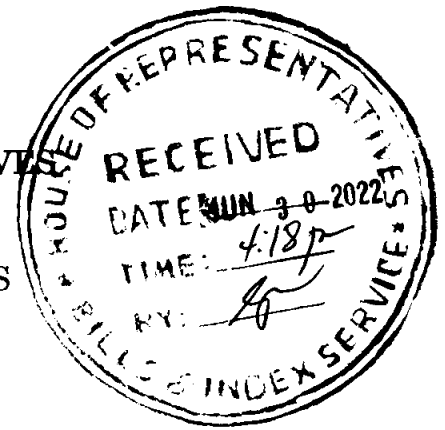


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

NINETEENTH CONGRESS  
First Regular Session

House Bill No. 334



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Introduced by Representative Michael L. Romero

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**AN ACT CONVERTING THE MUNICIPALITY OF BATARAZA IN THE  
PROVINCE OF PALAWAN INTO A COMPONENT CITY TO BE KNOWN AS THE  
CITY OF BATARAZA**

**EXPLANATORY NOTE**

In 1961, the Municipality of Bataraza was created under Republic Act No. 3425, it has a land area of 726.20 square kilometers and is located in the southernmost of the mainland of the Province of Palawan.

Under the impeccable leadership of Mayor Hji. Abraham "Abe" Ibba (2004-2013 and 2016-present) and Mayor Hja. Katrina Ibba (2013-2016), the Municipality of Bataraza has been transformed from being a 3<sup>rd</sup> Class Municipality to a 1<sup>st</sup> Class Municipality and is today more than qualified to be a Component City in the province of Palawan.

The Municipality of Bataraza generated a total income of Php483,360,953.46 in 2020<sup>1</sup>, Php400,608,278.29 in 2019<sup>2</sup>, Php796,018,569.33 in 2018<sup>3</sup>, Php231,449,735.00 in 2017<sup>4</sup>, Php289,065,188.83 in 2016<sup>5</sup>, Php256,280,200.12 in

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<sup>1</sup> Bataraza Executive Summary 2020 available at [https://www.coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2020/](https://www.coa.gov.ph/wpfd_file/bataraza-executive-summary-2020/) (last accessed on 28 June 2022.)

<sup>2</sup> Bataraza Executive Summary 2019 available at [https://www.coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2019/](https://www.coa.gov.ph/wpfd_file/bataraza-executive-summary-2019/) (last accessed on 28 June 2022.)

<sup>3</sup> Bataraza Executive Summary 2018 available at [https://www.coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2018/](https://www.coa.gov.ph/wpfd_file/bataraza-executive-summary-2018/) (last accessed on 28 June 2022.)

<sup>4</sup> Bataraza Executive Summary 2017 available at [https://www.coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2017/](https://www.coa.gov.ph/wpfd_file/bataraza-executive-summary-2017/) (last accessed on 28 June 2022.)

<sup>5</sup> Bataraza Executive Summary 2016 available at [https://coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2016/](https://coa.gov.ph/wpfd_file/bataraza-executive-summary-2016/) (last accessed on 28 June 2022.)

2015<sup>6</sup>, Php308,394,846.12 in 2014<sup>7</sup>, and Php236,677.923.86 in 2013<sup>8</sup>. Thus, it is more than qualified to be converted into a component city based on its total income and land area as provided for under Republic Act No. 11683.

The conversion of Bataraza into a component city has also been endorsed by the majority of the residents of its 22 barangays, its government officials and employees, barangay officials, multi-sectoral groups, and civic groups.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**MICHAEL L. ROMERO Ph.D.**  
*Representative*  
1-PACMAN Partylist

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<sup>6</sup> Bataraza Executive Summary 2015 available at [https://www.coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2015/](https://www.coa.gov.ph/wpfd_file/bataraza-executive-summary-2015/) (last accessed on 28 June 2022.)

<sup>7</sup> Bataraza Executive Summary 2014 available at [https://www.coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2014/](https://www.coa.gov.ph/wpfd_file/bataraza-executive-summary-2014/) (last accessed on 28 June 2022.)

<sup>8</sup> Bataraza Executive Summary 2013 available at [https://coa.gov.ph/wpfd\\_file/bataraza-executive-summary-2013/](https://coa.gov.ph/wpfd_file/bataraza-executive-summary-2013/) (last accessed on 28 June 2022.)

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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  
Bataraza.”

**SEC. 2. The City of Bataraza.** – The Municipality of Bataraza shall be converted into  
a component city to be known as the City of Bataraza, hereinafter referred to as the  
City, which shall comprise the present jurisdiction of the Municipality of Bataraza,  
Province of Palawan.

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

The foregoing provision shall be without prejudice to the resolution by the  
appropriate agency or forum of existing boundary disputes or cases involving  
questions of territorial jurisdiction between the City of Bataraza and the adjoining  
local government units (LGUs): Provided, that, the territorial jurisdiction of the  
disputed area or areas shall remain with the LGU which has existing administrative  
supervision over said area or areas until the final resolution of the case.

**SEC. 3. Corporate Powers of the City.** – The City constitutes a political body  
corporate 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 4 Charter. The City shall have the following corporate powers:

- (a) To have 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 contract and/or agreement; and
- (f) To exercise such other powers, prerogatives, or authority subject to the limitations provided under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, this Act or other laws.

**SEC. 4. General Powers.** – The City shall have a common seal and may alter the same at pleasure: Provided, That any change of corporate seal shall be registered with the Department of the Interior and Local Government (DILG). It shall exercise the powers to levy taxes, fees and charges; 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 interests 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 the powers as are granted to corporations or as hereinafter conferred.

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

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

**SEC. 6. Liability for Damages.** – The City and its officials shall not be exempt from liability 33 for death or injury to persons or damage to property.

**SEC. 7. Jurisdiction of the City.** – For police purposes, the jurisdiction of the City shall be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the purity of the water supply of the City, such police jurisdiction shall also extend over all territory within the drainage area of such water supply, or within

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

The court first taking jurisdiction of such offenses shall have jurisdiction to try cases to the exclusion of others. The police forces of City of Bataraza and the municipalities and cities concerned shall have concurrent jurisdiction over the maintenance of good order and the enforcement of ordinances throughout said zone, area or space. Any license that may be issued within said zone, area or space shall be granted by the proper authorities of the city or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said city or municipality concerned.

