations, Revenues, Engineering and Public Works, Education, Health, Women, Family, Human Rights, Youth and Sports Development, Environmental Protection, Peace and Order and Traffic, and Cooperatives; the general jurisdiction of each committee; and the election of the Chairperson and members of each committee;

(b) The order and calendar of business for each session;

(c) The legislative process;

(d) The parliamentary procedures, which include the conduct of members during sessions;

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

(f) Such other rules as the Sanggunian may adopt.

1 **SEC. 14. Full Disclosure of Financial and Business Interests of Sangguniang**
2 ***Panlungsod Members.*** – (a) Every Sangguniang Panlungsod Member shall, upon assumption
3 of office, make a full disclosure of personal business and financial interests. They shall also
4 disclose any business, financial, professional relationship, or any relation by affinity or
5 consanguinity within the fourth civil degree, which they may have with any person, firm, or
6 entity affected by any ordinance or resolution under consideration by the Sanggunian of which
7 they are members, which relationship may result in a conflict of interest. Such a relationship
8 shall include:

- 9 (1) Ownership of stock or capital, or investment in the entity or firm to
10 which the ordinance or resolution may apply; and
11 (2) Contracts or agreements with any person or entity that the ordinance
12 or resolution under consideration may affect.

13
14 In the absence of a specific constitutional or statutory provision applicable to this
15 situation, “conflict of interest” refers in general to one where it may be reasonably deduced that
16 a member of the Sanggunian may not act in the public interest due to some private, pecuniary,
17 or other personal considerations that may tend to affect judgment to the prejudice of the service
18 or the public.

19
20 (b) The disclosure required under this Act shall be made in writing and submitted to the
21 Secretary of the Sanggunian or the Secretary of the Committee of which a member belongs.
22 The disclosure shall, in all cases, form part of the record of the proceedings and shall be made
23 in the following manner:

- 24 (1) Disclosure shall be made before the member participates in the
25 deliberations on the ordinance or resolution under consideration:
26 *Provided,* That if the member did not participate during the deliberations,
27 the disclosure shall be made before voting on the ordinance or resolution
28 on second and third readings; and
29 (2) Disclosure shall be made when a member takes a position or makes a
30 privileged speech on a matter that may affect the business interest,
31 financial connection, or professional relationship described herein.

32
33 **SEC. 15. Sessions.** – (a) On the first day of the session immediately following the
34 election of its members, the Sangguniang Panlungsod shall, by resolution, fix the day, time,

1 and place of its regular sessions. The minimum number of regular sessions shall be once a week
2 for the Sangguniang Panlungsod and twice a month for the Sangguniang Barangay.

3
4 (b) When public interest so demands, special sessions may be called by the City Mayor
5 or by a majority of the members of the Sanggunian.

6
7 (c) All Sanggunian sessions shall be open to the public unless a closed-door session is
8 ordered by an affirmative vote of a majority of the members present, there being a quorum, in
9 the public interest or for reasons of security, decency, or morality. No two (2) sessions, regular
10 or special, may be held in the same location on the same day.

11
12 (d) In the case of special sessions of the Sanggunian, a written notice to the members
13 shall be served personally at the member's usual place of residence at least twenty-four (24)
14 hours before the special session is held.

15
16 Unless concurred in by a two-thirds (2/3) vote of the Sanggunian Members present,
17 there being a quorum, no other matters may be considered at a special session except those
18 stated in the notice.

19
20 (e) The Sanggunian shall keep a journal and record of its proceedings, which may be
21 published upon resolution of the Sanggunian Panlungsod.

22
23 **SEC. 16. Quorum.** – (a) A majority of all the members of the Sanggunian who have
24 been elected and qualified shall constitute a quorum to transact official business. Should a
25 question of quorum be raised during a session, the Presiding Officer shall immediately proceed
26 to call the roll of the members and thereafter announce the results.

27
28 (b) Where there is no quorum, the Presiding Officer may declare a recess until a quorum
29 is constituted, or a majority of the members present may adjourn from day to day. It may
30 compel the immediate attendance of any member absent without justifiable cause by
31 designating a member of the Sanggunian to be assisted by a member or members of the police
32 force assigned to the territorial jurisdiction of the City of Malay Boracay, to arrest an absent
33 member for the purpose of securing the member's physical attendance at the session.

1 (c) If there is still no quorum despite the enforcement of the immediately preceding
2 subsection, no business shall be transacted. The Presiding Officer, upon proper motion duly
3 approved by the members present, shall then declare the session adjourned for lack of quorum.
4

5 **SEC. 17. *Approval of Ordinances.*** – (a) Every ordinance enacted by the Sangguniang
6 Panlungsod shall be presented to the City Mayor. If the City Mayor approves the same,
7 signature shall be affixed on every page thereof; otherwise, the City Mayor shall veto it and
8 return the same with objections to the Sanggunian, which may proceed to reconsider the same.
9 The Sanggunian may override the City Mayor’s veto by a two-thirds (2/3) vote of all its
10 members, thereby making the ordinance or resolution effective for all legal intents and
11 purposes.
12

13 (b) The City Mayor shall communicate the veto to the Sanggunian within ten (10) days;
14 otherwise, the ordinance shall be deemed approved, as if the City Mayor had signed it.
15

16 **SEC. 18. *Veto Power of the City Mayor.*** – (a) The City Mayor may veto any ordinance
17 of the Sangguniang Panlungsod on the ground that it is *ultra vires* or prejudicial to the public
18 welfare, stating the reasons therefor in writing.
19

20 (b) The City Mayor shall have the power to veto any particular item or items of an
21 appropriations ordinance, an ordinance or resolution adopting a local development plan and
22 public investment program, or an ordinance directing the payment of money or creating
23 liability. In such a case, the veto shall not affect the item or items that are not objected to. The
24 vetoed item or items shall not take effect unless the Sangguniang Panlungsod overrides the
25 veto in the manner herein provided; otherwise, the item or items in the appropriation ordinance
26 of the previous year corresponding to those vetoed, if any, shall be deemed reenacted.
27

28 (c) The City Mayor may veto an ordinance or resolution only once. The Sanggunian
29 may override the City Mayor’s veto by a two-thirds (2/3) vote of all its members, thereby
30 making the ordinance effective even without the approval of the City Mayor.
31

32 **SEC. 19. *Review of Ordinances or Resolutions by the Sangguniang Panlalawigan.*** –
33 (a) Within three (3) days after approval, the Secretary to the Sangguniang Panlungsod shall
34 forward to the Sangguniang Panlalawigan for review, copies of approved ordinances and the

1 resolutions approving the local development plans and public investment programs formulated
2 by the local development councils.

3
4 (b) Within thirty (30) days after receipt of copies of such ordinances and resolutions,
5 the Sangguniang Panlalawigan shall examine the documents or transmit them to the provincial
6 attorney, or if there be none, to the Provincial Prosecutor for prompt examination. The
7 Provincial Attorney or Provincial Prosecutor shall, within a period of ten (10) days from receipt
8 of the documents, inform the Sangguniang Panlalawigan in writing of the comments or
9 recommendations which may be considered by the Sangguniang Panlalawigan in making its
10 decisions.

11
12 (c) If the Sangguniang Panlalawigan finds that such an ordinance or resolution is
13 beyond the power conferred upon the Sangguniang Panlungsod, it shall declare such ordinance
14 or resolution invalid in whole or in part. The Sangguniang Panlalawigan shall enter its action
15 in the minutes and shall advise the corresponding city or municipal authorities of the action it
16 has taken.

17
18 (d) If no action has been taken by the Sangguniang Panlalawigan within thirty (30) days
19 after submission of such an ordinance or resolution, the same shall be presumed consistent with
20 law and therefore valid.

21
22 **SEC. 20. Review of Barangay Ordinances by Sangguniang Panlungsod.** – (a) Within
23 ten (10) days after enactment, the Sangguniang Barangay shall furnish copies of all barangay
24 ordinances to the Sangguniang Panlungsod for review as to whether the ordinances are
25 consistent with laws and city ordinances.

26
27 (b) If the Sangguniang Panlungsod fails to take action on barangay ordinances within
28 thirty (30) days from receipt thereof, the same shall be deemed approved.

29
30 (c) If the Sangguniang Panlungsod finds the barangay ordinances inconsistent with laws
31 or city ordinances, the Sangguniang Panlungsod shall, within thirty (30) days from receipt
32 thereof, return the same with its comments and recommendations to the Sangguniang Barangay
33 concerned for adjustment, amendment or modification; and in which case, the effectivity of the
34 barangay ordinance is suspended until the revision called for is effected.

SEC. 21. *Enforcement of Disapproved Ordinances or Resolutions.* – Any attempt to enforce any ordinance or any resolution approving the Local Development Plan (LDP) and Public Investment Program (PIP) after the disapproval thereof shall be sufficient ground for the suspension or dismissal of the official or employee concerned.

SEC. 22. *Effectivity of Ordinances or Resolutions.* – (a) Unless otherwise stated in the ordinance or the resolution approving the LDP and PIP, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the City Hall of Malay Boracay, and in at least two (2) other conspicuous places in the City of Malay Boracay not later than five (5) days after approval thereof.

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

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

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

ARTICLE VI

DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS

SEC. 23. *Disqualifications of Elective Public City Officials.* – The following persons are disqualified from running for any elective position in the city:

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

- 1 (b) Those removed from office as a result of an administrative case;
2 (c) Those convicted by final judgment for violating the oath of allegiance to the
3 Republic of the Philippines;
4 (d) Those with dual citizenship;
5 (e) Fugitives from justice in criminal or nonpolitical cases here and abroad;
6 (f) Permanent residents in a foreign country or those who have acquired the right
7 to reside abroad and continue to avail of the same right after the effectivity of the
8 LGC; and
9 (g) The insane or feeble-minded.

10
11 **SEC. 24. *Permanent Vacancy in the Office of the City Mayor and City Vice Mayor.***

12 – If a permanent vacancy occurs in the office of the City Mayor, the City Vice Mayor concerned
13 shall become the City Mayor. If a permanent vacancy occurs in the Offices of the Mayor or the
14 City Vice Mayor, the highest ranking Sangguniang Panlungsod Member or, in case of their
15 permanent incapacity, the second highest Sangguniang Panlungsod Member shall become the
16 City Mayor or City Vice Mayor, as the case may be. Subsequent vacancies in said offices shall
17 be automatically filled by the other Sanggunian Members according to their ranking as defined
18 under the LGC, as amended.

19
20 For purposes of this Act, a permanent vacancy arises when an elective local official fills
21 a higher vacant office, refuses to assume office, fails to qualify, dies, is removed from office,
22 voluntarily resigns, or is otherwise permanently incapacitated to discharge the functions of the
23 office.

24
25 For purposes of succession as provided in this Act, ranking in the Sanggunian shall be
26 determined based on the proportion of votes obtained by each winning candidate to the total
27 number of registered voters in the city in the immediately preceding local election.

