

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 215



**Introduced by
REPRESENTATIVE MIKAELA ANGELA B. SUANSING**

**AN ACT
CONVERTING THE MUNICIPALITY OF TALAVERA, PROVINCE OF NUEVA
ECIJA INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF TALAVERA**

EXPLANATORY NOTE

This bill seeks to convert the Municipality of Talavera into a component city of the Province of Nueva Ecija to be known as the City of Talavera.

The Municipality of Talavera is a first class urban municipality in the Province of Nueva Ecija with a population of 132,338 as of the 2020 Philippine census. It ranks as the third largest among cities and municipalities in the Province of Nueva Ecija and is considered to be the largest non-city Local Government Unit in the Province of Nueva Ecija.

It is composed of fifty-three (53) barangays with a total land area of 14,255.54 hectares or about 2.49% of the land area of the Province of Nueva Ecija. It is located in the heart of the Province of Nueva Ecija bordered by Cabanatuan City, the Science City of Muñoz, and the Municipalities of Aliaga, Llanera, General Mamerto Natividad, and Sto. Domingo. Talavera's economy is highly focused on agriculture with palay, onion, and calamansi as main crops.

Aside from agriculture, the Municipality of Talavera has also demonstrated its robust economic viability, efficient administration, and capability to deliver adequate public services to its constituents. The economic viability of the Municipality of Talavera and its potential to become one of the fastest growing local government units in the Province of Nueva Ecija is reflected in its outstanding economic transformations. The sudden influx of big business establishments in the municipality clearly attests to the continuing economic growth of the Municipality of Talavera. It has given opportunities and opened the avenues for business establishments to succeed and flourish. Talavera's revenue for 2020 alone amounted to Php 439,893,939.86.

The capability of the Municipality of Talavera to provide basic but essential public services to its constituents is manifested in its unwavering commitment to various programs that range from health care services to infrastructure development. It is home to the Talavera General Hospital and several Rural Health Units equitably distributed among its 53 barangays, aside from its two (2) birthing stations and animal bite center.

An equally important fact is the municipality's efficient fiscal administration. From 2015 to 2017, it has been awarded with the Seal of Good Housekeeping (SGH) by the Department of the Interior and Local Government (DILG). In 2018 and 2019, the municipality was once again awarded by the Department with the Seal of Good Local Governance (SGLG). The SGLG is the highest and most prestigious distinction given to local government units for their exemplary performance across various components of local governance. This continued recognition reflects the outstanding commitment of its leaders to uphold the correlative duty of local government units enshrined in the Constitution, to be effective partners of the State in sharing the national burden and carrying out national goals to promote the public interest and general welfare.

The Municipality of Talavera is also a haven of scholarly pursuits. It governs and manages the Nueva Ecija University of Science and Technology (NEUST). There are three (3) private colleges in the municipality as well, namely, REH Montessori College, Inc., La Fortuna College, and St. Elizabeth Global College. It has likewise sustained the existence of five (5) national high schools and four (4) private high schools.

The conversion of the Municipality of Talavera into a component city of the Province of Nueva Ecija will essentially enhance its potential and capability to attract not only agro-industrial interests, but also better economic investments in the locality, which will further propel economic growth and development.

In view of the foregoing, the approval of this bill is earnestly requested.


MIKAELA ANGELA B. SUANSING
1st District of Nueva Ecija

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “Charter of the City of Talavera”.

SEC. 2. *City of Talavera.* – The Municipality of Talavera is hereby converted into a component city to be known as the City of Talavera, hereinafter referred to as the City, which shall comprise the present territory of the Municipality of Talavera in the Province of Nueva Ecija.

The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of Talavera.

The foregoing provision shall be without prejudice to the resolution of appropriate agency or forum of existing boundary disputes or cases involving questions of territorial jurisdiction between the Municipality of Talavera and the adjoining local government units: *Provided*, That the territorial jurisdiction of the disputed area or areas shall remain with the local government unit which has existing administrative supervision over the said area until the final resolution of the case.

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

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

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

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

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

The city court of the City of Talavera and the city or municipal courts of the adjoining cities and municipalities shall have concurrent jurisdiction to try crimes and misdemeanor committed within the said drainage area, or within said spaces of one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the city water service delivery.

The court first taking cognizance of such an offense shall have jurisdiction to try cases to the exclusion of others. The police forces of the municipalities and cities concerned shall have concurrent jurisdiction with the police forces of the City for the maintenance of good order and enforcement of ordinances throughout the said zone, area or space. Any license that may be issued within the said zone, area or space shall be granted by the proper authorities of the city or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said city or municipality concerned and not the City.

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2 **ARTICLE II**

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4 **CITY OFFICIALS IN GENERAL**

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6 **SEC. 7. *The Officials of the City of Talavera.*** – (a) There shall be in the City: A City Mayor,
7 a City Vice Mayor, *Sangguniang Panlungsod* Members, Secretary to the *Sangguniang*
8 *Panlungsod*, a City Treasurer and an Assistant City Treasurer, a City Assessor, a City
9 Accountant, a City Budget Officer, a City Planning and Development Coordinator, a City
10 Engineer, a City Health Officer, a City Civil Registrar, a City Administrator, a City Legal
11 Officer, a City Veterinarian, a City Social Welfare and Development Officer, a City
12 Cooperatives Officer and a City General Services Officer;

13
14 (b) In addition thereto, the City Mayor may appoint a City Architect, a City Population
15 Officer, a City Information Officer, a City Agriculturist and a City Environment and
16 Natural Resources Officer;

17 (c) There shall be established in the City a City Fire Station to be headed by a City Fire
18 Marshall, a City Jail to be headed by a City Jail Warden, a City Schools Division to be
19 headed by a City Schools Division Superintendent and a City Prosecution Service to be
20 headed by a City Prosecutor; and

21 (d) The *Sangguniang Panlungsod* may:

22 (1) Maintain existing offices which are not included in Subsections (a) and (b)
23 hereof;

24 (2) Create such other offices as may be necessary to carry-out the purposes of the
25 City; or

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

28 (e) Unless otherwise provided herein, the heads of departments and offices shall be
29 appointed by the City Mayor with the concurrence of the majority of the *Sangguniang*
30 *Panlungsod*, subject to civil service laws, rules and regulations. The *Sangguniang*
31 *Panlungsod* shall act on the appointment within fifteen (15) days from the day of its
32 submission, otherwise the same shall be deemed confirmed.

33 (f) Elective and appointive city officials shall receive compensation, allowances and other
34 emoluments as may be determined by law or ordinance, subject to the budgetary
35 limitations on personal services prescribed under Title Five, Book II of the Local
36 Government Code of 1991, as amended: *Provided*, That no increase in the
37 compensation of the City Mayor, City Vice Mayor and *Sangguniang Panlungsod*
38 member shall take effect until after the expiration of the full term of the local officials
39 approving the increase.

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41 **ARTICLE III**

1
2 **THE CITY MAYOR AND VICE MAYOR**
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4 **SEC. 8. The City Mayor.** – (a) The City Mayor shall be the Chief Executive of the City and
5 shall be elected at large by qualified voters of the City. No person shall be eligible for the
6 position of City Mayor unless at the time of election, that the person is a citizen of the
7 Philippines, at least twenty-one (21) years of age, a resident of the City for at least one (1) year
8 prior to the elections and qualified voter therein, and is able to read and write Filipino or any
9 other language or dialect. The City Mayor shall hold office for three (3) years, unless sooner
10 removed, but shall serve for not more than three (3) consecutive terms in the same position.
11 The City Mayor shall receive a minimum monthly compensation corresponding to Salary
12 Grade 30 as prescribed under Republic Act No. 6758, as amended, otherwise known as the
13 “Compensation and Position Classification Act of 1989”, and the Implementing Guidelines
14 issued pursuant thereto.
15

16 The City Mayor, as the Chief Executive of the City government, shall exercise such
17 powers and perform such duties and functions as provided herein;
18

19 (a) For efficient, effective and economical governance, the purpose of which is the general
20 welfare of the City and its inhabitants, the City Mayor shall:

21 (1) Exercise general supervision and control over all programs, projects, services
22 and activities of the city government and, in this connection, shall:

23 (i) Determine the guidelines of city policies and be responsible to the
24 *Sangguniang Panlungsod* for the program of government;

25 (ii) Direct the formulation of City Development Plan, with the assistance of
26 the city development council and upon approval thereof by the
27 *Sangguniang Panlungsod*, implement the same;

28 (iii) Present the Program of Government and propose policies and projects
29 for the consideration of the *Sangguniang Panlungsod* at the opening of
30 the regular session of the *Sangguniang Panlungsod* every calendar year
31 and as often as may be deemed necessary as the general welfare of the
32 inhabitants and the needs of the City government may require;

33 (iv) Initiate and propose legislative measures to the *Sangguniang*
34 *Panlungsod* and as often as may deemed necessary provide such
35 information and data needed or requested by the said *Sangguniang*
36 *Panlungsod* in the performance of its legislative functions;

37 (v) Appoint all officials and employees whose salaries and wages are
38 wholly or mainly paid out of City funds and whose appointments are not
39 otherwise provided for in this Act, and those whose appointment may
40 be under laws;

