

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 FEB 27 P2 :26

SENATE
S. B. No. 1926

RECEIVED BY:

Introduced by **SENATOR IMEE R. MARCOS**

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

EXPLANATORY NOTE

The Municipality of Liloan is part of Metropolitan Cebu and is a first-class municipality consisting of fourteen (14) barangays and two hundred thirty-seven (237) puroks with a total land area of 5,210 hectares. According to the Philippine Statistics Authority, as of 2020, Liloan is home to 153,197 residents.

Liloan is where one of the best landmarks in the Province of Cebu are situated, the historic lighthouse called the Bagacay Point Light way back to the Spanish colonial times as well as other scenic and historical tourist destinations. Among the significant developments around Liloan are the construction of Asturia-Danao-Liloan Bypass and Diversion Road, the 73-kilometer Metro Cebu Expressway and the Pier 88 Development Project.

In 2019, the Municipality of Liloan bagged the award as the Top Model Municipality in the Philippines, Model Municipality in Education, Care for the Elderly, Revenue Generation and Business Friendliness by the Manila Times. Hence, this conversion.

This bill seeks to convert the Municipality of Liloan in the Province of Cebu into a component city. This will also provide economic opportunities and will ultimately improve the quality of life of the people in Liloan.

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

IMEE R. MARCOS

23 FEB 27 P2:27

SENATE
S. B. No. 1926

RECEIVED BY: 

Introduced by **SENATOR IMEE R. MARCOS**

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

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

**ARTICLE I
GENERAL PROVISIONS**

1
2
3
4 **SECTION 1.** Short Title. – This Act shall be known as the "Charter of the City of
5 Liloan".
6

7 **SEC. 2.** The City of Liloan. – The Municipality of Liloan shall be converted into a
8 component city to be known as the City of Liloan, hereinafter referred to as the City,
9 which shall comprise the present territory of the Municipality of Liloan, Province of
10 Cebu. The territorial jurisdiction of the City shall be within the present metes and
11 bounds of the Municipality of Liloan.
12

13 The foregoing provision shall be without prejudice to the resolution by the
14 appropriate agency or forum of existing boundary disputes or cases involving
15 questions of territorial jurisdiction between the City of Liloan and the adjoining local
16 government units: Provided, That, the territorial jurisdiction of the disputed area or
17 areas shall remain with the local government unit, which has existing administrative
18 supervision over said area or areas until the final resolution of the case.
19

20 **SEC. 3.** Corporate Powers of the City. – The City constitutes a political body
21 corporate and as such is endowed with the attributes of perpetual succession and
22 possessed of the powers which pertain to a municipal corporation to be exercised in
23 conformity with the provision of this Charter. The City shall have the following
24 corporate powers:
25

(a) To have a continuous succession in its corporate name;

- 1 (b) To sue and be sued;
- 2 (c) To have and use a corporate seal;
- 3 (d) To acquire, hold and convey real or personal property;
- 4 (e) To enter into any contract and/or agreement; and
- 5 (f) To exercise such other powers, prerogatives or authority subject to the
- 6 limitations provided in this Act or laws.

7
8 **SEC. 4. General Powers.** – The City shall have a common seal and may alter its
9 existing corporate seal: Provided, That any change of corporate seal shall be
10 registered with the Department of the Interior and Local Government (DILG). It shall
11 exercise the powers to levy taxes; to close and open roads, streets, alleys, parks or
12 squares; to take, purchase, receive, hold, lease, convey and dispose of real and
13 personal property for the general interests of the City; to expropriate or condemn
14 private property for public use; to contract and be contracted with; to sue and be
15 sued; to prosecute and defend to final judgment and execution suits wherein the City
16 is involved or interested in; and to exercise all the powers as are granted to
17 corporations or as hereinafter conferred.

18
19 **SEC. 5. Liability for Damages.** – The City and its officials shall not be exempt
20 from liability for death or injury to persons or damage to property.