## **ARTICLE II**

### **CITY OFFICIALS IN GENERAL**

#### **SEC. 8. The Officials of the City of Bataraza. –**

(a) There shall be in the City of Bataraza a City Mayor, a City Vice Mayor, Sangguniang Panlungsod members, a secretary to Sangguniang Panlungsod, a city treasurer and an assistant city treasurer, a city assessor and an assistant city assessor, a city accountant, a city budget officer, a city planning and development officer, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city social welfare and development officer, a city veterinarian, and a city general services officer.

(b) In addition thereto, the City Mayor may appoint a city environment and natural resources officer, a city architect, a city information officer, a city cooperatives officer, a city population officer, a city agriculturist, a city business permit and licensing officer, a city human resource and management officer, a city public order and safety officer, a city disaster and risk reduction management officer, a city enterprise and economic officer, a city youth affairs officer, a city nutrition officer, a city tourism officer, a city public employment service officer, and city community and barangay affairs officer.

(c) The Sangguniang Panlungsod may:

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

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

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

### **ARTICLE III**

#### **THE CITY MAYOR AND CITY VICE MAYOR**

##### **SEC. 9. The City Mayor. –**

(a) The City Mayor shall be the chief executive of the City and shall be elected at large by the qualified voters of the City.

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

The City Mayor, who shall hold office for three (3) years, unless sooner removed, and shall not serve for more than three (3) consecutive terms in the same position, shall receive a minimum monthly compensation corresponding to Salary Grade thirty (30) as prescribed under 23 Republic Act No. 6758, as amended, otherwise known as the "Compensation and Position 24 Classification Act of 1989", and the implementing guidelines issued pursuant thereto and such other compensation, emoluments and allowances as may be determined by law.

(b) The City Mayor, as the Chief Executive of the City Government, shall exercise such 27 powers and perform such duties and functions as provided under the Local Government Code of 28 1991, as amended, this Act and other laws.

(c) For efficient, effective and economical governance the purpose of which is the general 30 welfare of the City and its inhabitants, the City Mayor shall:

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

- (i) Determine the guidelines of city policies and be responsible to the Sangguniang Panlungsod for the City's program of government;
- (ii) Direct the formulation of the city development plan with the assistance of the city development council and, upon approval thereof by the Sangguniang Panlungsod, implement the same;
- (iii) Present the program of government and propose policies and projects for the consideration of the Sangguniang Panlungsod at the opening of the regular session of the Sangguniang Panlungsod every calendar year and as often as may be deemed necessary as the general welfare of the City's inhabitants and the needs of the city government may require;
- (iv) Initiate and propose legislative measures to the Sangguniang Panlungsod and as often as may be deemed necessary, and provide such information and data needed or requested by said Sangguniang Panlungsod in the performance of its legislative functions;
- (v) Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of city funds and whose appointments are not otherwise provided under the Local Government Code of 1991, as amended, and this Act, and those whose appointment the City Mayor may be authorized by law to appoint;
- (vi) Represent the City in all its business transactions and sign in its behalf all bonds, contracts, obligations, and such other documents upon the authority of 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 or wages of the officials and employees of the City, in accordance with law or ordinance;
- (ix) Allocate and assign office space to the City and other officials and employees who, by law or ordinance, are entitled to such space in the city hall and other buildings owned or leased by the city government;
- (x) Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided for by law

and the Local Government Code of 1991, 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 official duties;

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

(xii) Furnish copies of executive orders issued by the City Mayor to the office of the provincial governor within seventy-two (72) hours after their issuance;

(xiii) Visit component barangays of the City at least once every six (6) months to cultivate a deeper understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants, inform 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 appointed officials and employees on the commutation of the monetary value of their leave credits in accordance with law;

(xv) Authorize official trips of city officials and employees outside of the City for a period not exceeding thirty (30) days: Provided, that 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 for advice on matters affecting the City and to make recommendations thereon; coordinate with said officials and employees in the formulation and the implementation of plans, programs and projects; and when appropriate, initiate an administrative or judicial action against a national government official or employee who may have committed an offense in the performance of the official duties while stationed in or assigned to the City;

(xvii) Authorize payment for medical care, necessary transportation, subsistence, hospital or medical fees of city officials and employees who



are injured while in the performance of their official duties and functions, subject to availability of funds;

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

(xix) Conduct an annual palarong panlungsod that shall feature traditional sports and disciplines that are played in national and international games, in coordination with the Department of Education (DepEd); and

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

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

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

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

(iii) Issue such executive orders for the faithful and appropriate enforcement and execution of laws and ordinances;

(iv) Act as the deputized representative of the National Police Commission, formulate the peace and order plan of the City, upon its approval, implement the same; and as such, exercise general and operational control and supervision over the police forces in the City in

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

(v) 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 such as when city police forces cannot adequately cope with public disorder, violence, and criminal activity.

The City Mayor shall be entitled to carry the necessary firearms within the territorial jurisdiction of the City.

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

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

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

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

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

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

(vi) Require owners of illegally constructed houses, buildings or other structures to obtain the necessary permits, subject to such fines and

penalties as may be imposed by law or ordinance, or to make necessary changes in the construction of the same when said construction violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance;

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

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

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

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

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

(d) The City Mayor shall hold office in the City Hall.

**SEC. 10. The City Vice Mayor. –**

(a) There shall be a City Vice Mayor who shall be elected in the same manner as the City Mayor and shall at the time of the election possess the same 7 qualifications as the City Mayor. The City Vice Mayor shall hold office for three (3) years, unless sooner removed, and shall receive a monthly compensation corresponding to salary grade twenty-six (26) as prescribed under the “Compensation and Position Classification Act of 1989”, as amended, and the implementing guidelines issued

pursuant thereto, and such other compensation, emoluments and allowances as may be determined by law.

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

- (1) Act as presiding officer of the Sangguniang Panlungsod and sign all warrants drawn on the City Treasury for all expenditures appropriated for the operation of the Sangguniang Panlungsod;
- (2) Subject to civil service law, rules and regulations, appoint all officials and employees including the secretary 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 as provided under the Local Government Code of 1991, as amended;
- (4) Exercise the powers and perform the duties and functions of the City Mayor in cases of temporary vacancy as provided under the Local Government Code of 1991, as amended; and
- (5) 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.