28
29 **SEC. 25. *Permanent Vacancies in the Sangguniang Panlungsod.*** – (a) Permanent
30 vacancies in the Sangguniang Panlungsod where automatic succession as provided above does
31 not apply shall be filled by appointment in the following manner:

- 32
33 (1) The Provincial Governor shall make the appointment mentioned above;

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

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

13 (4) In case of vacancy in the representation of the youth and the barangay in the
14 Sangguniang Panlungsod, said vacancy shall be filled automatically by the official
15 next in rank of the organization concerned.
16

17 **SEC. 26. *Temporary Vacancy in the Office of the City Mayor.*** – (a) When the City
18 Mayor is temporarily incapacitated to perform official duties for physical or legal reasons such
19 as leave of absence, travel abroad, and suspension from office, the City Vice Mayor, or the
20 highest ranking Sangguniang Panlungsod Member shall automatically exercise the powers and
21 perform the duties and functions of the City Mayor, except the power to appoint, suspend, or
22 dismiss employees which can only be exercised if the period of temporary incapacity exceeds
23 thirty (30) working days;
24

25 (b) Said temporary incapacity shall terminate upon submission to the Sangguniang
26 Panlungsod of a written declaration by the City Mayor upon reporting back to office. In cases
27 where the temporary incapacity is due to legal causes, the City Mayor shall also submit
28 necessary documents showing that said legal causes no longer exist.
29

30 (c) When the City Mayor is travelling within the country but outside the territorial
31 jurisdiction for a period not exceeding three (3) consecutive days, an officer-in-charge for the
32 Mayor's office may be designated in writing. Such authorization shall specify the powers and
33 functions that the local official concerned shall exercise in the absence of the City Mayor,
34 except the power to appoint, suspend, or dismiss employees.

1
2 (d) In the event, however, that the City Mayor fails or refuses to issue such
3 authorization, the City Vice Mayor, or the highest ranking Sangguniang Panlungsod Member,
4 as the case may be, shall have the right to assume the powers, duties and functions of the said
5 office on the fourth day of absence of the City Mayor, subject to the limitations provided in
6 subsection (c) hereof; and
7

8 (e) Except as provided above, the City Mayor shall in no case authorize any local
9 official to assume the powers, duties, and functions of the office, other than the City Vice
10 Mayor, or the highest-ranking Member of the Sangguniang Panlungsod, as the case may be.
11

12 **ARTICLE VII**
13 **THE APPOINTIVE OFFICIALS OF THE CITY:**
14 **QUALIFICATIONS, POWERS, AND DUTIES**
15

16 **SEC. 27. *The Secretary of the Sangguniang Panlungsod.*** – (a) There shall be a
17 Secretary to the Sangguniang Panlungsod who shall be a career official with the rank and salary
18 equal to a head of department or office and who shall be appointed by the City Vice Mayor.
19

20 (b) No person shall be appointed Secretary to the Sangguniang Panlungsod unless a
21 citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a
22 holder of a college degree preferably in law, commerce, or public administration from a
23 recognized college or university; and a second-level civil service eligible or its equivalent.
24

25 (c) The Secretary to the Sangguniang Panlungsod shall take charge of the Office of the
26 Secretary to the Sangguniang Panlungsod and shall:

27 (1) Attend meetings of the Sangguniang Panlungsod and keep a journal of
28 its proceedings;

29 (2) Keep the seal of the city and affix the same with the Secretary's
30 signature to all ordinances, resolutions, and other official acts of the
31 Sangguniang Panlungsod and present the same to the Presiding Officer for
32 signature;

1 (3) Forward to the City Mayor, for approval, copies of ordinances enacted
2 by the Sangguniang Panlungsod duly certified by the Presiding Officer, in
3 the manner provided in Section 54 of the LGC, as amended;

4 (4) Forward to the Sangguniang Panlalawigan of Aklan copies of duly
5 approved ordinances, in the manner provided in Sections 56 and 57 of the
6 LGC, as amended;

7 (5) Furnish, upon request of any interested party, certified copies of
8 records of public character in custody, upon payment to the city treasurer
9 of such fees as may be prescribed by ordinance;

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

13 (7) Keep the office's and all non-confidential records therein open to the
14 public during the usual business hours;

15 (8) Translate into the dialect used by the majority of the inhabitants all
16 ordinances and resolutions immediately after their approval and cause the
17 publication of the same together with the original version in the manner
18 provided under the LGC, as amended;

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

21 (10) Perform such other duties and functions and exercise such other
22 powers as provided for under the LGC, as amended, and those that are
23 prescribed by law or ordinance.
24

25 **SEC. 28. *The City Administrator.*** – (a) The City Administrator must be a citizen of the
26 Philippines, a resident of the City of Malay Boracay, of good moral character, a holder of a
27 college degree preferably in public administration, law, or any other related courses from a
28 recognized college or university; a second-level civil service eligible or its equivalent; and must
29 have acquired at least five (5) years of experience in management and administration work
30 immediately preceding the date of appointment.
31

32 (b) The term of the City Administrator is coterminous with that of the appointing
33 authority.
34

1 (c) The City Administrator shall take charge of the Office of the City Administrator and
2 shall:

3 (1) Develop plans and strategies and, upon approval thereof by the City
4 Mayor, implement the same, particularly those which have to do with the
5 management of administration-related programs and projects which the
6 City Mayor is empowered to implement and which the Sangguniang
7 Panlungsod is empowered to provide under the LGC, as amended;

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

12 (3) Establish and maintain a sound human resource development program
13 designed to promote career development and uphold the merit principle in
14 the local government service;

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

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

20 (6) Recommend to the Sangguniang Panlungsod and advise the City
21 Mayor on all matters relative to the management and administration of the
22 city; and

23 (7) Perform such other duties and functions and exercise such other
24 powers as provided for under the LGC, as amended, and those that are
25 prescribed by law or ordinance.
26

27 **SEC. 29. *The City Treasurer.*** – (a) The City Treasurer shall be appointed by the
28 Secretary of Finance from a list of at least three (3) ranking eligibles recommended by the City
29 Mayor, subject to Civil Service Law, rules, and regulations.
30

31 (b) The City Treasurer shall be under the administrative supervision of the City Mayor,
32 to whom he shall report regularly on the tax collection efforts of the city.
33

1 (c) No person shall be appointed Treasurer unless a citizen of the Philippines, a resident
2 of the City of Malay Boracay; of good moral character; a holder of a college degree preferably
3 in commerce, public administration, or law from a recognized college or university; a basic
4 competency on local treasury examination passer; a second-level civil service eligible or its
5 equivalent; and must have acquired experience in treasury or accounting service for at least
6 five (5) years.

7
8 (d) The City Treasurer shall receive such compensation, emoluments, and allowances
9 as may be determined by law.

10
11 (e) The City Treasurer shall take charge of the City Treasurer's Office, and shall:

12 (1) Advise the City Mayor, the Sangguniang Panlungsod, and other local
13 government and national officials concerned regarding the disposition of
14 local government funds and on such other matters relative to public
15 finance;

16 (2) Take custody and exercise proper management of the funds of the city;

17 (3) Take charge of the disbursement of all funds of the city and such other
18 funds entrusted for custody by law or other competent authority;

19 (4) Inspect private commercial and industrial establishments within the
20 jurisdiction of the city in relation to the implementation of tax ordinances
21 pursuant to the provisions of the LGC, as amended;

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

23 (6) Perform such other duties and functions and exercise such other
24 powers as provided for under the LGC, as amended, and those that are
25 prescribed by law or ordinance.

26
27 **SEC. 30. *The Assistant City Treasurer.*** – (a) The Assistant City Treasurer may be
28 appointed by the Secretary of Finance from a list of at least three (3) ranking eligibles
29 recommended by the City Mayor, subject to the Civil Service Law, rules, and regulations.

30
31 (b) No person shall be appointed Assistant City Treasurer unless a citizen of the
32 Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of a
33 college degree preferably in commerce, public administration, or law from a recognized college
34 or university; a basic competency on local treasury examination passer; a second- level civil

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

3
4 (c) The Assistant City Treasurer shall assist the City Treasurer and perform such duties
5 as may be assigned by the latter.

6
7 (d) The Assistant City Treasurer shall have authority to administer oaths concerning
8 notices and notifications to that delinquent in the payment of the real property tax and
9 concerning official matters relating to the accounts of the City Treasurer or otherwise arising
10 in the office of the City Treasurer and the City Assessor.

11
12 (e) The Assistant City Treasurer shall receive such compensation, emoluments, and
13 allowances as may be determined by law.

14
15 **SEC. 31. *The City Assessor.*** – (a) The City Assessor must be a citizen of the
16 Philippines, a resident of the City of Malay Boracay; of good moral character; a licensed Real
17 Estate Appraiser with a college degree preferably in civil engineering, commerce, or any other
18 related course from a recognized college or university; and must have acquired experience in
19 real property assessment work or in any related field for at least five (5) years immediately
20 preceding the day of appointment.

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

24
25 (c) The City Assessor shall take charge of the City Property Valuation and Assessment
26 Department, and shall:

- 27 (1) Ensure that all laws and policies governing the appraisal and assessment of
28 real properties for taxation purposes are properly executed;
29 (2) Initiate, review, and recommend changes in policies and objectives,
30 plans and programs, techniques, procedures, and practices in the valuation
31 and assessment of real properties for taxation purposes;
32 (3) Establish a systematic method of real property assessment;
33 (4) Install and maintain a real property identification and accounting
34 system;

- 1 (5) Prepare, install, and maintain a system of tax mapping, showing all
2 properties subject to assessment graphically and gather all data concerning
3 the same;
- 4 (6) Conduct frequent physical surveys to verify and determine whether all
5 real properties within the City are properly listed in the assessment rolls;
- 6 (7) Exercise the functions of appraisal and assessment primarily for
7 taxation purposes of all real properties in the City;
- 8 (8) Prepare a schedule of the fair market value of the different classes of
9 real properties in accordance with the provisions of the LGC, as amended;
- 10 (9) Issue, upon request of any interested party, certified copies of
11 assessment records of real property and all other records relative to its
12 assessment, upon payment of a service charge or fee to the City Treasurer;
- 13 (10) Submit every semester a report of all assessments, as well as
14 cancellations and modifications of assessments, to the City Mayor and the
15 Sangguniang Panlungsod;
- 16 (11) Attend personally or through an authorized representative all sessions
17 of the Local Board of Assessment Appeals whenever an assessment is the
18 subject of an appeal, and present or submit any information or record in
19 the possession of the City Property Valuation and Assessment Department
20 as may be required by the Board; and
- 21 (12) Perform such other duties and functions and exercise such other
22 powers as provided under the LGC, as amended, and those that are
23 prescribed by law or ordinance.
- 24

25 **SEC. 32. *The Assistant City Assessor.*** – (a) The Assistant City Assessor must be a
26 citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a
27 licensed Real Estate Appraiser with a college degree preferably in civil engineering, commerce,
28 or any related course from a recognized college or university; and must have acquired
29 experience in assessment work or in any related field for at least three (3) years immediately
30 preceding the date of appointment.

31

32 (b) The Assistant City Assessor shall assist the City Assessor and perform such other
33 duties as the latter may assign.

34

1 (c) The Assistant City Assessor shall have the authority to administer oaths on all
2 declarations of real property for purposes of assessment.

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

6
7 **SEC. 33. *The City Accountant.*** – (a) The City Accountant must be a citizen of the
8 Philippines, a resident of the City of Malay Boracay; of good moral character; a Certified Public
9 Accountant; and must have acquired at least five (5) years of experience in the Treasury or
10 Accounting service immediately preceding the date of appointment.

11
12 (b) The City Accountant shall receive such compensation, emoluments, and allowances
13 as may be determined by law.

14
15 (c) The City Accountant shall take charge of the accounting and internal audit services of
16 the city, and shall:

- 17
18 (1) Install and maintain an internal audit system in the City;
19 (2) Prepare and submit financial statements to the City Mayor and to the
20 Sangguniang Panlungsod;
21 (3) Apprise the Sangguniang Panlungsod and other officials on the financial
22 condition and operations of the City;
23 (4) Certify to the availability of budgetary allotment, of which expenditures
24 and obligations may be properly charged;
25 (5) Review supporting documents before preparation of vouchers to determine
26 completeness of requirements;
27 (6) Prepare statements of cash advances, liquidation, salaries, allowances,
28 reimbursements, and remittances pertaining to the city;
29 (7) Prepare statements of journal vouchers and liquidation of the same and
30 other adjustments related thereto;
31 (8) Post individual disbursement to the subsidiary ledgers and other
32 appropriate record-keeping instruments;
33 (9) Maintain individual ledgers for officials and employees of the city
34 pertaining to payroll and deductions;

1 (10) Record and post details of purchased furniture, fixtures, and equipment,
2 including disposal thereof, if any;
3 (11) Account for all issued requests for obligations and maintain all records
4 and reports related thereto;
5 (12) Prepare journals and the analysis of obligations and maintain all records
6 and reports related thereto; and
7 (13) Perform such other duties and functions and exercise such other powers
8 as provided under the LGC, as amended, and those that are prescribed by law
9 or ordinance.