- (vi) Represent the City in all its business transactions and sign on its behalf bonds, contracts, obligations and such other documents with authority from the *Sangguniang Panlungsod* or pursuant to law or ordinance;
- (vii) Carry-out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;
- (viii) Determine the time, manner and place of payment of salaries and wages of officials and employees, in accordance with law or ordinance;
- (ix) Allocate and assign office space to City officials and employees who, by law or ordinance, are entitled to such space in the City Hall, and other buildings owned or leased by the city government;
- (x) Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided for in the law and the Local Government Code of 1991, as amended, and cause to be instituted administrative or judicial proceedings against any official or employee of the City who may have committed an offense in the performance of his official duties;
- (xi) Examine the books, records and other documents of all offices, officials, agents or employees of the City and, in aid of executive powers and authority, require all national officials and employees stationed in or assigned to the City to available books, records and other documents in their custody except those classified by law as confidential;
- (xii) Furnish copies of Executive Orders issued by him to the Office of the Governor of the Province of Nueva Ecija within seventy-two (72) hours upon issuance;
- (xiii) Visit component barangays of the City at least once every six (6) months to deepen understanding of the problems and conditions, listen and give appropriate counsel to local officials and inhabitants, inform the component barangay officials and inhabitants of general laws and ordinances which especially concern them, and otherwise conduct visits and inspections to ensure that the governance of the City will improve the quality of life of the inhabitants;
- (xiv) Act on leave applications of officials and employees appointed and on the commutation of monetary value of their leave credits in accordance with law;
- (xv) Authorize official trips of officials and employees outside of the City for a period not exceeding thirty (30) days: *Provided*, That trips abroad for a longer period may be authorized in accordance with the Local Government Code of 1991, as amended;
- (xvi) Call upon any national official or employee stationed in or assigned to the City to advise him on matters affecting the City and to make

1 recommendations thereon; coordinate with the said officials and
2 employees in the formulation and implementation of plans, programs
3 and projects; and when appropriate, initiate administrative or judicial
4 action against national government official or employee who may have
5 committed an offense in the performance of his official duties while
6 stationed in or assigned to the City;

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

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

13 (xix) Conduct an annual *palarong panlungsod* which shall feature traditional
14 sports and disciplines included in national and international games in
15 coordination with the Department of Education; and

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

23 (2) Enforce all laws and ordinances relative to the governance of the City and in the
24 exercise of its appropriate powers as well as implement all approved policies,
25 programs, projects, services and activities of the City and in addition shall:

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

29 (ii) Call conventions, conferences, seminars or meetings of elective or
30 appointive officials of the City, at such time and place and on such
31 subject he may deem important for the promotion of general welfare of
32 the local government unit and its inhabitants;

33 (iii) Issue such Executive Orders for the faithful and appropriate
34 enforcement and execution of laws and ordinances;

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

37 (v) Act as the deputized representative of the National Police Commission,
38 formulate the peace and order plan of the City; upon its approval,
39 implement the same; and as such, exercise general and operational
40 control over police forces in the City in accordance with Republic Act

No. 6975, otherwise known as the "Department of Interior and Local Government Act of 1990"; and

- (vi) Call upon the appropriate law enforcement agencies to suppress disorder, riot, lawless violence, rebellion or sedition, or apprehend violators of the law when public interest so requires and the city police forces are inadequate to cope with the situation or the violators;

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

- (i) Require each head of an office or department to prepare and submit an estimate of appropriations for the calendar year in accordance with the budget preparation process enshrined under Republic Act No. 7160, as amended, otherwise known as the "Local Government Code of 1991";
- (ii) Prepare and submit to the *Sanggunian* for approval the executive and supplemental budgets of the City for ensuing calendar year in the manner provided for under the Local Government Code of 1991, as amended;
- (iii) Ensure that all taxes and revenues of the City are collected and the City funds are applied to the payment of expenses and the settlement of obligations of the City, in accordance with law or ordinance;
- (iv) Issue licenses and permits and suspend or revoke the same for any violation of the conditions upon which said licenses or permits had been issued pursuant to law or ordinance;
- (v) Issue permits without need of approval from any national agency, for the holding of activities for any charitable or welfare purpose, excluding prohibited games or shows contrary to law, public policy or public morals;
- (vi) Require owners of illegally constructed houses, buildings or structures to obtain the necessary permit, subject to such fines and penalties as may be imposed by law or ordinance, or to make the necessary changes in the construction of the same when the said construction violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance;
- (vii) Adopt adequate measures to safeguard and conserve land, mineral, forest, marine and other resources of the City;
- (viii) Provide efficient and effective property and supply management in the City and protect the funds, credits, rights and other properties of the City; and

(ix) Institute or cause to be instituted administrative or judicial proceedings for the 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 shall be adequately protected.

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

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

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

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

(b) During the incumbency of the City Mayor, he shall hold office in the City Hall.

SEC. 9. 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, at the time of his election, shall possess the same qualifications as the City Mayor. The City Vice Mayor shall hold office for a term of three (3) years, unless sooner removed, and shall receive a monthly compensation corresponding to Salary Grade Twenty-six (26) as prescribed under Republic Act No. 6758, otherwise known as the "Compensation and Position Classification Act of 1989", as amended, and the implementing guidelines issued pursuant thereto.

(b) The City Vice Mayor shall:

(1) Act as the presiding officer of the *Sangguniang Panlungsod* and sign all warrants drawn on the City Treasury for all expenditures appropriated for the operations of the *Sangguniang Panlungsod*;

(2) Subject to civil service laws, rules and regulations, appoint all officials and employees of the *Sangguniang Panlungsod*, except those whose manner of appointment is specifically provided under the Local Government Code of 1991, as amended;

(3) Assume the office of the City Mayor for the unexpired term of the latter in the event of permanent vacancy;

(4) Exercise the powers and perform the duties and functions of the City Mayor in case of temporary vacancy; and

- (5) Perform other duties and functions and exercise such other powers as provided for under Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", as amended.

ARTICLE IV

THE SANGGUNIANG PANLUNGSOD

SEC. 10. Composition and Compensation. – The *Sangguniang Panlungsod*, the legislative body of the City, shall be composed of the City Vice Mayor as presiding officer, the ten (10) Sanggunian members, the President of the City Chapter of the Liga ng mga Barangay, the President of the Panlungsod na Pederasyon ng mga Sangguniang Kabataan and the three (3) sectoral representatives, who shall come from the following sectors, as members: one (1) from the women's sector; and, as shall be determined by the *Sangguniang Panlungsod* within ninety (90) days prior to the holding of local elections: one (1) from the agricultural or industrial workers' sector; and one (1) from the other sectors, including urban poor, indigenous cultural communities or persons with disabilities (PWDs).

(b) The regular members of the *Sangguniang Panlungsod* and the Sectoral Representatives shall be elected in the manner as may be provided for by law.

(c) The members of the *Sangguniang Panlungsod* shall receive a minimum monthly compensation corresponding to Salary Grade Twenty-five (25) as prescribed under Republic Act No. 6758, otherwise known as the "Compensation and Position Classification Act of 1989", as amended, and the implementing guidelines issued pursuant thereto.

SEC. 11. Powers, Duties, and Functions.– The *Sangguniang Panlungsod*, as a legislative body of the City, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the City and its inhabitants pursuant to Section 16 of the Local Government Code of 1991, as amended, and in the proper exercise of the corporate powers of the City as provided under Section 23 of the Local Government Code of 1991, as amended and shall:

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

(i) Review all ordinances approved by the *Sangguniang Barangay* and Executive Orders issued by the *Punong Barangay* to determine whether these are within the scope of the prescribed powers of the *Sangguniang Barangay* and of the *Punong Barangay*;

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

- (iii) Approve ordinances imposing a fine not exceeding five thousand pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both at the discretion of the court, for violation of a city ordinance;
- (iv) Adopt measures to protect the inhabitants of the City on the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events;
- (v) Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of house of ill repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency, the printing or distribution or exhibition of obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the City;
- (vi) Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging, smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash-and-burn farming and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes or of ecological imbalance;
- (vii) Subject to the provisions of the Local Government Code of 1991, as amended, and the pertinent laws, determine the powers and duties of officials and employees of the City;
- (viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide expenditures necessary for the proper conduct of programs, projects, services and activities of the city government;
- (ix) Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy or grant honorarium to any qualified official or employee designated to fill a temporary vacancy in a concurrent capacity at the rate authorized by law;
- (x) Provide a mechanism and appropriate funds therefor, to ensure the safety and protection of all city government property, public documents, or records such as those relating to property inventory, land ownership, record of births, marriages, deaths, assessment, taxation, accounts, business permits and such other records and documents of public interest in the offices and departments of the city government;
- (xi) When the finances of the city government allow, provide for additional allowances and other benefits to judges, prosecutors, public elementary and