#### **ARTICLE IV THE SANGGUNIANG PANLUNGSOD**

**SEC. 11. Composition and Compensation. –**

(a) The Sangguniang Panlungsod is the legislative body of the City, and shall be composed of the City Vice Mayor as the presiding officer, ten (10) regular Sangguniang Panlungsod 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) representatives from the following sectors, as members: the representative of the women's sector; the representative of the agricultural or industrial workers 37 sector, and the representative of other sectors, including the urban poor, indigenous cultural communities, or persons with disabilities (PWDs): Provided, That with the exception of the women's sector, the Sangguniang Panlungsod shall determine the sectors to be represented within ninety (90) days prior to the holding of the local elections.

(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 (SG-25) as prescribed under the "Compensation and Position Classification Act of 1989", as amended, and the implementing guidelines issued pursuant thereto.

**SEC. 12. Powers, Duties, and Functions. –**

(a) The Sangguniang Panlungsod, as the 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 22 of the Local Government Code, as amended, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective city government and relative hereto:

(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) 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 from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events;

(v) Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of houses of ill-repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing,

juvenile delinquency, the printing, distribution 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 siltation 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) Consistent with the "Compensation and Position Classification Act of 1989", as amended, determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide for expenditures necessary for the proper conduct of programs, projects, services and activities of the city government;

(ix) Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy, 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 the appropriate funds therefor, to ensure the safety and protection of all city government property, public documents, or records such as those relating to property inventory, land ownership, record of births, marriages, deaths, assessments, taxation, accounts, business permits and such other records and documents of public interest in the offices and departments of the city government;

(xi) When the finances of the city government allow, provide for additional allowances and other benefits to judges, prosecutors, public elementary and high school teachers, and other national government officials stationed in or assigned to the City;

(xii) Provide legal assistance to barangay officials who, in the performance of their official duties or on the occasion thereof, have to

initiate judicial proceedings or defend themselves against legal actions;  
and

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

(2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the City, as provided under the Local Government Code of 1991, as amended, 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 applicable laws and upon the majority vote of all the members of the Sangguniang Panlungsod, enact ordinance levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes and granting tax exemptions, incentives or reliefs;

(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 the majority vote of all the members of the Sangguniang Panlungsod, enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects;

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

(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: Provided, That the formulation, adoption or modification of said plan shall be in coordination within the approved provincial comprehensive land use plan;

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

(ix) Enact integrated zoning ordinance in consonance with the approved comprehensive land use plan, subject to existing laws, rules and regulations; establish fire limits or zones, particularly in populous centers, and regulate the construction, repair or modification of buildings within said fire limits or zones in accordance with the provisions of the Fire Code 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 approval of a national agency or office is required, said approval shall not be withheld for more than thirty (30) days from receipt of the application. Failure to act on the application within the period stated above shall be deemed as approval thereof;

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

(xii) 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;

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

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

(3) Subject to the provisions of the Local Government Code of 1991, as amended, enact ordinances that grant franchises and authorize the issuance



of permits or licenses, upon conditions and for purposes that promote the general welfare of the inhabitants of the City, and pursuant to this legislative authority, perform the following duties and functions:

- (i) Fix and impose reasonable fees and charges for all services rendered by the city government to private persons or entities;
  - (ii) Regulate or fix license fees for any business or practice of profession within the City and the conditions under which the license for said business or practice of profession may be revoked and enact ordinances levying taxes thereon;
  - (iii) Provide for and set the terms and conditions under which public utilities owned by the City shall be operated by the city government, and prescribe the conditions under which the same may be leased to private persons or entities, preferably cooperatives;
  - (iv) Regulate the display of and fix the license fees for signs, signboards or billboards at the place or places where the profession or business advertised thereby is, in whole or in part, conducted;
  - (v) Any law to the contrary notwithstanding, authorize and license the establishment, operation and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks: Provided, That existing rights held by licensed persons or establishments shall not be prejudiced;
  - (vi) Subject to the guidelines prescribed by the Department of Transportation (DOTr), regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the City; and
  - (vii) Upon approval by a majority vote of all the members of the Sangguniang Panlungsod, grant a franchise to any person, partnership, corporation or cooperative to do business within the City; establish, construct, operate and maintain markets or slaughterhouses; or undertake such other activities within the City as may be allowed by existing laws: Provided, That cooperatives shall be given preference in the grant of such a franchise.
- (4) Maintain peace and order, regulate the operation of establishments, establish standards for the conduct of their businesses including the use of lands, structures and buildings within the City in order to promote the general welfare, and for said purpose:

- (i) Declare, prevent or abate any nuisance;
- (ii) With the concurrence of the majority of the members of the Sangguniang Panlungsod, a quorum being present, deny the entry of legalized gambling by ordinance into any part of the City, or regulate its place of operation in the City;
- (iii) Require that buildings and the premises thereof and any land within the City be kept and maintained in a clean and sanitary condition; impose penalties for any violation thereof; or upon failure to comply with said requirement, require the filling up of any land or premises to a grade necessary for proper sanitation at the expense of the owner, administrator, or tenant concerned;
- (iv) Regulate the disposal of clinical and other wastes from hospitals, clinics and other similar establishments in accordance with established rules and regulations;
- (v) Regulate the establishment, operation and maintenance of cafes, restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses and other similar establishments, including the conduct of tourist guides and transport operators;
- (vi) Regulate the sale, giving away, or dispensing of any intoxicating malt, wine, mixed or fermented liquors at any retail outlets;
- (vii) Regulate the establishment and provide for the inspection of steam boilers or any heating device in buildings and the storage of inflammable and highly combustible materials within the City;
- (viii) Regulate the establishment, operation, and maintenance of any entertainment or amusement facilities, including theaters, circus venues, billiard halls, public dancing schools, public dance halls, sauna baths, massage parlors, and other places for entertainment or amusement; regulate such other events or activities for amusement or entertainment, particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community;
- (ix) Regulate the establishment, operation, and maintenance of funeral parlors and the burial or cremation of the dead, subject to existing laws, rules and regulations; and

(x) Provide for the impounding of stray animals; regulate the keeping of animals in homes or as part of a business, and the slaughter, sale or disposition of the same; and adopt measures to prevent and penalize cruelty to animals.