10
11 **SEC. 34. *The City Budget Officer.*** – (a) The City Budget Officer must be a citizen of
12 the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of
13 a college degree preferably in accounting, economics, public administration, or any related
14 course from a recognized college or university; a second-level civil service eligible or its
15 equivalent; and must have acquired experience in government budgeting or in any related field
16 for at least five (5) years immediately preceding the date of appointment.

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

20
21 (c) The City Budget Officer shall take charge of the City Budget Department, and shall:

- 22 (1) Prepare forms, orders, and circulars embodying instructions on
23 budgetary and appropriation matters for the signature of the City Mayor;
24 (2) Review and consolidate the budget proposals of different departments
25 and offices of the City;
26 (3) Assist the City Mayor in the preparation of the annual budget and in
27 presenting the same during the budget hearings;
28 (4) Study and evaluate budgetary implications of proposed legislation and
29 submit comments and recommendations thereon;
30 (5) Submit periodic budgetary reports to the Department of Budget and
31 Management;
32 (6) Coordinate with the City Treasurer, the City Accountant, and the City
33 Planning and Development Officer for the purpose of budgeting;

- 1 (7) Assist the Sangguniang Panlungsod in reviewing the approved budgets
2 of the component barangays;
- 3 (8) Coordinate with the City Planning and Development Officer in the
4 formulation of the development plan of the City; and
- 5 (9) Perform such other duties and functions and exercise such other
6 powers as provided under the LGC, as amended, and those that are
7 prescribed by law or ordinance.

8

9 **SEC. 35. *The City Planning and Development Officer.*** – (a) The City Planning and
10 Development Officer must be a citizen of the Philippines, a resident of the City of Malay
11 Boracay; of good moral character; a licensed Environmental Planner with a college degree
12 preferably in urban planning, development studies, economics, public administration, or any
13 related courses from a recognized college or university; and must have acquired at least five
14 (5) years of experience in development planning or any related field immediately preceding
15 the date of appointment.

16

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

19

20 (c) The City Planning and Development Officer shall take charge of the City Planning
21 and Development Department, and shall:

- 22 (1) Formulate integrated economic, social, physical, and other
23 development plans and policies for consideration of the city;
- 24 (2) Conduct continuing studies, research, and training programs necessary
25 to evolve plans and programs for implementation;
- 26 (3) Integrate and coordinate all sectoral plans and studies undertaken by
27 the different functional groups or agencies;
- 28 (4) Monitor and evaluate the implementation of the different development
29 programs, projects, and activities in the city in accordance with the
30 approved development plan;
- 31 (5) Prepare comprehensive plans and other development planning
32 documents for the consideration of the local development council;
- 33 (6) Analyze the income and expenditure patterns and formulate and
34 recommend fiscal plans and policies for consideration of the Finance

Committee of the Sangguniang Panlungsod as provided under the LGC,
as amended;

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

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

(9) Perform such other duties and functions and exercise such other
powers as provided under the LGC, as amended, and those that are
prescribed by law or ordinance.

SEC. 36. *The City Engineer.* – (a) The City Engineer must be a citizen of the
Philippines, a resident of the City of Malay Boracay, of good moral character, a licensed Civil
Engineer, and must have acquired experience in the practice of profession for at least five (5)
years immediately preceding the date of appointment.

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

(c) The City Engineer shall take charge of the City Engineering Public Works
Department, and shall:

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

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

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

(4) Provide engineering services to the city, including investigation and
survey, engineering designs, feasibility studies, and project management;
and

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

SEC. 37. *The City Health Officer.* – (a) The City Health Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; a licensed medical practitioner of good moral character; and must have acquired experience in the practice of profession for at least five (5) years immediately preceding the date of appointment.

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

(c) The City Health Officer shall take charge of the City Health and Sanitation Department, and shall:

(1) Supervise the personnel and staff of said office, formulate program implementation guidelines and rules and regulations for the operation of the said office for the approval of the City Mayor to assist in the efficient, effective, and economical implementation of a health services program geared to the implementation of health-related projects and activities;

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

(3) Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with health programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide under the LGC, as amended;

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

1 (5) Supervise the delivery of basic health services, all City Health centers,
2 hospitals, and clinics in accordance with City and national health policies
3 and programs such as those on dental health, maternal health, family
4 planning, nutrition, immunization, and environmental safety and
5 sanitation;

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

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

10 (ii) Advise the City Mayor and the Sangguniang Panlungsod on
11 matters pertaining to health;

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

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

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

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

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

25 (viii) Coordinate with other government agencies and NGOs
26 involved in the promotion and delivery of health services;

27 (7) Be in the frontline of the delivery of health services, particularly during
28 and in the aftermath of man-made and natural disasters and calamities; and

29 (8) Perform such other duties and functions and exercise such other
30 powers as provided under the LGC, as amended, and those that are
31 prescribed by law or ordinance.
32

33 **SEC. 38. *The Assistant City Health Officers.*** – (a) The two (2) Assistant City Health
34 Officers, one (1) assigned to the District of Mainland Malay and one (1) assigned to the District

1 of Boracay Island; must be citizens of the Philippines, residents of the City of Malay Boracay;
2 duly licensed medical practitioners of good moral character; and must have engaged in the
3 practice of medicine for at least three (3) years.

4
5 (b) The Assistant City Health Officers shall assist the City Health Officer and perform
6 such other duties as may be assigned by the latter.

7
8 (c) The Assistant City Health Officers shall receive such compensation, emoluments,
9 and allowances as may be determined by law.

10
11 **SEC. 39. *The City Civil Registrar.*** – (a) The City Civil Registrar must be a citizen of
12 the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of
13 a college degree from a recognized college or university; a first-grade civil service eligible or
14 its equivalent; and must have acquired at least five (5) years of experience in civil registry
15 work.

16
17 (b) The City Civil Registrar shall receive such compensation, emoluments, and
18 allowances as may be determined by law.

19
20 (c) The City Civil Registrar shall be responsible for the civil registration program in the
21 City of Malay Boracay, pursuant to the Civil Registry Law, the Civil Code, and other pertinent
22 laws, rules, and regulations issued to implement them.

23
24 (d) The City Civil Registrar shall take charge of the City Civil Registry Department,
25 and shall:

26 (1) Develop plans and strategies and, upon approval thereof by the City
27 Mayor, implement the same, particularly those which have to do with the
28 management and administration-related programs and projects which the
29 City Mayor is empowered to implement and which the Sangguniang
30 Panlungsod is empowered to provide under the LGC, as amended;

31 (2) In addition to the foregoing duties and functions, the City Civil
32 Registrar shall:

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

- 1 (ii) File, keep, and preserve in a secure place the books required by
2 law;
3 (iii) Transcribe and enter immediately upon receipt all registrable
4 documents and judicial decrees affecting the civil status of persons
5 in the appropriate civil registry books;
6 (iv) Transmit to the Office of the Civil Registrar-General within
7 the prescribed period, duplicate copies of registered documents
8 required by law;
9 (v) Issue certified transcripts or copies of any certificate or
10 registered documents upon payment of the required fees to the City
11 Treasurer;
12 (vi) Receive applications for the issuance of a marriage license
13 and, after determining that the requirements and supporting
14 certificates and publication thereof for the prescribed period have
15 been complied with, issue the license upon payment of the
16 authorized fee to the City Treasurer; and
17 (vii) Coordinate with the Philippine Statistics Authority (PSA) in
18 conducting educational campaigns for vital registration and assist
19 in the preparation of demographic data and other statistics for the
20 City of Malay Boracay; and
21 (3) Perform such other duties and functions and exercise such other
22 powers as provided under the LGC, as amended, and those that are
23 prescribed by law or ordinance.
24

25 **SEC. 40. *The Assistant City Civil Registrar.*** – (a) The Assistant City Civil Registrar
26 must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral
27 character; a holder of bachelor's degree from a recognized college or university; a first-grade
28 civil service eligible; and must have acquired at least three (3) years experience in civil registry
29 work or any related field.
30

31 (b) The Assistant City Civil Registrar shall assist the City Civil Registrar and perform
32 such other duties as may be assigned by the latter.
33

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

3
4 **SEC. 41. *The City Legal Officer.*** – (a) The City Legal Officer must be a citizen of the
5 Philippines, a resident of the City of Malay Boracay; of good moral character; a member of the
6 Philippine Bar; and must have practiced the profession for at least five (5) years immediately
7 preceding the date of appointment.

8
9 (b) The term of the City Legal Officer shall be coterminous with that of the appointing
10 authority.

11
12 (c) The City Legal Officer shall receive such compensation, emoluments, and
13 allowances as may be determined by law.

14
15 (d) The City Legal Officer, as chief legal counsel of the City, shall take charge of the
16 City Legal Department, and shall:

17
18 (1) Formulate measures and ordinances for the consideration of the
19 Sangguniang Panlungsod and provide legal assistance and support to the
20 City Mayor in carrying out the delivery of basic services and provisions
21 of adequate facilities;

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

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

33 (4) When required by the City Mayor or Sangguniang Panlungsod, draft
34 ordinances, contracts, bonds, leases, and other instruments involving any

1 interest of the City, and provide comments and recommendations on any
2 instrument already drawn;

3 (5) Render his opinion in writing on any question of law when requested
4 to do so by the City Mayor or Sangguniang Panlungsod;

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

9 (7) Investigate or cause to be investigated any person, firm, or corporation
10 holding any franchise or exercising any public privilege for failure to
11 comply with any term or condition in the grant of such franchise or
12 privilege, and recommend appropriate action to the City Mayor or
13 Sangguniang Panlungsod, as the case may be;

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

17 (9) Review and submit recommendations on ordinances approved and
18 execute orders issued by component units;

19 (10) Recommend measures to the Sangguniang Panlungsod and advise the
20 City Mayor on all matters related to upholding the rule of law;

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

24 (12) Perform such other duties and functions and exercise such other
25 powers as provided under the LGC, as amended, and those that are
26 prescribed by law or ordinance.

27
28 **SEC. 42. *The City Veterinarian.*** – (a) The City Veterinarian must be a citizen of the
29 Philippines, a resident of the City of Malay Boracay; of good moral character; a licensed doctor
30 of veterinary medicine; and must have professional practice for at least five (5) years
31 immediately preceding the date of appointment.

32
33 (b) The City Veterinarian shall receive such compensation, emoluments, and
34 allowances as may be determined by law.

1
2 (c) The City Veterinarian shall take charge of the City Veterinary Services Department,
3 and shall:

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

8 (2) Develop plans and strategies and, upon approval thereof by the City
9 Mayor, implement the same, particularly those which have to do with
10 veterinary-related activities which the City Mayor is empowered to
11 implement and which the Sangguniang Panlungsod is empowered to
12 provide;

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

15 (4) Regulate the keeping of domestic animals;

16 (5) Regulate and inspect poultry, milk, and dairy products for public
17 consumption;

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

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

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

27 (9) Recommend to the Sangguniang Panlungsod and advise the City
28 Mayor on all other matters relative to veterinary services which will
29 increase the number and improve the quality of livestock, poultry, and
30 other domestic animals used for work or human consumption; and

31 (10) Perform such other duties and functions and exercise such other
32 powers as provided under the LGC, as amended, and those that are
33 prescribed by law or ordinance.
34

1 **SEC. 43. *The City Social Welfare and Development Officer.*** – (a) The City Social
2 Welfare and Development Officer must be a citizen of the Philippines, a resident of the City of
3 Malay Boracay; of good moral character; a duly licensed Social Worker or a holder of a college
4 degree preferably in sociology or any other related course from a recognized college or
5 university; a second-level civil service eligible or its equivalent; and must have acquired
6 experience in the practice of social work for at least five (5) years immediately preceding the
7 date of appointment.