- high school teachers, and other national government officials stationed in or assigned to the City;
- (xii) Provide legal assistance to barangay officials, who, in the performance of their official duties or on the occasion thereof, have to initiate judicial proceedings or defend themselves against legal actions; and
- (xiii) Provide for a group insurance or additional insurance coverage for all officials, including members of *barangay tanod* brigades and other service units, with public or private insurance companies, when the finances of the city government allows said coverage.
- (2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the City, with particular attention to agro-industrial development and city-wide growth and progress, and relative thereto, shall:
- (i) Approve the annual and supplemental budgets of the city government and appropriate funds for specific programs, projects, services and activities of the City, or for other purposes not contrary to law in order to promote the general welfare of the City and its inhabitants;
- (ii) Subject to the provisions of Book II of the Local Government Code of 1991, as amended, and other applicable laws and upon majority vote of all the members of the *Sangguniang Panlungsod*, enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes and granting tax exemption, incentive or relief;
- (iii) Subject to the provisions of Book II of the Local Government Code of 1991, as amended, and upon the majority vote of all the members of the *Sangguniang Panlungsod*, authorize the City Mayor to negotiate and contract loans and other forms of indebtedness;
- (iv) Subject to the provisions of Book II of the Local Government Code of 1991, as amended, and applicable laws and upon majority vote of all members of the *Sangguniang Panlungsod*, enact ordinances authoring the floating of bonds and other instruments of indebtedness, for the purpose of raising funds to finance development projects;
- (v) Appropriate funds for the construction and maintenance or rental of buildings for the use of the City; and upon majority vote of all the members of the *Sangguniang Panlungsod*, authorize the City Mayor to lease to private parties such as buildings held in a propriety capacity, subject to existing laws, rules and regulations;
- (vi) Prescribe reasonable limits and restraints on the use of property within the jurisdiction of the City;
- (vii) Adopt a comprehensive land use plan for the City and ensure that the formulation, adoption or modification of the said plan shall be in coordination with the approved provincial comprehensive land-use plan;

- (viii) Reclassify land within the jurisdiction of the City subject to pertinent provisions of the Local Government Code of 1991, as amended;
 - (ix) Enact integrated zoning ordinances in consonance with the approved comprehensive land-use plan, subject to existing laws, rules and regulations, establish fire limits or zones, particularly in populous centers, and regulate the construction, repair or modification of buildings within said fire limits or zones in accordance with the provision of the Fire Code of the Philippines;
 - (x) Subject to national law, process and approve subdivision plans for residential, commercial or industrial purposes and other development purposes, and to collect processing fees and other charges, the proceeds of which shall accrue entirely to the City: *Provided, however,* That where the approval of a national agency or office is required, said approval shall not be withheld for more than thirty (30) days from receipt of application. Failure to act on the application within the period stated shall be deemed as approved thereof;
 - (xi) Subject to the provisions of Book II of the Local Government Code of 1991, as amended, grant exclusive privilege of constructing fish corrals or fish pens, or taking or catching of bangus fry, prawn fry or *kawag-kawag*, or fry of any species of fish within city waters;
 - (xii) With the concurrence of at least two thirds (2/3) of all the members of the *Sangguniang Panlungsod*, grant tax exemptions, incentives or relief to entities engaged in community growth-inducing industries, subject to the provisions of the Local Government Code of 1991, as amended;
 - (xiii) Grant loans or provide grants to other local government units, or to national, provincial and city charitable, benevolent or educational institutions: *Provided,* That said institutions are operated and maintained within the City;
 - (xiv) Regulate the numbering of residential, commercial and other buildings; and
 - (xv) Regulate the inspection, weighing and measuring of articles of commerce.
- (3) Subject to the provisions of Book II of the Local Government Code of 1991, as amended, enact ordinances granting franchises and authorizing the issuance of permits or licenses, upon such conditions and for purposes intended to promote the general welfare of the inhabitants of the City and pursuant to this legislative authority, shall:
- (i) Fix and impose reasonable fees and charges for all services rendered by the city government to private persons or entities;
 - (ii) Regulate or fix license fees for any business or practice of profession within the City and the conditions under which the license for the said business or practice of profession may be revoked and enact ordinances levying taxes thereon;
 - (iii) Provide for and set terms and conditions under which public utilities owned by the City shall be operated by the city government, and prescribe the conditions

- 1 under which the same may be leased to private persons or entities, preferably
2 cooperatives;
- 3 (iv) Regulate the display of and fix the license fees for signs, signboards or
4 billboards at the place or places where the profession or business advertised
5 thereby is, in whole or in part, conducted;
- 6 (v) Any law to the contrary notwithstanding, authorize and license the
7 establishment, operation and maintenance of cockpits, and regulate
8 cockfighting and commercial breeding of gamecocks: *Provided*, That the
9 existing rights should not be prejudiced;
- 10 (vi) Subject to the guidelines prescribed by the Department of Transportation
11 (DOTr), regulate the operation of tricycles and grant franchises for the operation
12 thereof within the territorial jurisdiction of the City; and
- 13 (vii) Upon approval by a majority vote of all the members of the *Sangguniang*
14 *Panlungsod*, grant franchise to any person, partnership, corporation, or
15 cooperatives to do business with the City; establish, construct, operate and
16 maintain ferries, wharves, markets or slaughterhouses; or undertake such other
17 activities within the City as may be allowed by existing laws; *Provided*, That
18 cooperatives shall be given preference in the grant of such franchise.
- 19 (4) Regulate activities relative to the use of land, buildings and structures within the City
20 in order to promote the general welfare and for the said purpose, shall:
- 21 (i) Declare, prevent or abate any nuisances;
- 22 (ii) Require that buildings and the premises thereof and any land within the City be
23 kept and maintained in a sanitary condition; impose penalties for any violation
24 thereof; or upon failure to comply with said requirement, have the work done at
25 the expense of the owner, administrator or tenant concerned require the filling
26 up of any land or premises to a grade necessary for proper sanitation;
- 27 (iii) Regulate the disposal of clinical and other wastes from hospitals, clinics and
28 other similar establishments;
- 29 (iv) Regulate the establishment, operation and maintenance of cafes, restaurants,
30 beerhouses, hotels, motels, inns, pension houses, lodging houses and other
31 similar establishments, including tourist guides and transports;
- 32 (v) Regulate the sale, giving away or dispensing of any intoxicating malt, vino,
33 mixed or fermented liquor at any retail outlet;
- 34 (vi) Regulate the establishment and provide for the inspection of steam boilers or
35 any heating devise in buildings and the storage of inflammable and highly
36 combustible materials within the City;
- 37 (vii) Regulate the establishment, operation and maintenance of any entertainment or
38 amusement facility, including the theatrical performances, circuses, billiard
39 pools, public dancing schools, public dance halls, sauna baths, massage parlors

- 1 and other places for entertainment or amusement; regulate such other events for
2 activities for amusement or entertainment, particularly those which tend to
3 disturb the community or annoy the inhabitants, or require the suspension or
4 suppression of the same; or prohibit certain forms of amusement or
5 entertainment in order to protect the social and moral welfare of the community;
- 6 (viii) Regulate the establishment, operation and maintenance of funeral parlors and
7 the burial or cremation of the dead, subject to existing laws, rules and
8 regulations; and
- 9 (ix) Provide for the impounding of stray animals; regulate the keeping of animals in
10 homes or as part of business, and the slaughter, sale or disposition of the same;
11 and adopt measures to prevent or penalize cruelty to animals;
- 12 (5) Approve ordinances which shall ensure the efficient and effective delivery of the basic
13 services and facilities as provided for under the Local Government Code of 1991, as
14 amended, and in addition to said services and facilities, shall:
- 15 (i) Provide for the establishment, maintenance, protection and conservation of
16 communal forest and watersheds, tree parks, greenbelts, mangrove and other
17 similar forest development projects;
- 18 (ii) Establish markets, slaughterhouses or animal corrals and authorize the operation
19 thereof by the city government; and regulate the construction and operation of
20 private markets, *talipapas* or other similar buildings and structures;
- 21 (iii) Authorize the establishment, maintenance and operation by the city government
22 of ferries, wharves, and other structures intended to accelerate productivity
23 related to marine life in the preservation thereof;
- 24 (iv) Regulate the preparation and sale of meat, poultry, fish, vegetables, fruits, fresh
25 dairy products, and other foodstuffs for public consumption;
- 26 (v) Regulate the use of streets, avenues, alleys, sidewalks, parks and other public
27 places and approve the construction, improvement, repair and maintenance of
28 the same; establish bus and vehicles stops and terminals or regulate the use of
29 the same by privately-owned vehicles which serve the public; regulate garages
30 and operation of conveyances for hire; designate stands to be occupied by public
31 vehicles when not in use; regulate putting up of signs, signposts, awnings and
32 awning posts in the streets; and provide for the lighting, cleaning and sprinkling
33 of streets and public places;
- 34 (vi) Regulate traffic on all streets and bridges; prohibit encroachments or obstacles
35 thereon and, when necessary in the interest of public welfare, authorize the
36 removal of encroachments and illegal constructions in public places;
- 37 (vii) Subject to existing laws, establish and provide for the maintenance, repair and
38 operation of an efficient waterworks system to supply water for the City's
39 inhabitants and to purify the source of the water supply; regulate the
40 construction, maintenance, repair and use of hydrants, pumps, cisterns and