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

(i) Provide for the establishment, maintenance, protection and conservation of communal forests and watersheds, tree parks, greenbelts, mangroves, and other similar forest development projects;

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

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

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

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

(vi) Subject to existing laws, establish and provide for the maintenance, repair, and operation of an efficient waterworks system to supply water for the City's inhabitants and to purify the source of the water supply; regulate the construction, maintenance, repair and use of hydrants, pumps, cisterns and reservoirs; protect the purity and quantity of the water supply of the City and, for this purpose, extend the coverage of appropriate ordinances over all territories within the drainage area of

said water supply and within one hundred (100) meters of the reservoir, canal, conduit, aqueduct, pumping station or watershed used in connection with the water service; and regulate the consumption, use or recycling of waste water and fix and collect charges therefor;

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

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

(ix) Subject to the availability of funds and to existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Department of Education (DepEd) and Technical Education and Skills Development Authority (TESDA), as the case may be, fix and collect reasonable tuition fees and other school charges in educational institutions supported by the city government, subject to existing laws on tuition fees;

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

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

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

(xiii) Provide for the care of persons with disabilities (PWDs), paupers, the elderly, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and the youth

below eighteen (18) years of age; and subject to availability of funds, establish and provide for the operation of centers and facilities for the said persons;

(xiv) 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;

(xv) Establish a council which shall promote culture and the arts, coordinate with government agencies and non-governmental organizations and, subject to the availability of funds, appropriate funds for the support and development of the same; and

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

(6) 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.

## **ARTICLE V PROCESS OF LEGISLATION**

### **SEC. 13. Internal Rules of Procedure. –**

(a) On the first regular session following the election of its members and within ninety (90) days thereafter, the Sangguniang Panlungsod shall 10 adopt or update its existing rules of procedure.

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

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

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

(3) The legislative process;

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

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

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

**SEC. 14. Full Disclosure of Financial and Business Interests of Sangguniang Panlungsod Members. –**

(a) Every Sangguniang Panlungsod member shall, upon assumption to office, make a full disclosure of their business and financial interests. Such disclosure shall also include a professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which a sanggunian member may have with any person, firm or entity affected by any ordinance or resolution under consideration by the Sangguniang Panlungsod and which relationship may result in conflict of interests. Such relationship shall include:

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

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

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

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

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

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

**SEC. 15. Sessions. –**

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

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

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

(d) In the case of special sessions of the Sangguniang Panlungsod, 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 Sangguniang Panlungsod 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 its members.

**SEC. 16. Quorum. –**

(a) A majority of all the members of the Sangguniang Panlungsod 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 the 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 Sangguniang Panlungsod, to be assisted by a member or members of the police force assigned in the territorial jurisdiction of the City of Bataraza, 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. 17. 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, the ordinance shall be vetoed and returned to the Sangguniang Panlungsod with a statement on the objections, which may proceed to reconsider the same.

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

(c) The Sangguniang Panlungsod 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.

**SEC. 18. 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 the reasons for the veto 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 and public investment program, or an ordinance directing the payment of money or creating liability. In such case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the Sangguniang Panlungsod overrides the veto in the manner herein provide, otherwise, the item or items in the appropriations ordinance of the previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

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



**SEC. 19. Review of City Ordinances by the Sangguniang Panlalawigan. –**

(a) Within three (3) days after approval, the secretary to the Sangguniang Panlungsod shall forward to the Sangguniang Panlalawigan for review, copies of approved ordinances and the resolutions approving the local development plans and public investment programs formulated by the local 3 development councils.

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

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

(d) If no action has been taken by the Sangguniang Panlalawigan within thirty (30) days after submission of such an ordinance or resolution, the same shall be presumed consistent with 16 law and therefore valid.

**SEC. 20. Review of Barangay Ordinances by the Sangguniang Panlungsod. –**

(a) Within ten (10) days after their enactment, the Sangguniang Barangay shall furnish copies of all barangay ordinances to the Sangguniang Panlungsod for review as to whether the ordinance is 20 consistent with law or city ordinances.

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

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

**SEC. 21. Penalty for the Enforcement of Disapproved Ordinances or Resolutions.**

– Any attempt to enforce any ordinance or any resolution approving the local development plan and public investment program, after the disapproval thereof, shall be sufficient ground for the suspension or dismissal of the official or employee concerned.

**SEC. 22. Effectivity of Ordinances or Resolutions. –**

(a) Unless otherwise stated in the ordinance or the resolution approving the local development plan and public investment program, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the City Hall of Bataraza and in at least two (2) other conspicuous places in the City of Bataraza not later than five (5) days after approval thereof.

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

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

(c) Ordinances with penal sanctions shall be posted at prominent places in the City Hall, for a minimum period of three (3) consecutive weeks. Such ordinances shall also be published in a newspaper of general circulation within the City.

**ARTICLE VI**

**DISQUALIFICATIONS AND SUCCESSION FOR ELECTIVE CITY OFFICIALS**

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

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

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

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

(d) Those with dual citizenship;

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

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

(g) The insane or feeble-minded.

**SEC. 24. Permanent Vacancy in the Offices 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 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 the latter's permanent incapacity, the second highest ranking Sangguniang Panlungsod member shall become the City Mayor or City Vice Mayor, as the case may be. Subsequent vacancies in the said offices shall be filled automatically by the other Sangguniang Panlungsod members according to their ranking as defined under the Local Government Code of 1991, as amended.

(b) The successors, as defined herein, shall serve only the unexpired terms of their predecessors.

(c) For purposes of this Act, a permanent vacancy arises when an elective local official fills in 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 the office.

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

**SEC. 25. 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 Sangguniang Panlungsod member concerned had been elected and whose elevation to the position next higher in rank created the last vacancy in the Sangguniang Panlungsod shall be appointed in the manner provided herein. The appointee shall come from the political party as that of the Sangguniang Panlungsod 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 shall be conditions sine qua non, and any appointment without such nomination and certification shall be null and void ab initio and shall be a ground for administrative action against the official responsible therefore;

(c) In case the permanent vacancy occurs in a position held by a Sangguniang Panlungsod member who does not belong to any political party, the City Mayor shall, upon recommendation of the Sangguniang Panlungsod, appoint a qualified person to fill the vacancy; and

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

**SEC. 26. Temporary Vacancy in the Office of the City Mayor. –**

(a) When the City Mayor is temporarily incapacitated to perform the duties for physical or legal reasons such as when the City Mayor is on official leave from duties, on travel abroad, or is suspended from office, the City Vice Mayor or the highest ranking Sangguniang Panlungsod member shall automatically exercise the powers and perform the duties and functions of the City Mayor, except the power to appoint, suspend or dismiss employees which can only be exercised if the period of temporary incapacity exceeds thirty (30) working days.