8
9 (b) The City Social Welfare and Development Officer shall receive such compensation,
10 emoluments, and allowances as may be determined by law.

11
12 (c) The City Social Welfare and Development Officer shall take charge of the City
13 Social Welfare and Development Department, and shall:

14 (1) Formulate measures for the approval of the Sangguniang Panlungsod
15 and provide technical assistance and support to the City Mayor in carrying
16 out measures to ensure the delivery of basic services and provision of
17 adequate facilities relative to social welfare and development services;

18 (2) In addition to the foregoing duties, the City Social Welfare and
19 Development Officer shall:

20 (i) Identify the basic needs of the needy, the disadvantaged, and
21 the impoverished and develop and implement appropriate
22 measures to alleviate their problems and improve their living
23 conditions;

24 (ii) Provide relief and appropriate crisis intervention for victims of
25 abuse and exploitation and recommend appropriate measures to
26 deter further abuse and exploitation;

27 (iii) Assist the City Mayor in implementing the barangay-level
28 program for the total development and protection of children up to
29 six (6) years of age;

30 (iv) Facilitate the implementation of welfare programs for the
31 disabled, elderly, and victims of drug addiction, the rehabilitation
32 of prisoners and parolees, the prevention of juvenile delinquency,
33 and such other activities which would eliminate and minimize the
34 ill-effects of poverty;

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

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

(3) Be in the frontline of service delivery, particularly those with immediate relief and assistance during and in the aftermath of man-made and natural disasters and calamities;

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

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

SEC. 44. *The City General Services Officer.* – (a) The City General Services Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of a college degree preferably in industrial engineering, industrial management, public administration, business administration or management, or any related courses from a recognized college or university; a second-level civil service eligible or its equivalent; and must have acquired experience in general services, including management of supply, property, solid waste disposal, and general sanitation for at least five (5) years immediately preceding the date of appointment.

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

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

(1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City

1 Mayor in carrying out measures to ensure the delivery of public services
2 and provision of adequate facilities, which require general services
3 expertise and technical support services;

4 (2) Develop plans and strategies and, upon approval thereof by the City
5 Mayor, implement the same, particularly those which have to do with
6 general services supportive of the welfare of the inhabitants of the City,
7 which the City Mayor is empowered to implement and which the
8 Sangguniang Panlungsod is empowered to provide;

9 (3) Take custody of and be accountable for all properties, real or personal,
10 owned by the City, and those granted to it in the form of donation,
11 reparation, assistance, and counterpart of joint projects;

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

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

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

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

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

25 (9) Perform archival and record management with respect to records of
26 offices and departments of the City;

27 (10) Perform all other functions pertaining to supply and property
28 management and enforce policies on records creation, maintenance, and
29 disposal;

30 (11) Be in the frontline of general services-related activities, such as the
31 possible or imminent destruction or damage to records, supplies,
32 properties, and structural materials or debris, particularly during and in the
33 aftermath of man-made and natural disasters and calamities;

(12) Recommend to the Sangguniang Panlungsod and advise the City Mayor on all other matters relative to general services; and
(13) Perform such other duties and functions and exercise such other powers as provided under the LGC, as amended, and those that are prescribed by law or ordinance.

SEC. 45. *The City Disaster Risks Reduction and Management Officer.* – (a) The City Disaster Risks Reduction Management Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of a college degree preferably in disaster risk management, engineering, healthcare, or any related courses from a recognized college or university; a second-level civil service eligible or its equivalent; and must have acquired experience in disaster risk reduction management for at least five (5) years immediately preceding the date of appointment.

(b) The City Disaster Risks Reduction Management Officer shall receive such compensation, emoluments, and allowances as may be determined by law or ordinance.

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

(1) Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide;

(2) Set the direction, development, implementation, and coordination of disaster risk management programs within their territorial jurisdiction;

(3) Design, program, and coordinate disaster risk reduction and management activities consistent with the standards and guidelines of the National Disaster Risk Reduction and Management Council;

(4) Facilitate and support risk assessments and contingency planning activities at the local level;

(5) Consolidate local disaster risk information, which includes natural hazards, vulnerabilities, and climate change risk, and maintain a local risk map;

- (6) Organize and conduct training, orientation, and knowledge management activities on disaster risk reduction and management at the local level;
- (7) Operate a multi-hazard early warning system, link to disaster risk reduction to provide accurate and timely advice to national or local emergency response organizations and to the general public, through diverse mass media, particularly radio, landline communication, and technologies for communication within rural communities;
- (8) Formulate and implement a comprehensive and integral City Disaster Risk Reduction and Management Plan and City Climate Change Action Plan in accordance with the national, regional, and provincial frameworks and policies on disaster risk reduction, in close coordination with the LDC;
- (9) Prepare and submit to the Sangguniang Panlungsod, through the City Disaster Risk Reduction and Management Council (CDRRMC) and the LDC, the Annual City Disaster Risk Reduction and Management Office (CDRRMO) Plan and Budget, the proposed programming of the City Disaster Risk Reduction and Management Fund (CDRRMF), other dedicated disaster risk reduction and management resources, and other regular funding sources and budgetary support of the CDRRMO and the Barangay Disaster Risk Reduction and Management Committees;
- (10) Conduct continuous disaster monitoring and mobilize instrumentalities and entities of the LGUs, civil society organizations (CSOs), private groups, and organized volunteers, to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;
- (11) Identify, assess, and manage the hazards, vulnerabilities, and risks that may occur in their locality;
- (12) Disseminate information and raise public awareness about those hazards, vulnerabilities, and risks, their nature, effects, early warning signs, and countermeasures;
- (13) Identify and implement cost-effective risk reduction measures and strategies;

(14) Maintain a database of human resources, equipment, directories, and the location of critical infrastructures and their capacities, such as hospitals and evacuation centers;

(15) Develop, strengthen, and operationalize mechanisms for partnership or networking with the private sector, CSOs, and volunteer groups;

(16) Take all necessary steps on a continuing basis to maintain, provide or arrange the provision of or to otherwise make available, suitably-trained, and competent personnel for effective civil defense and disaster risk reduction and management in its area;

(17) Organize, train, equip, and supervise the local emergency response teams and the Accredited Community Disaster Volunteers, ensuring that humanitarian aid workers are equipped with basic skills to assist mothers to breastfeed;

(18) Respond to and manage the adverse effects of emergencies and carry out recover activities in the affected area, ensuring that there is an efficient mechanism for immediate delivery of food, shelter and medical supplies for women and children, endeavor to create a special place where internally-displaced mothers and children can find help with breastfeeding, feed and care for their babies, and give support to each other;

(19) Within its area, promote and raise public awareness and compliance with Republic Act No. 10121, otherwise known as the “Philippine Disaster Risk Reduction and Management Act of 2010”, and other relevant legislative provisions;

(20) Serve as the secretariat and executive arm of the CDRRMC;

(21) Coordinate other disaster risk reduction and management activities;

(22) Establish linkage and network with other LGUs for disaster risk reduction and emergency response purposes;

(23) Recommend through the CDRRMC the enactment of local ordinances consistent with the requirements of this Act;

(24) Implement policies, approved plans, and programs of the CDRRMC consistent with the policies and guidelines laid down in Republic Act No. 10121;

(25) Establish a City Disaster Risk Reduction and Management Operations Center;

(26) Prepare and submit, through the CDRRMC and the LDC, the report on the utilization of the CDRRMF and other dedicated disaster risk reduction and management resources to the local Commission on Audit for city-level and internal audit for municipal and component city-level, copy Operations Officer of the Department of the Interior and Local Government (DILG);

(27) Act on the other matters that the CDRRMC may authorize; and

(28) Perform such other duties and functions and exercise such other powers as may be prescribed by Republic Act No. 10121, and those that are prescribed by law or ordinance.

SEC. 46. *The City Public Employment Service Officer.* – (a) The City Public Employment Service Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of a college degree preferably in business administration major in human resource management, operations management, human resource management, human resource development or allied fields from a recognized college or university; a second-level civil service eligible or its equivalent; and must have acquired experience in human resource management for at least five (5) years immediately preceding the date of appointment.

(b) The City Public Employment Service Officer shall receive such compensation, emoluments, and allowances as may be determined by law or ordinance.

(c) The City Public Employment Service Officer shall take charge of the City Public Employment Service Office, and shall:

(1) Promote employment programs for city residents in need of jobs;

(2) Provide employment counselling, career guidance, and other such services to the city's students and out-of-school youth;

(3) Promote industrial peace by mediating in labor management disputes upon the request of a contending party;

1 (4) Develop plans and strategies and, upon approval thereof by the City
2 Mayor, implement the same, particularly those relating to public
3 employment services which the City Mayor is empowered to implement
4 and which the Sangguniang Panlungsod is empowered to provide; and
5 (5) Perform such other duties and functions and exercise such other
6 powers as may be prescribed by Republic Act No. 8759, otherwise known
7 as the “Public Employment Service Office Act of 1999”, as amended, and
8 those that are prescribed by law or ordinance.
9

10 **SEC. 47. *The City Tourism Officer.*** – (a) The City Tourism Officer must be a citizen
11 of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder
12 of a college degree preferably in tourism, tourism management, hospitality management, or
13 any related courses from a recognized college or university; a second-level civil service eligible
14 or its equivalent; and must have acquired experience in cultural and tourism services for at least
15 five (5) years immediately preceding the date of appointment.
16

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

20 (c) The City Tourism Officer shall take charge of the City Tourism Office, and shall:

21 (1) Develop plans and strategies and, upon approval thereof by the city
22 mayor, implement the same, which the City Mayor is empowered to
23 implement and which the Sangguniang Panlungsod is empowered to
24 provide;

25 (2) Initiate and implement the city government's activities related to
26 culture and tourism;

27 (3) Acts on referrals and instructions of the City Mayor on activities
28 pertaining to culture, tourism, and historical matters; and handles projects
29 related to tourism;

30 (4) Takes charge of the preservation and promotion of the cultural heritage
31 of the city and of the nation in general by implementing projects related to
32 culture;

33 (5) Encourages the organization of cultural groups in the City of Malay
34 Boracay through periodic competitions, exhibitions, and performances,

1 both for public benefit and for the discovery, development, and
2 presentation of individual and group talents;

3 (6) Formulates plans, programs, and projects related to the
4 commemoration of historical events in the City of Malay Boracay and
5 other commemorative activities celebrated in the country;

6 (7) Formulate programs related to cultural projects and the
7 commemoration of historical events;

8 (8) Handle projects related to the promotion of tourism in the City;

9 (9) Serve as a channel in the establishment and sustenance of sister-city
10 relations; and

11 (10) Supervise the registration of tourism-oriented and tourism-related
12 establishments.

13 (11) Encourage the LGU to enact local legislation adopting the
14 Department of Tourism accreditation standards for tourism facilities and
15 services;

16 (12) Ensure a pleasant experience and stay of tourists while at the same
17 time protecting the interests, welfare, and rights of the City;

18 (13) Develop tourist products and destinations that will benefit the City
19 and its local community;

20 (14) Pursue the implementation of the national tourism master plans, the
21 national ecotourism strategy, and the area-specific plans of the national
22 government and LGUs;

23 (15) Support the LGU in promoting festivals, fiestas, and other tourism-
24 related activities; and

25 (16) Perform such other duties and functions and exercise such other
26 powers as provided under the LGC, as amended, and those that are
27 prescribed by law or ordinance.