- reservoirs; protect the purity and quantity of the water supply of the City and, for this purpose, extend the coverage of appropriate ordinances over all territory within the drainage area of the said water supply and within one hundred meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping station, or watershed used in connection with the water service; and regulate the consumption, use or wastage of water and fix and collect charges thereof;
- (viii) Regulate the drilling and excavation of the ground for the laying of water, gas, sewer, and other pipes and the construction, repair and maintenance of public drains, sewers, cesspools, tunnels and similar structures; regulate the placing of poles and the use of crosswalks, curbs and gutters; adopt measures to ensure public safety against open canals, manholes, live wires and other similar hazards to life and property; and regulate the construction and use of water closets, privies and other similar structures in buildings and homes;
- (ix) Regulate the placing, stringing, attaching, installing, repair and construction of all has mains, electric telegraph and telephone wires, conduits, meters and other apparatus; and provide for the correction, condemnation or removal of the same when found to be dangerous to the welfare of the City's inhabitants;
- (x) Subject to the availability of fund and the existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Technical Education and Skills Development Authority (TESDA) and subject to existing laws on tuition fees, fix and collect reasonable tuition fees and other school charges in education institutions supported by the city government;
- (xi) Establish a scholarship fund for poor but deserving students in schools located within its jurisdiction or for students residing within the City;
- (xii) Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;
- (xiii) Provide for an efficient and effective system of solid waste and garbage collection and disposal and prohibit littering and the placing or throwing of garbage, refuse and other filth waste;
- (xiv) Provide for the care of PWDs, paupers, the elderly, the sic, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and the youth below eighteen (18) years of age and, subject to the availability of funds, establish and provide for the operation of centers and facilities for the said needy and disadvantaged persons;
- (xv) Establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program, and appropriate funds for the subsistence of detainees and convicted prisoners in the City;
- (xvi) Establish a city council whose purpose is the promotion of culture and the arts, coordinate with government agencies and nongovernment organizations and,

- 1 subject to the availability of funds, appropriate funds for the support and
2 development of the same; and
- 3 (xvii) Establish a city council for the elderly and senior citizens which shall formulate
4 policies and adopt measures mutually beneficial to the elderly and to the
5 community; provide incentives for nongovernmental entities and, subject to the
6 availability of funds, appropriate funds to support programs and projects for the
7 benefit of the elderly.
- 8 (6) Perform other duties and functions and exercise such powers as provided for under
9 Republic Act No. 7160, as amended, and those that are prescribed by law or ordinance.
10

11 ARTICLE V

12 PROCESS OF LEGISLATION

13
14
15 **SEC. 12. *Internal Rules of Procedure.*** – (a) On the First Regular Session following the
16 election of its members and within ninety (90) days thereafter, the *Sangguniang Panlungsod*
17 shall adopt or update its existing Rules of Procedure.
18

19 (b) The Rules of Procedure shall provide the following:

- 20 (1) The organization of the *Sanggunian* and the election of its officers as well as
21 the creation of standing committees which shall include, but shall not be limited
22 to, the committees on appropriations, revenues, engineering and public works,
23 education and health, women and family, human rights, youth and sports
24 development, environmental protection, peace and order and traffic, and
25 cooperatives; the general jurisdiction of each committee; and the election of the
26 chairperson and members of each committee;
- 27 (2) The order and calendar of business of each session;
- 28 (3) The legislative process;
- 29 (4) The parliamentary procedures which include the conduct of members during
30 sessions;
- 31 (5) The discipline of members for disorderly behavior and absences without
32 justifiable cause for four (4) consecutive sessions for which they may be
33 censured, reprimanded, or excluded from the session, suspended for not more
34 than sixty (60) days, or expelled: *Provided*, That the penalty of suspension or
35 expulsion shall require the recurrence of at least two-thirds (2/3) vote of all the
36 *Sanggunian* members: *Provided, further*, That the member convicted by final
37 judgment to imprisonment of at least one (1) year for any crime involving moral
38 turpitude shall be automatically expelled from the *Sanggunian*; and
- 39 (6) Such other rules as the *Sanggunian* may adopt.
40

1 **SEC. 13. Full Disclosure of Financial and Business Interest of Sangguniang Panlungsod**
2 **Members.** – (a) Every *Sangguniang Panlungsod* member shall, upon assumption to office,
3 make full disclosure of his business and financial interests. They shall also disclose any
4 business, financial, professional relationship or any relation by affinity or consanguinity within
5 the fourth civil degree with any person, firm or entity affected by any ordinance or resolution
6 under consideration by the *Sanggunian*, which relationship may result in conflict of interests.
7 Such relationship shall include:

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

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

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

18 (b) The disclosure required under this Act shall be made in writing and shall be submitted
19 to the Secretary of the *Sanggunian* or the secretary of the committee of membership.
20 The disclosure shall, in all cases, form part of the record of the proceedings and shall
21 be made in the following manner:

22 (1) The disclosure shall be made before the member participates in the deliberations
23 on the ordinance or resolution under consideration: *Provided*, That if the
24 member did not participate during the deliberations, the disclosure shall be
25 made before the voting on the ordinance or resolution on second and third
26 readings; and

27 (2) Disclosure shall be made when a member takes a position or makes a privilege
28 speech on a matter that may affect the business interest, financial connection, or
29 professional relationship described herein.
30

31 **SEC. 14. Sessions.** – (a) On the first day of the session immediately following the election of
32 its members, the *Sangguniang Panlungsod* shall, by resolution, fix the day, time and place of
33 its sessions. The minimum number of regular sessions shall be once a week for the
34 *Sangguniang Panlungsod* and twice a month for the *Sangguniang Barangay*.

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

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

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

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

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

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

(b) Where there is no quorum, the presiding officer may declare a recess until such time as a quorum is constituted, or a majority of the members present may adjourn from day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the *Sanggunian* to be assisted by a member or members of the police force assigned in the territorial jurisdiction of the City of Talavera, to arrest the absent member and present him at the session.

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

SEC. 16. Approval of Ordinances. – (a) Every ordinance enacted by the *Sangguniang Panlungsod* shall be presented to the City Mayor. If the City Mayor approves the same, the signature shall be affixed on each and every page thereof; otherwise, he shall veto it and return the same with his objections to the *Sanggunian*, which may proceed to reconsider the same. The *Sanggunian* may override the veto of the City Mayor by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective for all legal intents and purposes.

(b) The veto shall be communicated by the City Mayor to the *Sanggunian* within ten (10) days, otherwise, the ordinance shall be deemed approved as if it had been.

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

(b) The City Mayor shall have the power to veto any particular item or items of an appropriations ordinance, an ordinance or resolution adopting a local development plan, any public investment program or an ordinance directing the payment of money or creating liability. In such case, the vetoed item or items shall not affect the item or items

1 which are not objected to. The vetoed item or items shall not take effect unless the
2 *Sangguniang Panlungsod* overrides the veto in the manner herein provided; otherwise,
3 the item or items in the appropriations ordinance of the previous year corresponding to
4 those vetoed, if any, shall be deemed enacted.

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

9 **SEC. 18. Review of City Ordinance by the Sangguniang Panlalawigan.** – (a) Within three (3)
10 days after the approval, the Secretary to the *Sangguniang Panlungsod* shall forward to the
11 *Sangguniang Panlalawigan* for review, copies of the approved ordinances and the resolutions
12 approving the local development plans and public investment programs formulated by the local
13 development councils.

- 14 (b) Within thirty (30) days after receipt of copies of such ordinances and resolutions, the
15 *Sangguniang Panlalawigan* shall examine the documents or transmit them to the
16 provincial attorney or provincial prosecutor for prompt examination. The provincial
17 attorney or the provincial prosecutor shall, within a period of ten (10) days from receipt
18 of the documents, inform the *Sangguniang Panlalawigan* in writing of his comments
19 and recommendations, which may be considered by the *Sangguniang Panlalawigan* in
20 making its decision.

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

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

30 **SEC. 19. Review of Barangay Ordinances by the Sangguniang Panlungsod.** – (a) Within ten
31 (10) days after its enactment, the *Sangguniang Barangay* shall furnish copies of all barangay
32 ordinance to the *Sangguniang Panlungsod* for review as to whether the ordinances are
33 consistent with law or city ordinances.

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

- 36 (c) If the *Sangguniang Panlungsod* finds a barangay ordinance inconsistent with law or
37 city ordinances, the *Sangguniang Panlungsod* shall, within thirty (30) days from receipt
38 thereof, return the same with its comments and recommendations to the *Sangguniang*
39 *Barangay* concerned for adjustment, amendment or modification; in which case, the
40 effectivity of the barangay ordinance is suspended until such time as the revision called
41 for is effected.

1
2 **SEC. 20. *Enforcement of Disapproved Ordinances or Resolutions.*** – Any attempt to enforce
3 any ordinance or any resolution approving the local development plan and public investment
4 program, after the disapproval thereof, shall be sufficient ground for the suspension or
5 dismissal of the official or employee concerned.
6

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

12 (b) The Secretary of the *Sangguniang Panlungsod* shall cause the posting of an ordinance
13 or resolution in the bulletin board at the entrance of the city hall and in at least two (2)
14 conspicuous places in the City not later than five (5) days after the approval thereof.
15 The text of the ordinance or resolution shall be disseminated and posted in Filipino or
16 English and the Secretary of the *Sangguniang Panlungsod* shall record such fact in a
17 book kept for the purpose, stating the dates of approval and posting.