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

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

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

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

**ARTICLE VII**  
**THE APPOINTIVE OFFICIALS OF THE CITY:**

## **THEIR QUALIFICATIONS, POWERS AND DUTIES**

### **SEC. 27. The Secretary to the Sangguniang Panlungsod. –**

(a) There shall be a Secretary of the Sangguniang Panlungsod who shall be a career official with the rank and salary equal to a 14 head of a department or office.

(b) The Secretary to the Sangguniang Panlungsod must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in law, commerce, or public administration from a recognized college or university, and a first grade civil service eligible or its equivalent.

(c) The Secretary to the Sangguniang Panlungsod shall take charge of the office of the Sangguniang Panlungsod, and shall:

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

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

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

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

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

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

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

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

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

(10) Perform 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. 28. 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 civil service law, rules and regulations.

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

(c) The City Treasurer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree in commerce, public administration, or law from a recognized college or university, a first-grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in treasury or accounting services.

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

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

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

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

(3) Take charge of the disbursement of all funds of the City and such other funds the custody of which may be entrusted to the City Treasurer 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; and

(6) Perform 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. 29. Assistant City Treasurer. –**

(a) The Assistant City Treasurer may 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 Assistant City Treasurer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in commerce, public administration or law from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in treasury or accounting services.

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

(d) The Assistant City Treasurer shall have authority to administer oaths concerning official matters relating to the accounts managed by the City Treasurer or those arising in the office of the City Treasurer.

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

**SEC. 30. The City Assessor. –**

(a) The City Assessor must be a citizen of the Philippines, a resident of the City of Bataraza, 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, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in real property assessment work or in any related field immediately preceding the date of the 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 real property identification and accounting systems;
- (5) Prepare, install and maintain a system of tax mapping, showing graphically all properties subject to assessment and gather all data concerning the same;
- (6) Conduct frequent physical surveys to verify and determine whether all real properties within the City are properly listed in the assessment rolls;
- (7) Exercise the functions of appraisal and assessment primarily for taxation purposes of all real properties in the City;
- (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 any interested party, certified copies of assessment records of real properties and all other records relative to its assessment, upon payment of a service charge or fee to the City Treasurer;
- (10) Submit every semester a report of all assessments, as well as cancellations and modifications of assessments to the City Mayor and the Sangguniang Panlungsod;
- (11) Attend personally or through an authorized representative all sessions of the Local Board of Assessment Appeals whenever the assessment is subject of the appeal, and present or submit any information or record in the possession as may be required by the Board; and
- (12) 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 Assistant City Assessor. –**

(a) The Assistant City Assessor must be a citizen of the Philippines, a resident of the City of Bataraza, 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, a first grade civil service eligible or its equivalent and must have acquired at least three (3) years experience in real property assessment work or in any related field immediately preceding the date of the appointment.



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

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

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

**SEC. 32. The City Accountant. –**

(a) The City Accountant must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a certified public accountant and must have acquired at least five (5) years experience in the treasury or accounting service immediately preceding the date of the appointment.

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

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

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

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

(3) Appraise 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 the completeness of requirements;

(6) Prepare statements of cash advances, liquidations, salaries, allowances, 38 reimbursements and remittances pertaining to the City;

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

(8) Post individual disbursements to the subsidiary ledger and index cards;

- (9) Maintain individual ledgers for officials and employees of the City pertaining to payrolls and deductions;
- (10) Record the 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 under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

**SEC. 33. The City Budget Officer. –**

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

(b) The City Budget Officer shall receive such 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 the signature of the City Mayor;
- (2) Review and consolidate the budget proposals of the different departments and offices of the City;
- (3) Assist the City Mayor in the preparation of the annual budget and during and after 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 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. 34. 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 Bataraza, of good moral character, a holder of a college degree preferably in urban planning, development studies, economics, public administration, or in any related course from a recognized college or university, a first grade civil service eligible or its equivalent, and must have acquired at least five (5) years experience in development planning or in any related field immediately preceding the date of the appointment.

(b) The City Planning and Development Officer shall receive such 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 or 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 City as provided under the Local Government Code of 1991, as amended;

(7) Promote citizen's participation in development planning for 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 under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

**SEC. 35. The City Engineer. –**

(a) The City Engineer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a licensed civil engineer, and must have acquired at least five (5) years experience in the practice of profession.

(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, other engineering and public works projects of the City;

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

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

**SEC. 36. The City Health Officer. –**

(a) The City Health Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a licensed medical practitioner, and must have acquired at least five (5) years experience in the practice of profession.

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

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

(1) Supervise the personnel and staff of 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 with the health 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;

(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 such ordinances necessary for the preservation of public health;

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

(vi) Direct the sanitary inspection of all business establishments selling food items or providing accommodation such as hotels, motels, lodging houses, and pension houses, in accordance with to Presidential Decree No. 856, or 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;

(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; and

(5) 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. 37. The City Civil Registrar. –**

(a) The City Civil Registrar must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in civil registry work.

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

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

(d) The City Civil Registrar shall take charge of the office of the city civil registry, and shall:

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

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

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

(ii) File, keep and preserve in a secure place the civil registration records required by law;

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

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

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

(vi) Receive applications for the issuance of a marriage license and, after determining that the requirements and supporting certificates and publication thereof for the prescribed period have been complied with, issue the license upon payment of the authorized fee to the city treasurer; and

(vii) Coordinate with the Philippine Statistics Authority (PSA) in conducting educational campaigns for the registration of vital documents and assist in the preparation of demographic and other statistics for the City of Bataraza.

(3) 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. 38. The City Administrator. –**

(a) The City Administrator must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in public administration, law, or any other related course from a recognized college or university, a first grade civil service eligible or its equivalent, and must have acquired at least five (5) years experience in management and administrative work.