28
29 **SEC. 48. *The City Youth Development Officer.*** – (a) The Youth Development Officer
30 shall be not more than 30 years old at the time of appointment; of good moral character; must
31 have acquired experience in youth development affairs or involvement in youth or youth-
32 serving organizations for at least three (3) years, and shall be appointed by the City Mayor, but
33 in no case be within the fourth civil degree of consanguinity or affinity of the appointing
34 authority.

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

5 (c) The City Youth Development Officer is responsible for promoting and protecting
6 the physical, moral, spiritual, intellectual, and social well-being of Filipino youth, inculcating
7 in them patriotism and nationalism, and encouraging their involvement in public and civic
8 affairs.
9

10 (d) The City Youth Development Officer shall perform the following duties and
11 responsibilities:

- 12 (1) Register and verify youth and youth-serving organizations;
- 13 (2) Provide technical assistance to the City Youth Development Council
14 (CYDC) in the formulation of the Youth Development Plan;
- 15 (3) Facilitate the election of the CYDC representatives;
- 16 (4) Serve as Secretariat to the CYDC and, as such, shall provide the
17 necessary administrative, operational, staff, and technical support to the
18 CYDC;
- 19 (5) Conduct the mandatory and continuing training of SK officials and
20 CYDC members, pursuant to the programs jointly designed and
21 implemented by the National Youth Commission (NYC) and the DILG;
- 22 (6) Provide technical, logistical, and other support in the conduct of the
23 mandatory and continuing training programs, and to such other programs
24 of the NYC and DILG; and
- 25 (7) The City Youth Development Officer shall coordinate with the NYC
26 concerning the youth programs within their jurisdiction and perform other
27 functions as may be prescribed by Republic Act No. 10742, otherwise
28 known as the “Sangguniang Kabataan Reform Act of 2015”, as amended,
29 and those that are prescribed by law or ordinance.
30

31 **SEC. 49. *The City Cooperatives Development Officer.*** – (a) The City Cooperatives
32 Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good
33 moral character; a holder of a college degree preferably in business administration, or any
34 related courses with special training on cooperatives or any related fields from a recognized

1 college or university; a second-level civil service eligible or its equivalent; and must have
2 experience for at least five (5) years immediately preceding the date of appointment.

3
4 (b) The City Cooperatives Officer shall receive such compensation, emoluments, and
5 allowances as may be determined by law or ordinance.

6
7 (c) The City Cooperatives Officer shall take charge of the Cooperatives Department,
8 and shall:

9 (1) Formulate measures for consideration of the Sangguniang Panlungsod
10 and provide technical assistance and support to the City Mayor in carrying
11 out measures to ensure the delivery of basic services and provision of
12 facilities through the development of cooperatives, and in providing access
13 to such services and facilities;

14 (2) Develop plans and strategies and, upon approval thereof by the City
15 Mayor, implement the same, particularly those which have to do with the
16 integration of cooperative principles and methods in programs and
17 projects which the City Mayor is empowered to implement and which the
18 Sangguniang Panlungsod is empowered to provide;

19 (3) Assist in the organization of cooperatives;

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

23 (5) Assist cooperatives in establishing linkages with government agencies
24 and nongovernment organizations involved in the promotion and
25 integration of the concept of cooperatives in the livelihood of the people
26 and other community activities;

27 (6) Be in the frontline of cooperative organizations, rehabilitation, or
28 viability enhancement, particularly during and in the aftermath of human-
29 made and natural disasters and calamities, to aid in their survival and, if
30 necessary, subsequent rehabilitation;

31 (7) Recommend to the *Sangguniang Panlungsod* and advise the City
32 Mayor on all other matters relative to cooperatives development and
33 viability enhancement, which will improve the livelihood and quality of
34 life of the inhabitants; and

(8) Perform such other duties and functions and exercise such other powers as provided under the LGC, as amended, and those that are prescribed by law or ordinance.

SEC. 50. *The City Persons with Disability Affairs Officer.* – (a) The City PWD Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of a college degree from a recognized college or university; a first-grade civil service eligible or its equivalent; must be a member of a duly accredited PWD organization with a track record of at least three (3) years; and must have acquired five (5) years' experience in position(s) involving management and supervision, one (1) year of which is relevant to disability affairs.

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

(c) The City PWD Officer shall take charge of the City PWD Office, and shall:

(1) Formulate and implement policies, plans, and programs for the promotion of the welfare of persons with disabilities in coordination with concerned national and local government agencies;

(2) Coordinate and implement the provision of Republic Act No. 10070, entitled: as "An Act Establishing an Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277 Otherwise Known as the "Magna Carta For Disabled Persons," As Amended, and for Other Purposes"; Batas Pambansa Bilang 344, otherwise known as the "Accessibility Law"; and other relevant laws at the local level;

(3) Represent PWDs in meetings of local development councils and other special bodies;

(4) Recommend and encourage the participation of NGOs and people's organizations (POs) in the implementation of all disability-related laws and policies;

(5) Gather and compile relevant data on persons with disabilities in the City of Malay Boracay;

- (6) Disseminate information, including, but not limited to, programs and activities for persons with disabilities, statistics on persons with disabilities, including children with disabilities, and training and employment opportunities for persons with disabilities;
- (7) Submit reports to the City Mayor on the implementation of programs and services for the promotion of the welfare of persons with disabilities in the City of Malay Boracay;
- (8) Ensure that policies, plans, and programs for the promotion of the welfare of persons with disabilities are funded by both the national and local governments;
- (9) Monitor fundraising activities being conducted for the benefit of persons with disabilities;
- (10) Seek donations in cash or in kind from local or foreign donors to implement an approved work plan for persons with disabilities, in accordance with existing laws and regulations;
- (11) Perform such other functions as may be necessary for the promotion and protection of the welfare of persons with disabilities;
- (12) Manage and oversee the efficient operations of the Persons with Disabilities Affairs Office and provide general supervision of its personnel;
- (13) Develop, promote, and monitor the implementation of policies, plans, programs, and services for the development of persons with disabilities in coordination with national and local government agencies;
- (14) Ensure representation of persons with disabilities in the local development councils and other special bodies;
- (15) Build the capacity of non-government organizations and people's organizations to participate in the implementation of all disability related laws and policies;
- (16) Establish coordination with the province, city, or municipality, as the case may be, and ensure the inclusion of disability concerns in all local government programs and services;
- (17) Network with local, national, and international organizations and establish partnerships on disability programs and resource mobilization;
- (18) Develop and submit to the City Mayor an Annual Work and Financial Plan;

1 (19) Design and implement yearly work programs and projects in accordance
2 with Republic Act No. 7277, otherwise known as the “Magna Carta for
3 Disabled Persons”; Batas Pambansa Bilang 344; and the United Nations
4 Convention on the Rights of PWDs;

5 (20) Advocate for equal opportunity and accessibility of PWDs in the
6 programs for education, employment, health, socio-cultural, and sports
7 development;

8 (21) Propose measures for the welfare of the PWDs as approved by the
9 Sangguniang Panlungsod;

10 (22) Maintain and regularly update the list of PWDs and issue individual PWD
11 identification cards;

12 (23) Organize the identified PWDs in every barangay and federate them in the
13 City;

14 (24) Serve as a consultative and advisory body in the issuance of building and
15 occupancy permits relative to the effective implementation of Batas Pambansa
16 Bilang 344;

17 (25) Monitor and report to the Department of Justice all incidents that violate
18 Republic Act No. 7277, batas Pambansa Bilang 344, Republic Act No. 10070,
19 and Republic Act No. 10754, entitled: “An Act Expanding the Benefits and
20 Privileges of Persons with Disability (PWD)”, and other laws relating to the
21 rights and welfare of persons with disabilities; and

22 (26) Perform such other duties and functions and exercise such other powers
23 as may be prescribed by Republic Act No. 7277, as amended, and those that
24 are prescribed by law or ordinance.

25
26 **SEC. 51. *The City Office of the Senior Citizen Affairs (OSCA) Head.*** – (a) The City
27 OSCA Head must be a citizen of the Philippines, a resident of the City of Malay Boracay; of
28 good moral character, able to read and write, and at least a high school graduate; must be
29 physically and mentally capable of performing the tasks of OSCA Head; and a *bona fide*
30 member of a duly registered senior citizen’s organization that has a track record of at least three
31 consecutive years.

32
33 (b) The City OSCA Head shall receive such compensation, emoluments, and
34 allowances as may be determined by law.

1
2 (c) The City OSCA Head shall take charge of the Office of the Senior Citizens Affairs,
3 and shall:

4 (1) In consultation with the City Social Work and Development Officer and
5 duly registered senior citizen organizations, to plan, develop, implement,
6 consolidate, and monitor yearly work programs pursuant to the objectives of
7 Republic Act No. 7432, entitled: "An Act to Maximize the Contribution of
8 Senior Citizens to Nation Building, Grant Benefits and Special Privileges and
9 For Other Purposes", and its Implementing Rules and Regulations (IRR);

10 (2) To draw up a list of available and required services that the registered
11 federations and associations of senior citizens can provide;

12 (3) To maintain and regularly update every quarter the list of senior citizens
13 and to issue national uniform individual identification cards and purchase
14 booklets, free of charge, which shall be valid anywhere in the country;

15 (4) To serve as a general information and liaison center for the needs of the
16 senior citizens;

17 (5) To monitor compliance with the provisions of the Senior Citizens Act of
18 1992, as amended, and its IRR, particularly the grant of special discounts and
19 privileges to senior citizens;

20 (6) To report to the City Mayor, any person, natural or judicial; establishments,
21 business, entity, institution, or agency found violating any provision of the
22 Senior Citizens Act of 1992, as amended, and its IRR;

23 (7) To facilitate the creation of a city or municipality coordinating and
24 monitoring board consisting of the City OSCA Head, the City Social Work
25 and Development Officer, and the presidents of concerned, duly registered
26 senior citizens organizations to deliberate and act on the complaints;

27 (8) To assist senior citizens in filling complaints or charges against any person,
28 natural or judicial; establishment, institution, or agency refusing to comply
29 with the privileges under Senior Citizens Act of 1992, as amended, before the
30 Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional
31 or the municipal trial court, the municipal trial court in cities, or the municipal
32 circuit trial court;

(9) To assist and coordinate with the concerned person, natural or judicial, establishment, institution, or agency in investigating fraudulent practices and abuses of the discounts and privileges exclusively granted to senior citizens;

(10) To establish linkages and work together with the accredited NGOs, people's organizations, and the barangays in their respective areas; and

(11) Perform such other duties and functions and exercise such other powers as may be prescribed by the Senior Citizens Act of 1992, as amended, and those that are prescribed by law or ordinance.

SEC. 52. *The City Agricultural and Biosystems Engineer.* – (a) The City Agricultural and Biosystems Engineer must be a citizen of the Philippines, a resident of the City of Malay Boracay; a duly licensed Agricultural and Biosystems Engineer of good moral character; must have acquired experience preferably in agricultural and biosystems engineering and in any related field; and have practiced the profession for at least five (5) years immediately preceding the date of appointment.