18 (c) The main feature of the ordinance or resolution duly enacted or adopted shall, in
19 addition to being posted, shall be published once in a local newspaper of general
20 circulation within the City; *Provided*, That in the absences thereof, the ordinance or
21 resolution shall be published in any newspaper of general circulation: *Provided, further*,
22 That the gist of all ordinances with penal sanctions shall also be published in a
23 newspaper of general circulation.
24

25 **ARTICLE VI**

26 27 **DISQUALIFICATION AND SUCCESSION** 28 **FOR ELECTIVE CITY OFFICIALS** 29

30 **SEC. 22. *Disqualifications for Elective Public City Officials.*** – The following persons
31 are not qualified from running for any elective position in the City:

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

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

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

38 (d) Those with dual citizenship;

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

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

(g) The insane and feeble-minded.

SEC. 23. *Permanent Vacancy in the Office of the City Mayor and City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the City Mayor, the City Vice Mayor concerned shall become the City Mayor. If a permanent vacancy occurs in the office of the City Vice Mayor, the highest ranking *Sangguniang Panlungsod* member or, in case of his or her permanent incapacity, the second highest ranking *Sangguniang Panlungsod* member becomes the City Mayor or the City Vice Mayor, as the case may be. Subsequent vacancies in the said offices shall be filled automatically by the other *Sanggunian* members according to their ranking as defined herein.

(b) If a permanent vacancy occurs in the office of the *Punong Barangay*, the highest ranking *Sangguniang Barangay* member or, in his or her permanent incapacity, the second highest ranking *Sanggunian* member shall become the *Punong Barangay*.

(c) A tie between or among the highest ranking *Sangguniang Panlungsod* members shall be resolved by drawing of lots.

(d) The successor as defined herein shall serve only the unexpired terms of their predecessors.

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

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

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

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

(b) Only the nominee of the political party under which the *Sanggunian* member concerned had been elected shall be appointed in the manner herein provided. The appointee shall come from the same political party as that of the *Sanggunian* member who caused the vacancy and shall serve the unexpired term of the vacant office.

In the appointment herein mentioned, a nomination and a certificate of membership of the appointee from the highest official of the political party concerned are conditions *sine qua non*, and in any appointment without such nomination and certification shall

1 be null and void *ab initio* and shall be a ground for administrative action against the
2 official responsible therefor;

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

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

10 **SEC. 25. Temporary Vacancy in the Office of the City Mayor.** – (a) When the City Mayor is
11 temporarily incapacitated to perform his duties the physical or legal reasons, including leave
12 of absence, travel abroad and suspension from office, the City Vice Mayor shall automatically
13 exercise the powers and perform the duties and functions of the City Mayor, except the power
14 to appoint, suspend, or dismiss employees which can only be exercised if the period of
15 temporary incapacity exceeds thirty (30) working days.

16 (b) Said temporary incapacity shall terminate upon submission to the *Sangguniang*
17 *Panlungsod* of a written declaration by the City Mayor of having reported back to
18 office. In cases where the temporary incapacity is due to legal cause, the City Mayor
19 shall also submit necessary documents showing the said legal cause no longer exists.

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

25 (d) In the event, however, that the City Mayor fails or refuses to issue such authorization,
26 the City Vice Mayor or the highest ranking *Sangguniang Panlungsod* member shall
27 have the right to assume the powers, duties and functions of the office on the fourth
28 (4th) day of absence of the City Mayor, subject to the limitations provided in subsection
29 (c) hereof.

30 (e) Except as provided above, the City Mayor shall, in no case, authorize any local official
31 to assume the powers, duties and functions of the office, other than the City Vice Mayor
32 or the highest ranking *Sangguniang Panlungsod* member, as the case may be.
33

34 ARTICLE VII

35 THE APPOINTIVE OFFICIALS OF THE CITY

36
37
38 **SEC. 26. The Secretary of the Sangguniang Panlungsod.** – (a) There shall be a secretary of
39 the *Sangguniang Panlungsod* who shall be a career official with the rank and salary equal to a
40 head of a department or office.

- 1 (b) No person shall be appointed secretary to the *Sangguniang Panlungsod* unless one is a
2 citizen of the Philippines, a resident of the City of Talavera, of good moral character, a
3 holder of a college degree preferably in law, commerce or public administration from
4 a recognized college or university, and a first grade civil service eligible or its
5 equivalent.
- 6 (c) The secretary to the *Sangguniang Panlungsod* shall receive compensation, emoluments
7 and allowances as may be determined by law.
- 8 (d) The secretary to the *Sangguniang Panlungsod* shall take charge of the office of the
9 *Sangguniang Panlungsod*, and shall:
- 10 (1) Attend meetings of the *Sangguniang Panlungsod* and keep a journal of its
11 proceedings;
- 12 (2) Keep the seal of the City and affix it with one's signature to all ordinances,
13 resolutions, and other official acts of the *Sangguniang Panlungsod* and present
14 these for signature to the presiding officer;
- 15 (3) Forward to the City Mayor for approval, copies of ordinances enacted by the
16 *Sangguniang Panlungsod* and duly certified by the presiding officer in a manner
17 provided in Section 54 of the Local Government Code of 1991, as amended;
- 18 (4) Forward to the Department of Budget and Management (DBM) copies of the
19 appropriations ordinance passed by the *Sangguniang Panlungsod* as provided
20 under Section 326, Book II of the Local Government Code of 1991, as amended;
- 21 (5) Forward to the *Sangguniang Panlalawigan* copies of duly approved ordinances
22 in the manner provided in Sections 56 and 57 of the Local Government Code of
23 1991, as amended;
- 24 (6) Furnish, upon request of any interested party, certified copies of record of public
25 character in one's custody, upon payment to the City Treasurer of such fees as
26 may be prescribed by ordinance;
- 27 (7) Record in a book kept for the purpose, all ordinances and resolutions enacted or
28 adopted by the *Sangguniang Panlungsod*, with the dates of passage and
29 publication thereof;
- 30 (8) Keep in the office all non confidential records therein open to the public during
31 usual business hours;
- 32 (9) Translate into the dialect used by the majority of the inhabitants all ordinances
33 and resolutions immediately after their approval and cause their publication
34 together with the original version in the manner provided under the Local
35 Government Code of 1991, as amended;
- 36 (10) Take custody of the local archives and where applicable, the local library
37 and annually account for the same; and

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

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

(b) The City Treasurer shall be under the administrative supervision of the City Mayor whom one shall report regularly on the tax collection effort of the City.

(c) No person shall be appointed Treasurer unless he is a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree in commerce, public administration or law obtained from a recognized college or university a first grade civil service eligible or its equivalent and must have acquired experience in treasury or accounting service for at least five (5) years.

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

(e) The City Treasurer shall take charge of the City Finance Department, and shall:

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

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

(3) Take charge of the disbursement of all funds of the City and other funds, the custody of which has been entrusted by law or other competent authority;

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

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

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

SEC. 28. The City Assessor. – (a) The City Assessor must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably in civil or mechanical engineering, commerce, or any other related course from a recognized college or university, and a first grade eligible or its equivalent and must have acquired experience in real property assessment work or in any related field for at least five (5) years immediately preceding the date of appointment.

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

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

- (1) Ensure that all laws and policies governing the appraisal and assessment of real properties for taxation purposes are properly executed;
- (2) Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in the evaluation and assessment of real properties for taxation purposes;
- (3) Establish a systematic method of real property assessment;
- (4) Install and maintain a real property identification and accounting systems;
- (5) Prepare, install and maintain a system of tax mapping, showing geographically all properties subject to assessment and gather all data concerning the same;
- (6) Conduct frequent physical surveys to verify and determine whether all real properties within the City are properly listed in the assessment of rolls;
- (7) Exercise the functions of appraisal and assessment primarily for taxation purposes of all real properties in the City;
- (8) Prepare a schedule of the fair market value of the different classes of real properties in accordance with the provisions of the Local Government Code of 1991, as amended;
- (9) Issue, upon request of the any interested party, certified copies of assessment records of real properties on all other records relative to its assessment, upon payment of as service charge or fee to the City Treasurer;
- (10) Submit every semester a report of all assessments, as well as cancellations and modifications of assessments to the City Mayor and the *Sangguniang Panlungsod*; and
- (11) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 29. The City Accountant. – (a) The City Accountant must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a Certified Public Accountant and must have acquired experience in the treasury or accounting service for at least five (5) years immediately preceding the date of appointment.