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

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

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

- (1) Develop plans and strategies and upon approval thereof by the City Mayor, implement the same, particularly those which have to do with the management and administration-related 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;
- (2) Assist in the coordination of the work of all the officials of the City under the supervision, direction and control of the City Mayor, and for this purpose, may convene the chiefs of offices and other officials of the local government unit;
- (3) Establish and maintain a sound personnel program for the LGU designed to promote career development and uphold the merit principle in the local government service;
- (4) Conduct a continuing organizational development of the City with the end in view of instituting effective administrative reforms;
- (5) Be in the frontline of the delivery of administrative support services, particularly those related to situations during and in the aftermath of man-made and natural disasters or calamities;
- (6) Recommend to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to the management and administration of the City; and
- (7) 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. 39. The City Legal Officer. –**

(a) The City Legal Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a member of the Philippine Bar, and must have practiced the profession for at least five (5) years.

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

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



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

(1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide legal assistance and support to the City Mayor in the delivery of basic services and provisions of adequate facilities;

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

(3) Represent the City in all civil actions and special proceedings wherein the local government unit or any official thereof, is a party, in their official capacity: Provided, That, in actions or proceedings where the City of Bataraza is a party adverse to the provincial government or to another component city or municipality, a special legal officer may be employed to represent it;

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

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

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

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

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

(9) Review and submit recommendations on ordinances approved and executive 12 orders issued by the City's component units;

(10) Recommend measures to the Sangguniang Panlungsod and advise the City 14 Mayor on all matters related to upholding the rule of law;

(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 and natural disasters or calamities; and

(12) 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. 40. 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 Bataraza, of good moral character, a duly licensed social worker or a holder of a college degree preferably in social work, sociology, or any other related course from a recognized college or university, a first grade civil service eligible or its equivalent, and must have acquired at least five (5) years experience in the practice of social work immediately preceding the date of appointment.

(b) The City Social Welfare and Development Officer shall receive such 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 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 provision of adequate facilities relative to social welfare and development;

(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 which the Sangguniang Panlungsod is empowered to provide for;

(3) Identify the 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 in implementing at the barangay level a 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 and 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 youth welfare program that will enhance the role of youth in nation-building;

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

(9) Be in the frontline of the delivery of services particularly those concerned 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 other matters related to social welfare and development services that 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 under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

**SEC. 41. The City Veterinarian. –**

(a) The City Veterinarian must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a licensed doctor of veterinary medicine and must have practiced the profession for at least three (3) years.

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

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

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

(2) Develop plans and strategies, and upon approval thereof by the City Mayor, implement the same, particularly those which have to do with veterinary-

related activities which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide for:

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

(4) Regulate the keeping of domestic animals;

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

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

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

(8) Be in the frontline of veterinary-related activities, such as during the outbreak of highly contagious and deadly diseases and in situations involving the depletion of animals for work and for human consumption, particularly those arising from and as a result of man-made and natural disasters or 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 under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

**SEC. 42. The City General Services Officer. –**

(a) The City General Services Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree in public administration, business administration or management from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in general services, including management of office supplies, outsourced services, equipment and other properties, solid waste disposal and general sanitation.

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

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

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

(2) Develop plans and strategies, and upon approval thereof by the City Mayor, implement the same, particularly those which have to do 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 for;

(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 or other public officials, who by law, are entitled to the 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) Recommend to the City Mayor reasonable rental rates of private properties which may be leased for the official use of the City;

(7) 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 local government unit;

(8) Collate and disseminate information regarding prices, shipping and other costs of supplies and other items commonly used by the local government unit;

(9) Perform archival and record management with respect to records of offices and departments of the local government unit;

(10) Perform all other functions pertaining to supply and property management heretofore performed by the local government treasurer and enforce policies on records creation, maintenance and disposal;

(11) Be in the frontline of general services-related activities, including 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;

(12) Recommend to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to general services; and

(13) 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. 43. 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 Bataraza, of good moral character, a holder of a college degree preferably in environment, forestry, agriculture or any other related course from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in the environment and natural resources management, conservation and utilization work.

(b) The City Environment and Natural Resources Officer shall receive such 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 Service Department, and shall:

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

(3) Establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts, commercial forests and similar forest projects 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 the aim of preserving ecological balance;

(7) Coordinate with government agencies and nongovernmental 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 (DENR);

(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 measures to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to the protection, conservation, sustainable 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 under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

**SEC. 44. The City Architect. –**

(a) The City Architect must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a duly licensed architect and must have practiced the profession for at least five (5) years.

(b) The City Architect shall receive such 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 provision of adequate facilities relative to architectural planning and design;

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

(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 City Mayor, as the case maybe, the architectural plans and design submitted by governmental and nongovernmental entities or individuals, particularly those for undeveloped, underdeveloped and poorly designed areas;

(5) Coordinate with government and non-government entities and individuals involved in the aesthetics and the maximum utilization of the land and water resources within the jurisdiction of the local government unit, and 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 or calamities;

(7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to architectural planning and design as it relates to the total socio-economic development of the City; and

(8) 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. 45. The City Information Officer. –**

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

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



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

(d) The City Information Officer shall take charge of the Office of the City 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 appropriate information and research data required for the delivery of basic services and provision of adequate facilities so that the public becomes aware of 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 information and research data to support programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide for;

(3) Provide relevant, adequate and timely information to the local government unit and its residents;

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

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

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

(7) Recommend to the Sangguniang Panlungsod and advise the City Mayor on all matters relative to public information and research data 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 under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.

**SEC. 46.     The City Cooperatives Officer. –**

(a) The City Cooperatives Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in business administration with special training on cooperatives or any related course from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience on cooperatives development, organization and management.

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

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

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

(2) Develop plans and strategies, and upon approval thereof by the City Mayor, implement the same, particularly those which have to do with the integration of cooperatives principles and methods in programs 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 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 non-government organizations involved in the promotion of cooperativism as a viable source of livelihood of the people and other community activities;

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

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

(8) 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. 47. The City Population Officer. –**

(a) The City Population Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably with specialized training in population development from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in the implementation of programs on population development or 30 responsible parenthood.