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

(c) The City Agricultural and Biosystems Engineer shall take charge of the City Office of Agricultural and Biosystems Engineer, and shall exercise the following:

(1) Preparation of engineering designs, plans, specifications, project studies, feasibility studies, and estimates of irrigation and drainage, soil and water conservation and management systems and facilities, agrometeorological systems, agricultural and biosystems power, and machinery, agricultural and biosystems buildings and structures, renewable or bio-energy systems and farm electrification, agricultural and bio-processing and post harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system;

(2) Supervision or management on the construction, operation, and maintenance of irrigation and drainage, soil and water conservation and

management systems and facilities, agrometeorological systems, agricultural and biosystems power and machinery, agricultural and biosystems buildings and structures, renewable or bio-energy systems and farm electrification, agricultural and bio-processing and post harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system;

(3) Valuation, appraisal, investigation, inspection, monitoring, and technical audit on agricultural and biosystems machinery and equipment, structures and facilities, and agricultural and biosystems engineering projects;

(4) Program or Project development and management, planning, evaluation, and consultancy services on agricultural and biosystems engineering undertakings;

(5) Conduct of research and development, training, and extension on agricultural and biosystems engineering;

(6) Testing, evaluation, and inspection of agricultural and biosystems machinery, and other related agricultural and biosystems engineering facilities, equipment, and projects;

(7) Teaching or conducting lectures on agricultural and biosystems engineering subjects in institutions of learning in the Philippines;

(8) Preparation and evaluation of farm development plans, farm suitability maps, and land use maps/reports for agricultural, livestock and poultry, fishery, aquaculture, and forest production and processing;

(9) Training and supervision of agri-fishery machinery technicians and operators of agri-fishery machinery service centers/pools, and agricultural and biosystems engineering technicians and operators in agricultural and biosystems plants, establishments, facilities, and projects;

(10) Participation in the preparation of environmental studies for agricultural, fisheries, agro-industrial, and biosystems projects and their monitoring under the Environmental Impact Assessment system; and

(11) Perform such other duties and functions and exercise such other powers as provided for under Republic Act No. 10601, otherwise known

1 as the “Agricultural and Fisheries Mechanization (AFMech) Law”, and
2 those that are prescribed by law or ordinance.
3

4 **SEC. 53. *The City Agriculturist.*** – (a) The City Agriculturist must be a citizen of the
5 Philippines, a resident of the City of Malay Boracay; a licensed Agriculturist of good moral
6 character; with a college degree preferably in Agriculture or any related courses from a
7 recognized college or university; and must have professional practice in agriculture or acquired
8 experience in a related field for at least five (5) years immediately preceding the date of
9 appointment.
10

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

14 (c) The City Agriculturist shall take charge of the agricultural services department, and
15 shall:

16 (1) Formulate measures for the approval of the Sangguniang Panlungsod
17 and provide technical assistance and support to the City Mayor in carrying
18 out said measures to ensure the delivery of basic services and provision of
19 adequate facilities relative to agricultural services;

20 (2) Develop plans and strategies and, upon approval thereof by the City
21 Mayor, implement the same, particularly those which have to do with
22 agricultural programs and projects which the City Mayor is empowered to
23 implement and which the Sangguniang Panlungsod is empowered to
24 provide;

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

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

31 (ii) Conduct or cause to be conducted location-specific agricultural
32 research and assist in making available the appropriate technology
33 arising out of and disseminating information on basic research on

1 crops, prevention and control of plant diseases and pests, and other
2 agricultural matters which will maximize productivity;

3 (iii) Assist the City Mayor in the establishment and extension of
4 demonstration farms on aquaculture and marine products;

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

7 (v) Coordinate with government agencies and nongovernmental
8 organizations that promote agricultural productivity through
9 applied technology compatible with environmental integrity.

10 (4) Be in the frontline of the delivery of basic agricultural services and
11 provide technical advice to farmers and fisherfolk in the adoption of
12 critical climate adaptation and disaster mitigation practices and
13 techniques, and ensure the availability of staple food such as rice, corn,
14 and produce especially in preparation for an impending natural calamity,
15 and in the aftermath of human-made or natural disasters;

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

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

22
23 **SEC. 54. *The City Population Officer.*** – (a) The City Population Officer must be a
24 citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a
25 holder of a college degree preferably in population management, public administration or any
26 related courses with specialized training in population development from a recognized college
27 or university; a second-level civil service eligible or its equivalent; and must have experience
28 in the implementation of programs on population development or responsible parenthood for
29 at least five (5) years immediately preceding the date of appointment.

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

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

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

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

14 (3) Assist the City Mayor in the implementation of the constitutional
15 provisions relative to population development and the promotion of
16 responsible parenthood;

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

20 (5) Implement appropriate training programs that are consistent with the
21 traditions and cultural heritage of the City's inhabitants; and

22 (6) Perform such other duties and functions and exercise such other
23 powers as provided under the LGC, as amended, and those that are
24 prescribed by law or ordinance.
25

26 **SEC. 55. *The City Environment and Natural Resources Officer.*** – (a) The City
27 Environment and Natural Resources Officer must be a citizen of the Philippines, a resident of
28 the City of Malay Boracay; of good moral character; a holder of a college degree preferably in
29 environmental science, environmental management, environmental planning, forestry,
30 agriculture or any related courses from a recognized college or university; a second- level civil
31 service eligible or its equivalent; and must have acquired experience in environment and natural
32 resources management, conservation, and utilization work for at least five (5) years
33 immediately preceding the date of appointment.
34

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

3
4 (c) The City Environment and Natural Resources Officer shall take charge of the City
5 Environment and Natural Resources Office, and shall:

6
7 (1) Formulate measures for the consideration of the Sangguniang
8 Panlungsod and provide assistance and support to the City Mayor in
9 carrying out measures to ensure the delivery of basic services and
10 provision of adequate facilities relative to environment and natural
11 resources services;

12 (2) Develop plans and strategies and, upon approval thereof by the City
13 Mayor, implement the same, particularly those which have to do with
14 environment and natural resources programs and projects which the City
15 Mayor is empowered to implement and the Sangguniang Panlungsod is
16 empowered to provide;

17 (3) Manage and maintain seed banks and produce seedlings for forests and
18 tree parks;

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

22 (5) Coordinate with government agencies and non-governmental
23 organizations in the implementation of measures to prevent and control
24 land, air, and water pollution with the assistance of the Department of
25 Environment and Natural Resources (DENR);

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

30 (7) Enforce all laws, regulations, and policies pertinent to environmental
31 management and pollution control;

32 (8) Design and maintain a waste collection and disposal system
33 conforming to the requirements of the LGC; Republic Act No. 8749,
34 otherwise known as the "Philippine Clean Air Act of 1999"; and Republic

1 Act No. 9003, otherwise known as the “Ecological Solid Waste
2 Management Act of 2000”;

3 (9) Implement a civic consciousness program in support of its
4 environmental and waste management programs;

5 (10) Initiate the formulation and implementation of a comprehensive and
6 integrated Solid and Liquid Waste Management and Monitoring Plan
7 (SLWMMP) for the City in accordance with the parameters of sustainable
8 urban development and management set for the City and all related
9 national and local environmental laws, standards, and issuances;

10 (11) Develop and recommend specific policies, guidelines, plans,
11 programs, practices, techniques, and measures to implement components
12 or details of the solid and liquid waste management plan;

13 (12) Institutionalize generation of renewable energy from waste through
14 waste-to-energy and other technologies as may be consistent with the
15 Ecological Solid Waste Management Act of 2000; Republic Act No. 9513,
16 otherwise known as the “Renewable Energy Act of 2008”, and other
17 applicable laws;

18 (13) Enforce regulatory measures to manage solid and liquid wastes
19 properly as provided in national and local legal issuances;

20 (14) Source out assistance in all forms from international, national, and
21 local partners to ensure the excellent management of the SLWMMP and
22 its components, subject to the approval and guidelines set by the City
23 government;

24 (15) Operate and maintain facilities and equipment related to the
25 components of the SLWMMP;

26 (16) Review sewerage plans, if any, for the issuance of building permits
27 and endorse the application if the result of the review is favorable;

28 (17) Establish operational linkages with other local and national agencies
29 concerned with environmental protection and waste management;

30 (18) Recommend to the Sangguniang Panlungsod and advise the City
31 Mayor on all matters relative to the protection, conservation, and
32 maximum utilization, application of appropriate technology, and other
33 matters related to the environment and natural resources;

(19) Partnership with community organizations and private organizations to strengthen all means of support for a sustainable forest management of watershed reserve areas, including those areas located in protected areas and critical watersheds in coordination with DENR;

(20) Ensure the protection and regulation of easements in major rivers and bodies of water that are required by law in coordination with the Zoning Administrator;

(21) Prevention of forest fire, illegal cutting, and *kaingin* practices;

(22) Apprehension of violators of forest laws, rules, and regulations; and

(23) Perform such other duties and functions and exercise such other powers as provided under the LGC, as amended, and those that are prescribed by law or ordinance.

SEC. 56. *The City Human Resource Management Officer.* – (a) The City Human Resource Management Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of a college degree preferably in business administration major in human resource management, human resource development, or any related courses from a recognized college or university; a second-level civil service eligible or its equivalent; and must have acquired experience in human resource management for at least five (5) years immediately preceding the date of appointment.

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

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

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

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

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

(4) Develop and implement heads and staff development programs that support the organization's 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) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 57. *The City Zoning Administrator.* – (a) The City Zoning Administrator must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a licensed Environmental Planner with a college degree preferably in civil engineering, environmental planning, urban planning, law, or any related courses in a recognized college or university; and must have acquired at least five (5) years' experience in zoning administration and in-depth knowledge of Philippine laws immediately preceding the date of appointment.

(b) The City Zoning Administrator shall receive compensation, emoluments, and allowances as may be determined by law.

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

(1) Act on all applications for all zoning-related certifications and clearances;

(2) Issue Locational Clearances or Certificates of Zoning Compliance for projects conforming to the zoning regulations and complying with the required documents;

(3) Issue Denial Decisions for Locational Clearances or Certificates of Zoning Compliance applications that are non-compliant to any provision of the Zoning Ordinance or other existing city ordinances;

(4) Issue Certificates of Land Classification for requesting land owners and concerned stakeholders;

- 1 (5) Issue the needed Order of Payment for the zoning fees that the
2 applicant should be paying;
- 3 (6) Monitor ongoing or existing projects and act on violations and non-
4 compliance with the Zoning Ordinance;
- 5 (7) Conduct site inspections and monitoring visits to on-going or existing
6 projects within the municipality and when warranted, issue Notices of
7 Violation and show cause order to owners, developers, or managers of
8 projects that are violating the Zoning Ordinance, pursuant to Section 3 of
9 Executive Order No. 72, Series of 1993, otherwise known as the Local
10 Government Code Implementation Guidelines on the Preparation of
11 Comprehensive Land Use Plans, and Section 2 of Executive Order No. 71,
12 Series of 1993, otherwise known as the Devolution of Powers to Cities and
13 Municipalities in the Approval of Subdivision Plans, and, when necessary,
14 refer subsequent actions thereon to the Department of Human Settlements
15 and Urban Development;
- 16 (8) Call and coordinate with the Philippine National Police (PNP) for the
17 enforcement of orders and processes pertinent to the implementation of
18 this ordinance, if necessary;
- 19 (9) Coordinate with the City Legal Officer for other legal actions/remedies
20 relative to the foregoing;
- 21 (10) Impose the appropriate fines or penalties for violation of the
22 provisions of the Zoning Ordinance;
- 23 (11) Develop plans and strategies and, upon approval thereof by the City
24 Mayor, implement the same, which the City Mayor is empowered to
25 implement and which the Sangguniang Panlungsod is empowered to
26 provide; and
- 27 (12) Perform such other duties and functions and exercise such other
28 powers as may be prescribed by law or ordinance.
- 29

30 **SEC. 58. *The City Business Permit and Licensing Officer.*** – (a) The City Business
31 Processing and Licensing Officer must be a citizen of the Philippines, a resident of the City of
32 Malay Boracay; of good moral character; a holder of a college degree preferably in business
33 administration, business management, accounting, or any related courses from a recognized
34 college or university; a second-level civil service eligible or its equivalent; and must have

1 acquired experience in business processing and licensing for at least five (5) years immediately
2 preceding the date of appointment.