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

(c) The City Accountant shall take charge of both the Accounting and Internal Audit Services, and shall:

- (1) Install and maintain an internal audit system in the City;
- (2) Prepare and submit financial statements to the City Mayor and to the *Sangguniang Panlungsod*;

- (3) Apprise the *Sangguniang Panlungsod* and other officials on the financial condition and operations of the City;
- (4) Certify the availability of budgetary allotment to which expenditures and obligations may be properly charged;
- (5) Review supporting documents before the preparation of vouchers to determine completeness of requirements;
- (6) Prepare statements of cash advances, liquidations, salaries, allowances, reimbursement and remittances pertaining to the City;
- (7) Prepare statements of journal vouchers and their liquidations and other adjustments related thereto;
- (8) Post individual disbursements to the subsidiary ledger and index cards;
- (9) Maintain individual ledgers for officials and employees of the City pertaining to payrolls and deductions;
- (10) Record and post in index cards details of purchased furniture, fixtures and equipment, including disposal thereof, if any;
- (11) Account for all issued requests for obligations and maintain and keep all records and reports related thereto;
- (12) Prepare journals and the analysis of obligations and maintain and keep all records and reports related thereto; and
- (13) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 30. The City Budget Officer. – (a) The City Budget Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably in accounting, economics, public administration, or any related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience in government budgeting or in any related field for at least five (5) years immediately preceding the date of appointment.

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

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

- (1) Prepare forms, orders and circulars embodying instructions on budgetary and appropriation matters for signature of the City Mayor;
- (2) Review and consolidate the budget proposals of different departments and offices of the City;
- (3) Assist the City Mayor in the preparation of the budget and during budget hearings;

- (4) Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon;
- (5) Submit periodic budgetary reports to the Department of Budget and Management (DBM);
- (6) Coordinate with the City Treasurer, the City Accountant and the City Planning and Development Officer for the purpose of budgeting;
- (7) Assist the *Sangguniang Panlungsod* in reviewing the approved budgets of the component barangays;
- (8) Coordinate with the City Planning and Development Officer in the formulation of the development plan of the City; and
- (9) Perform such other duties and functions and exercise such other powers as provided under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 31. The City Planning and Development Officer. – (a) The City Planning and Development Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably in urban planning, development studies, economics, public administration, or any related course obtained from a recognized college or university, a first grade civil service eligible and must have acquired experience in development planning or in any related field for at least five (5) years immediately preceding the date of appointment.

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

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

- (1) Formulate integrated economic, social, physical and other development plans and policies for consideration of the City;
- (2) Conduct continuing studies, researches, and training programs necessary to evolve plans and programs for implementation;
- (3) Integrate and coordinate all sectoral plans and studies undertaken by the different functional groups and agencies;
- (4) Monitor and evaluate the implementation of the different development programs, projects and activities in the City in accordance with the approved development plan;
- (5) Prepare comprehensive plans and other development planning documents for the consideration of the Local Development Council;
- (6) Analyze the income and expenditure patterns, and formulate and recommend fiscal plans and policies for consideration of the finance committee of the *Sangguniang Panlungsod*;

- (7) Promote people's participation in development planning within the City;
- (8) Exercise supervision and control over the secretariat of the Local Development Council; and
- (9) Perform such other functions and duties and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 32. The City Engineer. – (a) The City Engineer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a licensed civil engineer and must have acquired experience in the practice of the 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 Office, and shall:

- (1) Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in infrastructure development and public works in general of the City;
- (2) Advise the City Mayor on infrastructure, public works and other engineering matters;
- (3) Administer, coordinate, supervise and control the construction, maintenance, improvement and repair of roads, bridges, 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 may be provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 33. The City Health Officer. – (a) The City Health Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a licensed medical practitioner, and must have acquired experience in the practice of the 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 Office of the Health Services, and shall:

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

- (2) Formulate measures for the consideration of the *Sangguniang Panlungsod* and provide technical assistance and support to the City Mayor in carrying out activities to ensure the delivery of basic services and provision of adequate facilities relative to health services provided under Section 17 of the Local Government Code of 1991, as amended;
- (3) Develop plans and strategies and, upon approval thereof by the City Mayor, implement these health programs and projects which the City Mayor is empowered to provide under the Local Government Code of 1991, as amended;
- (4) In addition to the foregoing duties and functions, the City Health Officer shall:
- (i) Formulate and implement policies, plans and projects to promote the health of the people in the City;
 - (ii) Advise the City Mayor and the *Sangguniang Panlungsod* on matters pertaining to health;
 - (iii) Execute and enforce all laws, ordinances and regulations relating to public health;
 - (iv) Recommend to the *Sangguniang Panlungsod* through the Local Health Board, the passage of ordinance as may be deemed necessary for the preservation of public health;
 - (v) Recommend the prosecution of any violation of sanitary laws, ordinances and regulations;
 - (vi) Direct the sanitary inspection of all business establishments, stores selling food items or providing accommodations such as hotels, motels, lodging houses, pension houses, and the like, in accordance with the Sanitation Code of the Philippines;
 - (vii) Conduct health information campaigns and render health intelligence services;
 - (viii) Coordinate with other government agencies and nongovernmental organizations involved in the promotion and delivery of health services; and
 - (ix) Be in the frontline of the delivery of health services, particularly during and in the aftermath of man-made and natural disasters and calamities.
- (5) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 34. The City Civil Registrar. – (a) The City Civil Registrar must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree obtained from a recognized college or university, a first grade civil service eligible or

1 its equivalent and must have acquired experience in civil registry work for at least five (5) years
2 immediately preceding the date of appointment.

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

5 (c) The City Civil Registrar shall be responsible for the civil registration program in the
6 City of Talavera, pursuant to the Civil Registry Law, the Omnibus Election Code, and
7 other pertinent laws, rules and regulations issued to implement them.

8 (d) The City Civil Registrar shall take charge of the office of the City Civil Registry, and
9 shall:

10 (1) Develop plans and strategies and, upon approval thereof by the City Mayor,
11 implement the same, particularly those which have to do with civil registry
12 programs and projects which the City Mayor is empowered to implement and
13 which the *Sangguniang Panlungsod* is empowered to provide under the Local
14 Government Code of 1991, as amended.

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

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

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

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

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

25 (v) Issue certified transcripts or copies of any certificate or registered
26 document upon payment of the required fees to the City Treasurer;

27 (vi) Receive applications for the issuance of a marriage license and, after
28 determining that the requirements and supporting certificates and
29 publication thereof for the prescribed period have been complied with,
30 issue the license upon payment of authorized fee to the City Treasurer;
31 and

32 (vii) Coordinate with the National Statistics Office in conducting educational
33 campaigns for vital registration and assist in the preparation of
34 demographic and other statistics for the City of Talavera.

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

1 **SEC. 35. *The City Administrator.*** – (a) The City Administrator must be a citizen of the
2 Philippines, a resident of the City of Talavera, of good moral character, a holder of a college
3 degree preferably in public administration, law or other related course obtained from a
4 recognized college or university, a first grade civil service eligible or its equivalent and must
5 have acquired experience in management and administrative work for at least five (5) years
6 immediately preceding the date of appointment.

7 (b) The term of the City Administrator is co-terminus with that of the appointing authority.

8 (c) The City Administrator shall receive compensation, emoluments and allowances as
9 may be determined by law.

10 (d) The City Administrator shall take charge of the City Administrator's Office and shall:

11 (1) Develop plans and strategies and, upon approval thereof by the City Mayor,
12 particularly those which have to do with the management and administration-
13 related programs and projects which the City Mayor is empowered to
14 implement and which the *Sangguniang Panlungsod* is empowered to provide
15 under the Local Government Code of 1991, as amended;

16 (2) Assist in the coordination of the work of all the officials of the local government
17 unit, under the supervision, direction and control of the City Mayor and, for this
18 purpose, convene the chiefs of offices and other officials of the local
19 government unit;

20 (3) Establish and maintain a sound personnel program for the local government unit
21 designed to promote career development and uphold the merit principle in the
22 local government service;

23 (4) Conduct a continuing organizational development of the local government unit
24 with the end in view of instituting effective administrative reforms;

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

28 (6) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all
29 matters relative to the management and administration of the City.

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

33 **SEC. 36. *The City Legal Officer.*** – (a) The City Legal Officer must be a citizen of the
34 Philippines, a resident of the City of Talavera, of good moral character, a member of the
35 Philippine Bar and must have practiced his profession for at least five (5) years immediately
36 preceding the date of appointment.

37 (b) The term of the City Legal Officer shall be co-terminus with that of the appointing
38 authority.

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

3 (d) The City Legal Officer, the Chief Legal Counsel of the City, shall take charge of the
4 Office of the City Legal Service and shall:

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

8 (2) Develop plans and strategies and, upon approval thereof by the City Mayor,
9 implement the same, particularly those which have to do with programs and
10 projects related to legal services which the City Mayor is empowered to
11 implement and which the *Sangguniang Panlungsod* is empowered to provide
12 under the Local Government Code of 1991, as amended;

13 (3) Represent the local government unit in all civil actions and special proceedings
14 wherein the local government unit or any official thereof, in his or her official
15 capacity, is a party: *Provided*, That in actions or proceedings where the City of
16 Talavera is a party adverse to the provincial government or to another
17 component city, a special legal officer may be employed to represent the adverse
18 party;

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

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

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

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

32 (8) When directed by the City Mayor or the *Sangguniang Panlungsod*, initiate and
33 prosecute, in the interest of the local government unit concerned, any civil
34 action on any bond, lease or other contract upon any breach or violation thereof;

35 (9) Review and submit recommendations on ordinances approved and executive
36 orders issued by component units;

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

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

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

SEC. 37. The City Social Welfare and Development Officer. – (a) The City Social Welfare and Development Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a duly licensed social worker or a holder of a college degree preferably in sociology or any other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience in the practice of social work for at least five (5) years immediately preceding the date of appointment.