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

(c) The City Population Officer shall take charge of the Office on Population Development, 34 and shall:

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

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

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

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

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

(6) 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. 48. The City Agriculturist. –**

(a) The City Agriculturist must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree in agriculture or any other related course from a recognized college or university, a first grade civil service eligible or its equivalent, and must have practiced the profession in agriculture or acquired at least five (5) years experience in a related field.

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

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

(1) Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out measures to ensure the delivery of basic services and 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 for;

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

(i) Ensure that maximum assistance and access to resources in the production, processing and marketing of agricultural and aquacultural 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 on aquaculture and marine products;

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

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

(4) Be in the frontline of the delivery of basic agricultural services, particularly those needed 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 other matters related to agriculture and aquaculture which will improve the livelihood and living conditions of the City's inhabitants; and

(6) 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. 49. The City Business Permits and Licensing Officer. –**

(a) The City Business Permits and Licensing Officer must be a citizen of the Philippines, a resident of the City of Bataraza, good moral character, a holder of a college degree preferably in business administration or in any related course from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired at least five (5) years experience in management.

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

(c) The City Business Permits and Licensing Officer shall take charge of the Business Permits and Licensing Office, and shall:

(1) Supervise the conduct of spot and post inspection of all business establishments, gaming and other entities requiring permits and licenses for compliance with existing laws and ordinances;

(2) Review the application for permits and licenses and recommend the approval or disapproval to the City Mayor or the latter's authorized representatives; and

(3) Exercise over-all supervision in the City Business Permits and Licensing Office.

**SEC. 50. The City Human Resource Management Officer. –**

(a) The City Human Resource Management Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in human resource, psychology, and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least five (5) years in organization design and strategic workforce planning, recruitment and staffing, performance management, compensation and benefits, and training and development traffic management immediately preceding the date of appointment.

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

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

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

(2) Ensure that the recruitment, selection and placement of the City Government's 9 officers and personnel is based on merit and fitness;

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

(4) Develop and implement heads and staff development programs that support the City Government's organizational succession plans;

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

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

**SEC. 51. The City Public Order and Safety Officer. –**

(a) The City Public Order and Safety Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in engineering, public administration, and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least five (5) years in traffic management and road safety preceding the date of appointment.

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

The City Public Order and Safety Officer shall take charge of the City Public Order and Safety Office, and shall:

(1) Establish and maintain a system to monitor peace and order and other public safety concerns in the City, and report the status thereof to the City Mayor;

(2) Formulate plans, programs and activities to maintain and enhance public safety and recommend the same to the City Mayor, and if warranted, to the Sangguniang Panlungsod;

(3) Coordinate with, and assist national and local law enforcement agencies, including concerned offices of the city and barangay governments on the proper implementation of laws and ordinances, including extending assistance, as auxiliary unit, in the conduct of public safety services;

(4) Secure facilities owned by the City and provide civil security assistance to ensure safety of the officers and employees of the City;

(5) Provide security coverage for activities and other sanctioned events of the City;

(6) Undertake advocacy activities to raise community awareness on specific issues affecting public order and safety as well as engage in specific activities intended to promote public order and safety, and disaster resiliency, and

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

**SEC. 52. The City Disaster Risk Reduction and Management Officer. –**

(a) The City Disaster Risk Reduction and Management Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in engineering, public administration and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least five (5) years in disaster preparedness, risk reduction and management, emergency response, and incident command system preceding the date of appointment.

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

The City Disaster Risk Reduction and Management Officer shall take charge of the City Disaster Risk Reduction and Management Office, and shall:

(1) Set the direction, development, implementation and coordination of disaster risk reduction and management programs within the City;

- (2) Consolidate local disaster risk information which includes natural hazards, vulnerabilities, and climate change risk, and maintain a local risk map;
- (3) Organize and conduct training, orientation, and knowledge management activities on disaster risk reduction and management at the local level;
- (4) Formulate and implement a comprehensive and integral local disaster risk reduction and management plan in accordance with the national, regional and provincial framework, in coordination with the local development councils, and upon approval thereof by the City Mayor and Sangguniang Panlungsod, implement the same;
- (5) Be in the frontline of disaster preparedness and management, particularly during and in the aftermath of man-made and natural disasters, to aid in the survival and if necessary, subsequent rehabilitation of affected individuals and communities;
- (6) Be in the frontline on the delivery of quick response and services, particularly those related to situations during and in the aftermath of man-made and natural disasters and calamities; and
- (7) Perform such other duties and functions, and exercise such other powers as may be prescribed by law or ordinance;

**SEC. 53. The City Enterprise and Economic Affairs Officer. –**

(a) The City Enterprise and Economic Affairs Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in business administration and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least five (5) years in enterprise and cooperative management and investment promotions.

(b) The City Enterprise and Economic Affairs Officers shall receive compensation, emoluments and allowances as may be determined by law.

(c) The City Enterprise and Economic Officer Affairs officer shall take charge of the City Enterprise and Economic Affairs Office, and shall:

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



(2) Develop plans and strategies towards the improvement of economic enterprise and upon recommendation thereof by the City Mayor, implement the same, particularly those which have to do with the integration of business promotion and cooperative principles and methods and programs and projects, which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide for;

(3) Be in the frontline of enterprise development, particularly during and in the aftermath of man-made and natural calamities and disasters, to aid in their survival and if, necessary, subsequent rehabilitation;

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

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

**SEC. 54. The City Youth Affairs Officer. —**

(a) The City Youth Affairs Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in community development, public administration and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least three (3) years in the implementation of programs for youth leadership, and sports development preceding the date of appointment.

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

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

(1) Develop plans and strategies, and upon the approval thereof by the City Mayor, implement the same, particularly those which have to do with youth and sports programs and projects which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide for; and

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

**SEC. 55. The City Nutrition Officer. —**

(a) The City Nutrition Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a registered Nutritionist-Dietitian pursuant to Republic Act No. 10862 otherwise known as the Nutrition and Dietetics Law, and must have acquired experience for at least three (3) years in the implementation of programs on nutrition and dietetics development preceding the date of appointment.

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

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

(1) Lead the efforts of the City government in addressing malnutrition concerns;

(2) Recommend in the policy and program formulation and coordination, capacity development, promotion of good nutrition, nutrition surveillance, resource generation and mobilization, advocacy and partnership and alliance building; and

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

**SEC. 56. The City Public Employment and Service Officer. –**

(a) The City Public Employment and Service Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in psychology, business administration and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least three (3) years in the implementation of programs on employment generation and development preceding the date of appointment.