3
4 (b) The City Business Processing and Licensing Officer shall receive compensation,
5 emoluments, and allowances as may be determined by law.

6
7 (c) The City Business Processing and Licensing Officer shall take charge of the City
8 Business Processing and Licensing Department, and shall:

9
10 (1) Provide effective systems, procedures, and practices in the issuance
11 and renewal of business permits. It regulates the nature or operations of
12 various business activities within the City of Malay Boracay;

13 (2) Issue Mayor's permits to businesses located in the City of Malay,
14 Boracay;

15 (3) Provide an effective system of conducting inspections and verifications
16 of all business establishments;

17 (4) Monitor and enforce existing laws, ordinances, policies, rules, and
18 regulations in the operation of businesses and occupations in the City;

19 (5) Undertake an intensive campaign against illegal business operations;

20 (6) Provide data and facts to the business sector and the public in general;

21 (7) File cases with the City Prosecutor's Office or appropriate courts for
22 violation of tax laws and ordinances;

23 (8) Develop plans and strategies and, upon approval thereof by the city
24 mayor, implement the same, which the city mayor is empowered to
25 implement and which the Sangguniang Panlungsod is empowered to
26 provide; and

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

29
30 **SEC. 59. *The City Economic Enterprise and Development Officer.*** – (a) The City
31 Economic Enterprise and Development Officer must be a citizen of the Philippines, a resident
32 of the City of Malay Boracay; of good moral character; a holder of a college degree preferably
33 in economics, business administration, or any related courses from a recognized college or
34 university; a second-level civil service eligible or its equivalent; and must have acquired

1 experience in economic enterprise development services for at least five (5) years immediately
2 preceding the date of appointment.

3
4 (b) The City Economic Enterprise Development Officer shall receive compensation,
5 emoluments, and allowances as may be determined by law.

6
7 (c) The City Economic Enterprise Development Officer shall take charge of the City
8 Economic Enterprise and Development Department, and shall exercise the following powers
9 and functions:

10 (1) Exercise coordinate managerial control over the operations of various
11 economic enterprise units as well as their support services units;

12 (2) Advise the City Mayor, the City Market Committee, and other special
13 bodies that may thereafter be legally constituted, on all matters involving
14 economic enterprises and development;

15 (3) Develop policies and formulate rules and regulations, standards, and
16 procedures to improve and enhance revenue generation based on sound
17 financial concepts and principles for adequate delivery of services, subject
18 to the approval of the Sangguniang Panlungsod;

19 (4) Prepare the annual budget of each economic enterprise and the
20 department as a whole;

21 (5) Exercise management and supervision over all units and personnel
22 under the City Economic Enterprise Office; and

23 (6) Exercise such other powers and perform such other duties and
24 functions as may be prescribed by law or ordinance, incidental and
25 necessary to this position.

26
27 **SEC. 60. The City Transportation Regulation Officer.** – (a) The City Chief
28 Transportation Regulation Officer must be a citizen of the Philippines, a resident of the City of
29 Malay Boracay; of good moral character; a holder of a college degree preferably in urban
30 planning, transport planning, engineering, or any related courses from a recognized college or
31 university; a second-level civil service eligible or its equivalent; and must have acquired
32 experience in transportation planning and regulation for at least five (5) years immediately
33 preceding the date of appointment.

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

3
4 (c) The City Transportation Regulation Officer shall take charge of the City
5 Transportation Regulation Department, and shall:

6 (1) Develop plans and strategies and, upon approval thereof by the City
7 Mayor, implement the same, which the City Mayor is empowered to
8 implement and which the Sangguniang Panlungsod is empowered to
9 provide;

10 (2) Implement the provision of the City Traffic Code;

11 (3) Monitors and manages transportation activities and operations;

12 (4) Handle and direct the deployment of transportation units while
13 adhering to legal requirements and safety regulations;

14 (5) Arranging schedules, overseeing vehicle movements, and setting
15 routes; and

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

18
19 **SEC. 61. *The City College Administrator.*** – (a) The City College Administrator must
20 be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character;
21 a holder of a doctorate preferably in educational management; a second-level civil service
22 eligible or its equivalent; and must have acquired experience in administering any accredited
23 tertiary educational institution in the Philippines for at least five (5) years immediately
24 preceding the date of appointment.

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

28
29 (c) The City College Administrator shall take charge of the Malay City College, and
30 shall:

31 (1) On behalf of the Board of Trustees, have general supervision over all
32 academic, administrative, and financial operations of the college;

(2) Promulgate and enforce general policies affecting the college and take action when necessary for the protection of life, rights, property, and general welfare of the college;

(3) Recommend to the Board the appointment of a qualified person to fill all vacancies and new positions; may designate officials to perform functions in a concurrent capacity without additional compensation, and may request job orders;

(4) Institute disciplinary actions against any personnel, or faculty for culpable violation of Civil Service Laws and School Policies, and against any student of the college whose action adversely affects the general interest and good name of the college, subject to the due process and approval of the Board of Trustees;

(5) Decide appeals in controversies involving ranking officials, faculty, and personnel of the college when the penalty imposed exceeds thirty (30) days;

(6) Grant or deny sabbatical leaves and leaves of absence without pay or extension of such leaves, as well as extension of fellowship or any form of scholarship for a period not exceeding one (1) academic semester, if the budget permits and for a reason that may be deemed satisfactory, subject to appeal to the Board of Trustees;

(7) Grant permission for use of the building and premises of the college for academic, professional, scientific, and technology conventions, and other related non-academic activities with a fee fixed by the Board;

(8) Sign and execute all contracts, deeds, and instruments for the college, subject to the approval of the Board;

(9) Cause the preparation of the annual budget of the college and submit the same for review, consideration, and approval of the Board of Trustees;

(10) Cause the preparation of the annual year-end report for the current year;

(11) Perform such other powers as elsewhere provided in this charter as may be specifically authorized by the Board of Trustees and such other powers usually pertaining to the office of the College Administrator; may delegate in writing any specific function of the City College Administrator to any office;

1 (12) Develop plans and strategies and, upon approval thereof by the City
2 Mayor, implement the same, which the City Mayor is empowered to
3 implement and which the Sangguniang Panlungsod is empowered to
4 provide; and

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

8 **SEC. 62. *The City Building and Architecture Officer.*** – (a) The City Building and
9 Architecture Officer shall be appointed by the Secretary of the Department of Public Works
10 and Highways (DPWH) from a list of at least three (3) ranking eligible recommendees of the
11 City Mayor, subject to civil service law, rules, and regulations.
12

13 (b) The City Building and Architecture Officer shall be under the administrative
14 supervision of the City Mayor, to whom the City Building and Architecture Officer shall report
15 regularly;
16

17 (c) The City Building and Architecture Officer must be a citizen of the Philippines, a
18 resident of the City of Malay Boracay; of good moral character; a licensed architect or civil
19 engineer; a member of good standing of a duly accredited professional organization; have
20 professional practice for at least five (5) years with diversified and professional experience in
21 building design and construction; and attended and completed a seminar workshop on
22 Presidential Decree No. 1096, otherwise known as the “National Building Code”, conducted
23 by the DPWH.
24

25 (d) The City Building and Architecture Officer shall receive compensation,
26 emoluments, and allowances as may be determined by law.
27

28 (e) The City Building and Architecture Officer shall take charge of the City Building
29 and Architecture Office, independent of the City Engineering Office, and shall:

30 (1) Be primarily responsible for the enforcement of the provisions of the
31 National Building Code and its implementing rules and regulations, as
32 well as circulars, memoranda, opinions, decisions or orders issued
33 pursuant thereto; and shall always be guided by appropriate orders or
34 directives from the Secretary of the DPWH;

1 (2) Have overall administrative control and supervision over all works
2 pertinent to buildings or structures in the area of responsibility and shall
3 be charged with the processing of all permit applications and certificates,
4 as well as the issuance of the same;

5 (3) Ensure that all changes, modifications, and alterations in the design
6 plans during the construction phase shall not start until the modified design
7 plan has been evaluated and the necessary amendatory permit issued.

8 (4) Undertake annual inspections of all buildings or structures and keep an
9 up-to-date record of their status;

10 (5) Keep a permanent record and accurate account of all fees and other
11 charges fixed and authorized to be collected and received under the
12 National Building Code, as amended; and

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

17
18 **SEC. 63. *The City Sports Development Officer.*** – (a) The City Sports Development
19 Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good
20 moral character; a holder of a college degree preferably in physical education, sports sciences,
21 sports development, or any related courses from a recognized college or university; a second-
22 level civil service eligible or its equivalent; and must have acquired experience in sports
23 development or in any related field for at least five (5) years immediately preceding the date of
24 appointment.

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

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

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

empowered to implement and which the Sangguniang Panlungsod is empowered to provide;

(2) Plan and formulate a blueprint of a well-synchronized, year-round calendar of sports and games activities, competitions, and events, as well as physical fitness activities;

(3) Organize sports and games-related projects and programs, including coaching and training, thereby assisting in the identification, recruitment, and training of gifted, promising, and talented athletes in the City, discovering talents at the grassroots level;

(4) Oversee and ensure implementation of the physical fitness and sports program and activities of the City;

(5) Formulate rules and regulations governing all sports or competitions;

(6) Formulate safety and security plans prior to the conduct of competitions or events in coordination with the PNP, Coast Guard, CDRRMO, and other concerned offices;

(7) Require all sports coordinators to undergo training in first aid and safety precautions;

(8) Conduct debriefing meetings after every event or activity;

(9) Allocate funds for the implementation of all related sports and games events and activities;

(10) Perform other duties as may be directed by the City Mayor or the Sangguniang Panlungsod; and

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

SEC. 64. *The City Information Officer.* - (a) The City Information Officer must be a citizen of the Philippines, a resident of the City of Malay Boracay; of good moral character; a holder of bachelor's degree preferably in journalism, mass communications, or any related course from a recognized college or university; a first-grade civil service eligible or its equivalent; and must have acquired at least three (3) years experience in writing articles and research papers, or writing for print, television, or broadcast media.

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

1
2 (c) The term of the City Information Officer shall be coterminous with that of the
3 appointing authority.
4

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

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

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

18 (3) Provide relevant, adequate, and timely information to the City and its
19 residents;

20 (4) Furnish information and data on the local government agencies or
21 offices as may be required by law or ordinance, and NGOs to be furnished
22 to said agencies and organizations;

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

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

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

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

5 **ARTICLE VIII**
6 **THE CITY FIRE STATION SERVICE, THE CITY JAIL**
7 **SERVICE, THE CITY SCHOOLS DIVISION, AND THE CITY**
8 **PROSECUTION SERVICE**
9

10 **SEC. 65. *The City Fire Station Service.*** - (a) There shall be established in the City at
11 least one (1) fire station with adequate personnel, firefighting facilities, and equipment, subject
12 to the standards, rules, and regulations that the DILG may promulgate. The City shall provide
13 the necessary land or site for the station.
14

15 (b) The city fire station shall be headed by a City Fire Marshal whose qualifications
16 shall be as those provided for under Republic Act No. 9263, otherwise known as the “Bureau
17 of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of
18 2004”, as amended.
19

20 (c) The city fire station shall be responsible for providing emergency services such as
21 the rescue and evacuation of injured people related to incidents and, in general, all fire
22 prevention and suppression measures to secure the safety of life and property of the citizenry.
23

24 **SEC. 66. *The City Jail Service.*** - (a) There shall be established and maintained in the
25 city a secured, clean, adequately equipped and sanitary jail facility for the custody and
26 safekeeping of prisoners, any fugitive from justice, or person detained awaiting investigation
27 or trial or violent mentally ill persons who endanger themselves or the safety of others, duly
28 certified as such by the proper Medical Health Officer, pending the transfer to a mental
29 institution.
30

31 (b) The city jail service shall be headed by a City Jail Warden whose qualifications shall
32 be as those provided for under Republic Act No. 9263, as amended. One shall assist in the
33 immediate rehabilitation of individuals or detention of prisoners. Great care must be exercised

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

3
4 **SEC. 67. *The City Schools Division.*** – (a) There shall be established and maintained
5 by the DepEd a city school division of the City of Malay Boracay, headed by a City Schools
6 Division Superintendent.