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

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

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

(2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with social welfare programs and projects which the City Mayor is empowered to implement and the which the *Sangguniang Panlungsod* is empowered to provide;

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

(4) Provide relief and appropriate crisis intervention for victims of abuse and exploitation and recommend appropriate measures to deter further abuse and exploitations;

(5) Assist the City Mayor, as the case may be, in implementing the barangay level program for the total development and protection of children up to six (6) years of age;

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

- (7) Initiate and support welfare programs that will enhance the role of the youth in nation building;
- (8) Coordinate with government agencies and nongovernment organizations which have, for their purpose, 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;
- (9) Be in the frontline of the delivery of services particularly those which have to do with immediate relief and assistance during and in the aftermath of man-made and natural disasters and calamities;
- (10) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all matters related to social welfare and development services which will improve the livelihood and living conditions of the City's inhabitants; and
- (11) Perform such other duties and functions and exercise such other powers as provided for in the Local Government Code of 1991, as amended and those that are prescribed by law or ordinance.

SEC. 38. The City Environment and Natural Resources Officer. – (a) The City Environment and Natural Resources Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably in environment, forestry, agriculture or any related course obtained from a recognized college or university, and a first grade civil service eligible or its equivalent and must have acquired experience in the environment and natural resources management, conservation and utilization work for at least five (5) years immediately preceding the date of appointment.

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

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

- (1) Formulate measures for the consideration of the *Sangguniang Panlungsod* and to provide assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources as provided for under Section 17 of the Local Government Code of 1991, as amended;
- (2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with environment and natural resources programs and projects which the City Mayor is empowered to implement and which the *Sangguniang Panlungsod* is empowered to provide;
- (3) Establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts and similar forest products and commercial forests, like industrial tree farms and agro-forestry projects;

- (4) Provide extension services to beneficiaries of forest development projects and technical, financial and infrastructure assistance;
- (5) Manage and maintain seed banks and produce seedlings for forest and tree parks;
- (6) Provide extension services to beneficiaries of forest development projects and render assistance for natural resources-related conservation and utilization activities consistent with ecological balance;
- (7) Coordinate with government agencies and nongovernment organizations in the implementation of measures to prevent and control land, air and water pollution with the assistance of the Department of Environment and Natural Resources;
- (8) Be in the frontline of the delivery of services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural disasters and calamities;
- (9) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all matters relative to the protection, conservation, maximum utilization, application of appropriate technology and other matters related to the environment and natural resources; and
- (10) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 39. The City Architect. – (a) The City Architect must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a duly licensed architect and must have practiced the profession for at least five (5) years immediately preceding the date of appointment.

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

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

- (1) Formulate measures for the consideration of the *Sangguniang Panlungsod* and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provisions of adequate facilities relative to architectural planning and design;
- (2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement those architectural planning and design programs and projects which the City Mayor is empowered to implement and which the *Sangguniang Panlungsod* is empowered to provide under the Local Government Code of 1991, as amended;

- (3) Prepare and recommend for consideration of the *Sangguniang Panlungsod* the architectural plan and design for the local government unit or a part thereof, including the renewal of slums and blighted areas, land reclamation activities, the greening of land, and appropriate planning of marine and foreshore areas;
- (4) Review and recommend for appropriate action of the *Sangguniang Panlungsod* or the City Mayor as the case may be, the architectural plans and design submitted by governmental and nongovernmental entities or individuals, particularly those of undeveloped, underdeveloped, and poorly designed areas;
- (5) Coordinate with government and nongovernment entities and individuals involved in the aesthetics and the maximum utilization of the land and water within the jurisdiction of the local government unit to implement plans and programs that shall preserve environmental integrity and ecological balance;
- (6) Be in the frontline of the delivery of services involving architectural planning and design, particularly those related to the redesigning of spatial distribution of basic facilities and physical structures during and in the aftermath of man-made and natural disasters and calamities;
- (7) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all matters relative to the architectural planning and design as it relates to the total socioeconomic development of the City; and
- (8) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 40. The City Information Officer. – (a) The City Information Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably in journalism, mass communication or any related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience in writing articles and research papers, or writing for print, television or broadcast media for at least three (3) years immediately preceding the date of appointment.

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

(c) The City Information Officer shall take charge of the Office on Public Information and Community Relations Department and shall:

- (1) Formulate measures for the consideration of the *Sangguniang Panlungsod* and provide technical assistance and support to the City Mayor in providing the information and research data required for the delivery of basic services and provision of adequate facilities so that the public becomes aware of the said services and may fully avail of the same;
- (2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with public

1 information and research data to support programs and projects which the City
2 Mayor is empowered to implement and which the *Sangguniang Panlungsod* is
3 empowered to provide;

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

5 (4) Furnish information and data on local government agencies or offices as may
6 be required by law or ordinance; and nongovernmental organizations to be
7 furnished to the said agencies and organizations;

8 (5) Maintain effective liaison with the various sectors of the community on matters
9 and issues that affect the livelihood and the quality of life of the inhabitants and
10 encourage support for programs of the local and national government;

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

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

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

21 **SEC. 41. The City Cooperatives Officer.** – (a) The City Cooperatives Officer must be a citizen
22 of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a
23 college degree preferably in Business Administration with special training on cooperatives or
24 any related course obtained from a recognized college or university, a first grade civil service
25 eligible or its equivalent and must have acquired experience in cooperatives organization and
26 management for at least five (5) years immediately preceding the date of appointment.

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

29 (c) The City Cooperatives Officer shall take charge of the Office for the Development of
30 Cooperatives and shall:

31 (1) Formulate measures for the consideration of the *Sangguniang Panlungsod* and
32 provide technical assistance and support to the City Mayor in carrying out
33 measures to ensure the delivery of basic services and provision of facilities
34 through the development of cooperatives and in providing access to such
35 services and facilities;

36 (2) Develop plans and strategies and, upon approval thereof by the City Mayor,
37 implement the same, particularly these with the integration of cooperative
38 principles and methods in programs and projects which the City Mayor is

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

(3) Assist in the organization of cooperatives;

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

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

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

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

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

SEC. 42. The City Population Officer. – (a) The City Population Officer must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably with specialized training in population development obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience in the implementation of programs on population development or responsible parenthood for at least five (5) years immediately preceding the date of appointment.

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

(c) The City Population Officer shall take charge of the Office of Population Development and shall:

(1) Formulate measures for the consideration of the *Sangguniang Panlungsod* and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provisions for adequate facilities relative to the integration of the population development, principles and providing access to said services and facilities;

(2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement these with the integration of population development principles and

- 1 methods in programs and projects which the City Mayor is empowered to
2 implement and which the *Sangguniang Panlungsod* is empowered to provide;
- 3 (3) Assist the City Mayor in the implementation of the Constitutional provisions
4 relative to population development and the promotion of responsible
5 parenthood;
- 6 (4) Establish and maintain an updated data bank for program operations,
7 development planning and an educational program to ensure the people's
8 participation in and understanding of population development;
- 9 (5) Implement appropriate training programs responsive to the cultural heritage of
10 the inhabitants; and
- 11 (6) Perform such other duties and functions and exercise such other powers as
12 provided for under the Local Government Code of 1991, as amended, and those
13 that are prescribed by law or ordinance.

14 **SEC. 43. The City Veterinarian.** – (a) The City Veterinarian must be a citizen of the
15 Philippines, a resident of the City of Talavera, of good moral character, a licensed Doctor of
16 Veterinary Medicine and must have practiced the profession at least three (3) years
17 immediately preceding the date of appointment.

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

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

- 21 (1) Formulate measures for consideration of the *Sangguniang Panlungsod* and
22 provide technical assistance and support to the City Mayor in carrying out
23 measures to ensure the delivery of basic services and provision of adequate
24 facilities;
- 25 (2) Develop plans and strategies and, upon approval thereof by the City Mayor,
26 implement the same, particularly those which have to do with veterinary-related
27 activities which the City Mayor is empowered to implement and which the
28 *Sangguniang Panlungsod* is empowered to provide;
- 29 (3) Advise the City Mayor on all matters pertaining to the slaughter of animals for
30 human consumption and the regulation of slaughterhouses;
- 31 (4) Regulate the keeping of domestic animals;
- 32 (5) Regulate and inspect poultry, milk and dairy products for human consumption;
- 33 (6) Enforce all laws and regulations for the prevention of cruelty to animals;
- 34 (7) Take the necessary measures to eradicate, prevent or cure all forms of animal
35 diseases;
- 36 (8) Be in the frontline of veterinary-related activities, such as the outbreak of highly
37 contagious and deadly diseases and in situations resulting in the depletion of

animals for work and in human consumption, particularly those arising from and in the aftermath of man-made and natural disasters and calamities;

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

(10) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, 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 Talavera, of good moral character, a holder of a college degree in public administration, business administration and management obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience in general services, including management of supply, 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 compensation, emoluments and allowances as may be determined by law.