21
22 **SEC. 6. Jurisdiction of the City.** – The jurisdiction of the City of Liloan, for police
23 purposes only, shall be coextensive with its territorial jurisdiction and shall extend to
24 3 miles from the shores of the city, and for the purpose of protecting and ensuring
25 the purity of the water supply of the City, such police jurisdiction shall also extend
26 over all the territory within the drainage area of such water supply, or within one
27 hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station
28 used in connection with the city water service.

29
30 The city court of the City of Liloan shall have concurrent jurisdiction with the city
31 or municipal court of the adjoining municipalities or cities, to try crimes and
32 misdemeanors committed within said drainage area or within said spaces of one
33 hundred meters (100 m.).

34
35 The court first taking cognizance of such an offense shall have jurisdiction to try
36 said cases to the exclusion of others. The police force of several municipalities and
37 cities concerned shall have concurrent jurisdiction with the police of the City for the
38 maintenance of good order and the enforcement of ordinances throughout said zone,
39 area or spaces. But any license that may be issued within said zone, area or spaces
40 shall be granted by the proper authorities of the city or municipality concerned, and
41 the fees arising therefrom shall accrue to the treasury of the said city or municipality
42 concerned and not to the city.

43
44 **ARTICLE II**
45 **CITY OFFICIALS IN GENERAL**

46 **SEC. 7. The Officials of the City of Liloan.** –

- 1
2 (a) There shall be in the City of Liloan: a City Mayor, a City Vice Mayor, Sangguniang
3 Panlungsod Members, a Secretary to the Sangguniang Panlungsod, a City
4 Treasurer and an Assistant City Treasurer, a City Assessor and an Assistant City
5 Assessor, a City Accountant, a City Budget Officer, a City Planning and
6 Development Officer, a City Engineer, a City Health Officer, a City Civil Registrar,
7 a City Administrator, a City Legal Officer, a City Social Welfare and Development
8 Officer, a City Veterinarian, a City Cooperatives Officer, a City Building Officer, a
9 City General Services Officer and a Human Resource Management and
10 Development Officer.
- 11 (b) In addition, thereto, the city mayor may appoint a City Environment and Natural
12 Resources Officer, a City Architect, a City Information Officer, a City Population
13 Officer and a City Agriculturist.
- 14 (c) There shall be established in the City, a city fire station to be headed by a City
15 Fire Marshal, a city jail to be headed by a City Jail Warden, a city schools division
16 to be headed by a City Schools Division Superintendent and a City Prosecution
17 Service to be headed by a City Prosecutor.
- 18 (d) The Sangguniang Panlungsod of the City of Liloan may:
- 19 (1) Maintain existing offices not mentioned in subsections (a), (b) and (c)
20 hereof;
- 21 (2) Create such other offices as may be necessary to carry out the
22 purposes of the City; or
- 23 (3) Consolidate the functions of any office with those of another in the
24 interest of efficiency and economy.
- 25 (e) Unless otherwise provided herein, heads of departments and offices shall be
26 appointed by the city mayor with the concurrence of the majority of all the
27 members of the sangguniang panlungsod, subject to civil service law, rules and
28 regulations. The sangguniang panlungsod shall act on the appointment within
29 fifteen (15) days from the day of its submission, otherwise the same shall be
30 deemed confirmed.

31 **ARTICLE III**
32 **THE CITY MAYOR AND CITY VICE MAYOR**

33 **SEC. 8. The City Mayor. –**

- 34
35 (a) The city mayor shall be the chief executive of the City. He shall be elected at large
36 by the qualified voters of the City. No person shall be eligible for the position of
37 city mayor unless at the time of the election, he is at least twenty-one (21) years
38 of age, an actual resident of the City for at least one (1) year prior to his election,
39 and a qualified voter therein. He shall hold office for three years, unless sooner
40 removed, and shall receive a minimum monthly compensation corresponding to
41 Salary Grade Thirty (30) as prescribed under Republic Act No. 6758, otherwise
42 known as the Salary Standardization Law, and the implementing guidelines issued

1 pursuant thereto. The city mayor, as the chief executive of the city government,
2 shall exercise such powers and perform such duties and functions as provided
3 herein.
4

5 (b) For efficient, effective and economical governance, the purpose of which is the
6 general welfare of the City and its inhabitants, the city mayor shall:

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

- 11 (i) Determine the guidelines of city policies and be responsible to the
12 sangguniang panlungsod for the program of government;
- 13 (ii) Direct the formulation of the city development plan, with the assistance
14 of the city development council, and upon approval thereof by the
15 sangguniang panlungsod, implement the same;
- 16 (iii) Present the program of government and propose policies and projects
17 for the consideration of the sangguniang panlungsod at the opening of
18 the regular session of the sangguniang panlungsod every calendar year
19 and as often as may be deemed necessary as the general welfare of the
20 inhabitants and the needs of the city government may require;
- 21 (iv) Initiate and propose legislative measures to the sangguniang
22 panlungsod and as often as may be deemed necessary, provide such
23 information and data needed or requested by said sanggunian in the
24 performance of its legislative functions;
- 25 (v) Appoint all officials and employees whose appointments are not
26 otherwise provided for in this Act, as well as those he may be authorized
27 by law to appoint;
- 28 (vi) Represent the City in all its business transactions and sign on its behalf
29 all bonds, contracts and obligations, and such other documents upon
30 authority of the sangguniang panlungsod or pursuant to law or ordinance;
- 31 (vii) Carry out such emergency measures as may be necessary during and in
32 the aftermath of man-made and natural disasters and calamities;
- 33 (viii) Determine the time, manner and place of payment of salaries or
34 wages of the officials and employees of the City, in accordance with law
35 or ordinance;
- 36 (ix) Allocate and assign office space to the City and other officials and
37 employees who, by law or ordinance, are entitled to such space in the city
38 hall and other buildings owned or leased by the city government;

- 1 (x) Ensure that all executive officials and employees of the City faithfully
2 discharge their duties and functions as provided for by law and the Local
3 Government Code of 1991, and cause to be instituted administrative or
4 judicial proceedings against any official or employee of the City who may
5 have committed an offense in the performance of his official duties;
- 6 (xi) Examine the books, records and other documents of all offices, officials,
7 agents or employees of the City and, in aid of his executive powers and
8 authority, require all national officials and employees stationed in or
9 assigned to the City to make available to him such books, records and
10 other documents in their custody except those classified by law as
11 confidential;
- 12 (xii) Furnish copies of executive orders issued by him to the Office of the
13 President and the Office of the Secretary of the Department of the Interior
14 and Local Government (DILG) within seventy-two (72) hours after their
15 issuance;
- 16 (xiii) Visit component barangays of the City at least once every six (6)
17 months to deepen his understanding of problems and conditions, listen
18 and give appropriate counsel to local officials and inhabitants of general
19 laws and ordinances which especially concern them, and otherwise
20 conduct visits and inspections to ensure that the governance of the City
21 will improve the quality of life of the inhabitants;
- 22 (xiv) Act on leave applications of officials and employees appointed by
23 him and the commutation of the monetary value of their leave credits in
24 accordance with law;
- 25 (xv) Authorize official trips of city officials and employees outside of the City
26 for a period not exceeding thirty (30) days: Provided, That the trips abroad
27 or for a longer period may be authorized in accordance with the Local
28 Government Code of 1991;
- 29 (xvi) Call upon any national official or employee stationed in or
30 assigned to the City to advise him on matters affecting the City and to
31 make recommendations thereon; coordinate with said officials and
32 employees in the formulation and implementation of plans, programs and
33 projects; and, when appropriate, initiate an administrative or judicial
34 action against a national government official or employee who may have
35 committed an offense in the performance of his official duties while
36 stationed in or assigned to the City;
- 37 (xvii) Authorize payment for medical care, necessary transportation,
38 subsistence, hospital or medical fees of city officials and employees who
39 are injured while in the performance of their official duties and functions,
40 subject to the availability of funds;

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

3 (xix) Conduct an annual palarong panlungsod, which shall feature
4 traditional sports and disciplines included in national and international
5 games, in coordination with the Department of Education (DepEd), the
6 Commission on Higher Education (CHED) or the Philippine Sports
7 Commission; and