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

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

(1) Ensure prompt and efficient delivery of employment facilitation services as well as to provide timely information on the labor market and Department of Labor and Employment (DOLE) Programs;

(2) Be in the frontline of the delivery of core services, which include labor market information dissemination, referral and placement, employment coaching and career counselling;

(3) Lead the implementation of programs like Special Program for the Employment of 32 Students (SPES) , Job Fairs, Philjobnet / PESO Employment Information System (PEIS), National Skills Registry Program (NSRP), DOLE Government Internship Program (DOLE-GIP), Tulong Pangkabuhayan para sa Ating Disadvantaged Workers (TUPAD), DOLE Integrated Livelihood and Emergency Employment Program (DILLEP; and

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

**SEC. 57. The City Community and Barangay Affairs Officer. –**

(a) The City Community and Barangay Affairs Officer must be a citizen of the Philippines, a resident of the City of Bataraza, of good moral character, a holder of a college degree preferably in community development, public administration and other related course obtained from a recognized college or university, a first grade civil service eligible or its equivalent and must have acquired experience for at least three (3) years in the implementation of programs on community affairs, sectoral mobilization and community-based organizations, and barangay coordination preceding the date of appointment.

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

The City Community and Barangay Affairs Officer shall take charge of the City Community 7 and Barangay Affairs Office, and shall:

(1) Design and implement special projects for purposes of developing, strengthening and maintaining linkages with the various local organizations, including the urban poor, community-based organizations, civic groups nongovernment organizations and the local government;

(2) Lead in the implementation of special projects to empower, recognize and strengthen relations with barangay officials and volunteer workers;

(3) Coordinate and supervise different community programs of activities to respond to the needs of the barangay and residents in communities; and

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

**ARTICLE VIII 19**

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

**SEC. 58. The City Fire Station Service. –**

(a) There shall be established in the City of Bataraza 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 (DILG). The City shall provide the appropriate site for the City Fire Station;

(b) The City Fire Station Service shall be headed by a City Fire Marshal whose qualifications shall be as those provided 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"; and

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

**SEC. 59. The City Jail Service. –**

(a) At least five (5) months from the commencement of the corporate existence of the City, the DILG shall establish and maintain a secured, clean, adequately equipped and sanitary jail facility for the custody and safekeeping of prisoners, any fugitive from justice, or person detained awaiting investigation or trial or transfer to the national penitentiary, or a violent mentally ill person who may endanger oneself or the safety of others as duly certified by the proper medical health officer, prior to the transfer of such person to a mental institution.

(b) The City Jail Service shall be headed by a city jail warden 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".

The Provincial Jail Warden shall assist in the immediate rehabilitation of individuals or detention of prisoners. Great care must be exercised so that human rights of these prisoners are respected and protected, and their spiritual and physical well-being are properly and promptly attended to.

**SEC. 60. The City Schools Division. –**

The Department of Education (DepEd) shall establish and maintain a city schools division of the City of Bataraza whose area of jurisdiction will cover all the school districts within the City.

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

**SEC. 61. The City Prosecution Service. –**

(a) The Department of Justice (DOJ) shall, within two (2) months from the commencement of the corporate existence of the city, establish and maintain a prosecution service in the City of Bataraza. It shall be headed by a city prosecutor, who shall be assisted by such number of assistant prosecutors as may be necessary, and whose qualifications, manner of appointment, rank, salary and benefits shall be governed by existing laws covering prosecutors in the DOJ. The City Prosecution Service shall be organizationally part of the DOJ, and under the supervision and control of the Secretary of the DOJ.

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

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

## **ARTICLE IX TRANSITORY AND FINAL PROVISIONS**

**SEC. 62. Municipal Ordinances Existing at the Time of the Approval of this Act.** – All municipal ordinances of the Municipality of Bataraza existing at the time of the approval of this Act shall continue to be in force within the City of Bataraza until the Sangguniang Panlungsod shall provide otherwise.

**SEC. 63. Plebiscite.** – The City of Bataraza shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by the qualified voters in a plebiscite to be conducted in the present Municipality of Bataraza within ninety (90) days from the approval of this Act.

The Commission on Elections (COMELEC) shall conduct and supervise such plebiscite. The expenses for such plebiscite shall be borne by the Municipality of Bataraza.

**SEC. 64. Officials of the City of Bataraza.** – The present elective officials of the Municipality of Bataraza shall continue to exercise their powers and functions until such time that a new election is held and the duly-elected officials shall have already qualified and assumed their offices. Appointive officials and employees of the Municipality of Bataraza shall likewise continue exercising their functions and duties and they shall automatically be absorbed by the city government of the City of Bataraza.

**SEC. 65. Succession Clause.** – The City of Bataraza shall succeed to all the assets, properties, liabilities and obligations of the Municipality of Bataraza.

**SEC. 66. Election of Provincial Governor and Sangguniang Panlalawigan Members of the Province of Palawan.** – The qualified voters of the City of Bataraza shall be qualified to vote 17 and run for any elective position in the elections for provincial governor, provincial vice governor, 18 Sangguniang Panlalawigan members and other elective offices for the Province of Palawan.

**SEC. 67. Jurisdiction of the Province of Palawan.** – The City of Bataraza shall, unless otherwise provided by law, continue to be under the jurisdiction of the Province of Palawan.

**SEC. 68. Suspension of Increase in Rates of Local Taxes.** – No increase in the rates of local taxes shall be imposed by the City within the period of five (5) years from its acquisition of 23 corporate existence.

**SEC. 69. Legislative District.** – Until otherwise provided by law, the City of Bataraza shall 25 continue to be a part of the Second Legislative District of the Province of Palawan.

**SEC. 70. Applicability of Laws.** – The provisions of the Local Government Code of 1991, as amended, and such other laws as are applicable to component cities shall govern the City of Bataraza insofar as they are not inconsistent with the provisions of this Act.

**SEC. 71. Separability Clause.** – If, for any reason or reasons, any part or provision of this charter shall be held unconstitutional, invalid or inconsistent with the Local Government Code of 31 1991, as amended, the other parts or provisions hereof which are not affected shall continue to be in full force and effect.

**SEC. 72. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,