7
8 (b) The City Schools Division shall be headed by a City Schools Division
9 Superintendent who must possess the necessary qualifications required by the DepEd.

10
11 **SEC. 68. *The City Prosecution Service.*** – (a) There shall be established in the city a
12 City Prosecution Service to be headed by a City Prosecutor and such number of Assistant City
13 Prosecutors, as may be necessary, who shall be organizationally part of the Department of
14 Justice (DOJ), and under the supervision and control of the Secretary of Justice and whose
15 qualifications, manner of appointment, rank, salary and benefits shall be governed by existing
16 laws covering prosecutors in the DOJ.

17
18 (b) The City Prosecutor shall handle the criminal prosecution in the Municipal Trial
19 Courts in the city as well as in the Regional Trial Courts for criminal cases originating in the
20 territory of the city, and shall render to or for the city such services as are required by law,
21 ordinance, or regulation of the DOJ.

22
23 (c) The Secretary of Justice shall always ensure the adequacy and the quality of
24 prosecution service in the city and for this purpose, shall, in the absence or lack or insufficiency
25 in number of Assistant City Prosecutors as provided in Section 68 (a) of this Act, designate
26 from among the Assistant Provincial Prosecutors a sufficient number to perform and discharge
27 the functions of the City Prosecution Service as provided in this Act.

28
29 **ARTICLE IX**
30 **THE CITY REGISTRY OF DEEDS**

31
32 **SEC. 69. *The City Registry of Deeds Office.*** – There shall be established in the City a
33 Registry of Deeds Office, subject to the standards, rules, and regulations as may be

1 promulgated by the DOJ, which shall discharge its duties under the general supervision of the
2 Administrator of the Land Registration Authority and the Secretary of the DOJ.

3
4 **SEC. 70. *The City Register of Deeds.*** – (a) The City Register of Deeds shall be the
5 head of the City Registry of Deeds Office. The City Register must be a citizen of the
6 Philippines, of good moral character, a member of the Integrated Bar, and must have
7 professional practice for at least five (5) years immediately preceding the date of appointment.

8
9 (b) The City Register of Deeds shall receive such compensation, emoluments, and
10 allowances as may be determined by law.

11
12 (c) The City Register of Deeds shall take charge of the City Registry of Deeds Office
13 and shall perform such duties and functions and exercise such other powers as provided by law.

14 15 **ARTICLE X**

16 **RECLAMATION OF FORESHORE LANDS AND OWNERSHIP OF WATERWORK** 17 **SYSTEM, WATER SPRINGS, OR WATER SOURCES**

18
19 **SEC. 71. *Reclamation of Foreshore Lands.*** – The City alone shall have the authority
20 to reclaim foreshore lands, including submerged lands within its jurisdiction in accordance with
21 the provisions of Republic Act No. 1899, entitled: “An Act to Authorize the Reclamation of
22 Foreshore Lands by Chartered Cities and Municipalities”: *Provided, however,* That should the
23 city desire to reclaim the said foreshore lands and submerged lands through third parties, the
24 contracts relating thereto shall become effective only when the said contracts shall have been
25 approved by the Sangguniang Panlungsod and the City Mayor.

26
27 **SEC. 72. *Ownership of Waterworks System, Water Springs or Water Sources, Roads,***
28 ***Streets, and other Public Works Improvements.*** – Notwithstanding the provisions of Republic
29 Act No. 1383 and other existing laws, all existing waterworks belonging to the national
30 government, water springs, and water sources shall be owned by the City of Malay Boracay,
31 and all revenues therefrom shall accrue to the general fund of the city. All existing municipal,
32 provincial and national roads, streets, bridges, docks, piers, wharves, machineries, equipment
33 and other public works improvements shall be owned by the City of Malay Boracay, except
34 those that are pre-owned by the Provincial Government, Philippine Ports Authority, Tourism

1 Infrastructure and Enterprise Zone Authority and other National Government agencies unless
2 turned-over to the City Government of Malay Boracay.

3
4 **ARTICLE XI**
5 **TRANSITORY AND FINAL PROVISIONS**
6

7 **SEC. 73. *Municipal Ordinances Existing Ordinances at the Time of the Approval of***
8 ***this Act.*** - All municipal ordinances of the Municipality of Malay existing at the time of the
9 approval of this Act shall continue to be in force within the City of Malay Boracay until the
10 Sangguniang Panlungsod shall, by ordinance, provide otherwise.
11

12 **SEC. 74. *Fiscal Management.*** - The City of Malay Boracay, after the effectivity of
13 this Act, shall implement the prescribed share in the General Funds every fiscal year and the
14 succeeding years in this manner:
15

16 (a) The Personal Services shall adhere to the prescribed limit specified in Section
17 325 (a) of the LGC, as amended.

18 (b) The Local Development Projects shall adhere to the prescribed share stated in
19 Section 287 of the LGC, as amended.

20 (c) The Disaster Risk Reduction and Management Fund shall adhere to the
21 prescribed share stated in Section 324 (d) of the LGC, as amended, and the
22 “Philippine Disaster Risk Reduction and Management Act of 2010”.

23 (d) The Gender and Development (GAD) programs and projects shall adhere to
24 the prescribed share stated in Republic Act No. 9710, otherwise known as the
25 “Magna Carta of Women”.

26 (e) The programs and projects for Solid and Liquid Waste Management (SLWM)
27 and Environmental Management and Protection allocation shall not exceed 15%
28 of the total budget of each year;

29 (f) The City Government of Malay Boracay shall allocate at least 1% of the total
30 budget of each year for Research and Development programs and projects;

31 (g) The Other Statutory Appropriations shall be at least 1.5% of the total budget;

32 (h) The Other Maintenance and Operating Expenses allocation other than that of
33 GAD, DRRM, SLWM, and Environmental Management and Protection,

1 Statutory Obligations, and Capital Outlays shall not exceed 24% of the total
2 budget.

3 (i) The entire operation of the Health Services, including their personal services,
4 shall not be below 5% of the total budget of each fiscal year.

5 (j) The entire operation of the Social Services, including their personal services,
6 shall not be below 3% of the total budget of each fiscal year.

7 (k) The City of Malay Boracay shall share at least 1% of the city income realized
8 in the next preceding year of the proposed budget year to the component
9 barangays to be known as City Income Allotment (CIA). The CIA will be
10 automatically downloaded to the respective component barangays. In the first two
11 (2) years after the effectivity of this Act, the CIA shall be based on the income
12 realized in the next preceding year when the LGU was a municipality. The CIA
13 will be utilized by the component barangays in the following manner: a) 50% of
14 the CIA shall be allocated to development projects in the barangay concerned; b)
15 the other 50% shall form part of their respective general funds. will be provided
16 by The City Planning and Development Office will provide a menu of
17 development projects to ensure that the projects are aligned with the City's
18 Development Plan.

19
20 **SEC. 75. Land Banking Program.** The City of Malay Boracay, after the effectivity of
21 this Act, shall implement a land banking program within the City limits to be completed for a
22 period of Fifty (50) years until it reaches 500 hectares. This land will be multipurpose spaces
23 to locate all the City Government facilities to serve the public such as but not limited to health,
24 social, educational, public dwelling, recreational spaces, green spaces, public spaces,
25 pedestrian spaces, public easement, cemetery, the city's economic enterprises, business
26 districts, information technology parks, road right of way and other spaces deemed necessary
27 for city's growth while sustaining the community livable for generations. To achieve the goal
28 of this program, the City Government shall allocate not less than 5% of the total budget in the
29 current and succeeding years. If the 500 hectares are not attained within 50 years, the prescribed
30 allocation shall continue to be appropriated until the required land area is realized. However,
31 if the required land is provided before the 50-year period, the prescribed allocation will no
32 longer be imposed, except when the City government requires further land acquisition projects.
33 The prescribed allocation is attributable to other funding sources of the general fund.

1 **SEC. 76. *Tax Moratorium.*** – Upon the effectivity of this Act, the City of Malay
2 Boracay shall maintain a tax moratorium for five (5) years, wherein no increase in the rates of
3 taxes shall be imposed. Furthermore, it shall abide by the provisions of the LGC, as amended,
4 which limit the authority of local government units in adjusting tax rates to only once every
5 five (5) years, but in no case shall such adjustment exceed ten percent (10%) of the rates fixed
6 under the Code.

7
8 **SEC. 77. *Plebiscite.*** - The City of Malay Boracay shall acquire corporate existence
9 upon the ratification of its creation by a majority of the votes cast by the qualified voters in a
10 plebiscite to be conducted in the present Municipality of Malay within sixty (60) days from the
11 approval of this Act.

12
13 The Commission on Elections shall conduct and supervise such plebiscite. The
14 Municipality of Malay shall bear the expenses for such a plebiscite.

15 **SEC. 78. *Holdover Authority of the Officials of the Municipality of Malay.*** - The
16 present elective officials of the Municipality of Malay shall continue to exercise their powers
17 and functions until such time that a new election is held and the duly-elected officials shall
18 have already qualified and assumed their offices. The appointive officials and employees of
19 the City shall likewise continue exercising their functions and duties, and they shall be
20 automatically absorbed by the City Government of Malay Boracay.

21
22 **SEC. 79. *Succession Clause.*** The City of Malay Boracay shall succeed all the assets,
23 properties, liabilities, and obligations of the Municipality of Malay.

24
25 **SEC. 80. *Election of Provincial Governor and Sangguniang Panlalawigan Members***
26 ***of the Province of Aklan.*** - The qualified voters of the City of Malay Boracay shall be qualified
27 to vote and run for any elective position in the elections for Provincial Governor, Provincial
28 Vice Governor, Sangguniang Panlalawigan members, and other elective offices of the Province
29 of Aklan.

30
31 **SEC. 81. *Jurisdiction of the Province of Aklan.*** – The City of Malay Boracay shall,
32 unless otherwise provided by law, continue to be under the jurisdiction of the Province of
33 Aklan.

1 **SEC. 82. *Legislative District.*** – Until otherwise provided by law, the City of Malay
2 Boracay shall continue to be part of the Second Congressional District of the Province of
3 Aklan.

4
5 **SEC. 83. *Applicability of Laws.*** – The LGC, as amended, other laws pertaining to the
6 Province of Aklan, and such laws as are applicable to cities shall govern the City of Malay
7 Boracay insofar as they are not inconsistent with the provisions of this Act: *Provided, however,*
8 That the land requirement prescribed under Republic Act No. 11683 shall not apply to the City
9 of Malay Boracay.

10
11 **SEC. 84. *Separability Clause.*** - If, for any reason or reasons, any part or provisions of
12 this Charter shall be held unconstitutional, invalid, or inconsistent with the LGC, as amended,
13 the other parts or provisions hereof which are not affected thereby shall continue to be in full
14 force and effect.

15
16 **SEC. 85. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
17 publication in the *Official Gazette* or in a newspaper of general circulation.

18
19 *Approved,*