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

(1) Formulate measures for consideration of the *Sangguniang Panlungsod* and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities which require general services expertise and technical support services;

(2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement these with the general services that are supportive of the welfare of the inhabitants of the City which the City Mayor is empowered to implement and which the *Sangguniang Panlungsod* is empowered to provide;

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

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

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

- (6) Maintain and supervise janitorial, security, landscaping and other related services in all local government public buildings and other real property, whether owned or leased by the City;
- (7) Collate and disseminate information regarding prices, shipping and other costs of supplies and other items commonly used by the City;
- (8) Perform archival and record management with respect to records of offices and departments of the local government unit;
- (9) Perform all other functions pertaining to supply and property management heretofore performed by the local government treasurer and enforces policies on record creation, maintenance and disposal;
- (10) Be in the frontline of general services-related activities, such as the possible and imminent destruction or damage to records, supplies, properties, and structure materials or debris, particularly during and in the aftermath of man-made and natural disasters and calamities;
- (11) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all matters relative to general services; and
- (12) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

SEC. 45. The City Agriculturist. – (a) The City Agriculturist must be a citizen of the Philippines, a resident of the City of Talavera, of good moral character, a holder of a college degree preferably in agriculture or any other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have practiced his profession in agriculture or acquired experience in a related field for at least five (5) years immediately preceding the date of appointment.

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

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

- (1) Formulate measures for the approval of the *Sangguniang Panlungsod* and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to agricultural services;
- (2) Develop plans and strategies and, upon approval thereof by the City Mayor, implement the same, particularly those which have to do with agricultural programs and projects which the City Mayor is empowered to implement and which the *Sangguniang Panlungsod* is empowered to provide;
- (3) In addition to the foregoing duties and functions, the agriculturist shall:

- (i) Ensure that maximum assistance and access to resources in the production, processing and marketing of agricultural and aqua-cultural and marine products are extended to farmers, fishermen and local entrepreneurs;
- (ii) Conduct or cause to be conducted location-specific agricultural researches and assist in making available the appropriate technology arising out of and disseminating information on basic research on crops, prevention and control of plant diseases and pests, and other agricultural matters which will maximize productivity;
- (iii) Assist the City Mayor in the establishment and extension services of demonstration farms or aqua-culture and marine products;
- (iv) Enforce rules and regulations relating to agriculture and aqua-culture; and
- (v) Coordinate with government agencies and nongovernmental organizations in the promotion of agricultural activity through appropriate technology compatible with environmental integrity;
- (4) Be in the frontline of the delivery of basic agricultural service, particularly those needed for the survival of the inhabitants during and in the aftermath of man-made and natural disasters and calamities;
- (5) Recommend to the *Sangguniang Panlungsod* and advise the City Mayor on all matters related to agriculture and aquaculture which will improve the livelihood and living conditions of the inhabitants; and
- (6) Perform such other duties and functions and exercise such other powers as provided for under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

ARTICLE VIII

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

SEC. 46. *The City Fire Station Service.* – (a) There shall be established in the City at least one (1) fire station with adequate personnel, firefighting facilities and equipment, subject to the standards, rules and regulations that may be promulgated by the Department of the Interior and Local Government. The City shall provide the necessary land or site of the station.

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

1 (c) The City Fire Station shall be responsible for the protection and various emergency
2 services such as rescue and evacuation of injured people from fire-related incidents and,
3 in general, fire prevention and suppression measures to secure the safety of life and
4 property of the citizenry.

5
6 **SEC. 47. *The City Jail Service.*** – (a) There shall be established and maintained in the City, a
7 secured, clean, adequately equipped and sanitary jail for the custody and safekeeping of
8 prisoners, any fugitive from justice, or person detained awaiting investigation or trial and/or
9 transfer to the national penitentiary, and/or violent mentally ill person who endangers himself
10 or the safety of others, duly certified as such by the proper medical health officer, pending the
11 transfer to a mental institution.

12 (b) The City Jail Service shall be headed by a City Jail Warden whose qualifications shall
13 be as those provided for under the Bureau of Fire Protection and Bureau of Jail
14 Management and Penology Professionalization Act of 2004. One shall assist in the
15 immediate rehabilitation of individuals or detention prisoners. The City Jail Warden
16 shall ensure that great care is exercised at all times so that the prisoners' human rights
17 are respected and protected, and their spiritual and physical well-being are properly and
18 promptly attended to.

19
20 **SEC. 48. *The City Schools Division.*** – (a) There shall be established and maintained by the
21 Department of Education (DepED), a city schools division of the City of Talavera whose area
22 of jurisdiction will cover all the school districts within the City.

23 (b) The City School Division shall be headed by a City Schools Division Superintendent
24 who must possess the necessary qualifications required by the Department of
25 Education.

26
27 **SEC. 49. *The City Prosecution Service.*** – (a) There shall be established in the City, a City
28 Prosecution Service to be headed by a City Prosecutor and such number of assistant city
29 prosecutors as may be necessary, who shall be organizationally part of the Department of
30 Justice (DOJ), and under the supervision and control of the Secretary of Justice and whose
31 qualifications, manner of appointment, rank, salary and benefits shall be governed by existing
32 laws covering prosecutors of the DOJ.

33 (b) The City Prosecutor shall handle the criminal prosecution in the municipal trial courts
34 in the City as well as in the regional trial courts for criminal cases originating in the
35 territory of the City, and shall render to or for the City such services as required by law,
36 ordinance or regulation of the DOJ.

37 The Secretary of Justice shall always ensure the adequacy and the quality of
38 prosecution service in the City and, for this purpose, shall, in the absence, lack or
39 insufficiency in number of assistant city prosecutors as provided hereinabove, designate
40 from among the assistant provincial prosecutors a sufficient number to perform and
41 discharge the functions of the city prosecution service as provided hereinabove.

1 ARTICLE IX

2
3 TRANSITORY AND FINAL PROVISIONS

4
5 SEC. 50. *Municipal Ordinance Existing at the Time of Approval of This Act.* – All municipal
6 ordinances of the Municipality of Talavera existing at the time of the approval of this Act shall
7 continue to be in full force within the City of Talavera until the *Sangguniang Panlungsod*
8 ordinance shall provide otherwise.

9
10 SEC. 51. *Jurisdiction of the Province of Nueva Ecija.* – The City of Talavera shall, unless
11 otherwise provided by law, continue to be under the jurisdiction of the Province of Nueva Ecija.

12
13 SEC. 52. *Suspension of Increase in Rates of Local Taxes.* – No increase in the rates of local
14 taxes shall be imposed by the City within a period of five (5) years from its acquisition of
15 corporate existence.

16
17 SEC. 53. *Legislative District.* – Until otherwise provided by law, the City of Talavera shall
18 continue to be part of the First District of Nueva Ecija.

19
20 SEC. 54. *Applicability of Laws.* – The provisions of Republic Act No. 7160, otherwise known
21 as the Local Government Code of 1991, as amended, and such laws as are applicable to the
22 component cities shall govern the City of Talavera in so far as they are not inconsistent with
23 the provisions of this Act.

24
25 SEC. 55. *Plebiscite.* – The City of Talavera shall acquire corporate existence upon the
26 ratification of its creation by a majority of the votes cast by the qualified voters in a plebiscite
27 to be conducted in the present Municipality of Talavera within sixty (60) days from the
28 approval of this Act. The expenses for such plebiscite shall be borne by the Municipality of
29 Talavera. The Commission on Elections shall conduct and supervise the plebiscite.

30
31 SEC. 56. *Officials of the City of Talavera.* – The present elective officials of the Municipality
32 of Talavera shall continue to exercise their powers and functions until such time that a new
33 election is held and the duly-elected officials have already qualified and assumed their offices.
34 The appointive officials and employees of the Municipality of Talavera shall likewise continue
35 exercising their functions and duties and they shall be automatically absorbed by the City
36 Government of Talavera.

37
38 SEC. 57. *Election of Provincial Governor and Sangguniang Panlalawigan Members of the*
39 *Province of Nueva Ecija.* – The qualified members of the City of Talavera shall qualify to vote
40 and run for any elective position in the elections for Provincial Governor, Provincial Vice
41 Governor, *Sangguniang Panlalawigan* members, and other elective offices for the Province of
42 Nueva Ecija.

1 **SEC. 58. *Reservation.*** – Nothing herein contained shall preclude the determination by the
2 appropriate agency or forum of boundary disputes or cases involving questions of territorial
3 jurisdiction between the City of Talavera and any of the adjoining local government units even
4 after the effectivity of this Act.

5
6 **SEC. 59. *Succession Clause.*** – The City of Talavera shall succeed to all the assets, properties,
7 liabilities, and obligations of the Municipality of Talavera.

8
9 **SEC. 60. *Separability Clause.*** – If, for any reason or reasons, any part or provision of this
10 Charter shall be held unconstitutional, invalid or inconsistent with the Local Government Code
11 of 1991, as amended, the other parts or provisions hereof which are not affected shall continue
12 to be in full force and effect.

13
14 **SEC. 61. *Repealing Clause.*** – All other laws, decrees, rules and regulations or parts thereof
15 contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or
16 modified accordingly.

17
18 **SEC. 62. *Effectivity.*** – This Act shall take effect upon its publication in at least two (2)
19 newspapers of general and local circulation.

20
21 Approved,