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

15 (2) Enforce all laws and ordinances relative to the governance of the City
16 and in the exercise of its appropriate corporate powers provided for under the
17 Local Government Code of 1991, as amended, as well as implement all approved
18 policies, programs, projects, services and activities of the City; and shall:

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

22 (ii) Call conventions, conferences, seminars or meetings of elective or
23 appointive officials of the City, including national officials and employees
24 stationed in or assigned to the City, at such time and

25 place and on such subject as he may deem important for the promotion of
26 the general welfare of the local government unit and its inhabitants;

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

29 (iv) Be entitled to carry the necessary firearms within his territorial
30 jurisdiction;

31 (v) Act as the deputized representative of the National Police Commission,
32 formulate the peace and order plan of the City and upon its approval,
33 implement the same; and as such exercise the general and operational
34 control and supervision over the police forces in the City in accordance
35 with Republic Act No. 6975, otherwise known as the "Department of the
36 Interior and Local Government Act of 1990"; and

37 (vi) Call upon the appropriate law enforcement agencies to suppress
38 disorder, riot, lawless violence, rebellion or sedition, or apprehend

1 violators of the law when public interest so requires and the city police
2 forces are inadequate to cope with the situation or the violators.

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

7 (i) Require each head of an office or department to prepare and submit an
8 estimate of appropriations for the ensuing calendar year, in accordance
9 with the budget preparation process enshrined under Republic Act No.
10 7160, otherwise known as the Local Government Code of 1991;

11 (ii) Prepare and submit to the sanggunian for approval the executive and
12 supplemental budgets of the City for the ensuing calendar year in the
13 manner provided for under the Local Government Code of 1991;

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

17 Page 9 of 56

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

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

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

31 (vii) Adopt adequate measures to safeguard and conserve land,
32 mineral, forest and other resources of the City;

33 (viii) Provide efficient and effective property and supply management
34 in the City and protect the funds, credits, rights and other properties of the
35 City; and

36 (ix) Institute or cause to be instituted administrative or judicial
37 proceedings for violation of ordinances in the collection of taxes, fees or
38 charges, and for the recovery of funds and property; and cause the City to

1 be defended against all suits to ensure that its interests, resources and
2 rights shall be adequately protected.

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

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

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

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

14 (c) During his incumbency, the city mayor shall hold office in the city hall.

15 **SEC. 9.** The City Vice Mayor. – There shall be a city vice mayor who shall be
16 elected in the same manner as the city mayor and shall, at the time of his election,
17 possess the same qualifications, as the city mayor. He shall hold office for three years,
18 unless sooner removed, and shall receive a monthly compensation corresponding to
19 Salary Grade Twenty-six (26) as prescribed under the Salary Standardization Law and
20 the implementing guidelines issued pursuant thereto. The city vice mayor shall:

21 (a) Be the presiding officer of the sangguniang panlungsod and sign all
22 warrants drawn on the city treasury for all expenditures appropriated for the
23 operation of the sangguniang panlungsod;

24 (b) Subject to civil service law, rules and regulations, appoint all officials and
25 employees of the sangguniang panlungsod, except those whose manner of
26 appointment is specifically provided for under the Local Government Code of
27 1991, as amended;

28 (c) Assume the office of the city mayor for the unexpired term of the latter
29 in the event of permanent vacancy as provided for under the Local Government
30 Code of 1991, as amended;

31 (d) Exercise the powers and perform the duties and functions of the city
32 mayor in case of temporary vacancy as provided for under the Local Government
33 Code of 1991, as amended; and

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

37 **ARTICLE IV**

1 **THE SANGGUNIANG PANLUNGSOD**

2
3 **SEC. 10.** The Sangguniang Panlungsod. –

4 (a) The sangguniang panlungsod, the legislative body of the City, shall be
5 composed of the city vice mayor as the presiding officer, the ten (10)
6 regular sanggimian member, the president of the city chapter of the liga
7 ng mga barangay, the president of the panlungsod na pederasyon ng mga
8 sangguniang kabataan ang the three (3) sectoral representatives, as
9 members, who shall come from the following sectors: one (1) from the
10 women sector; and, as shall be determined by the sangguniang
11 panlungsod within ninety (90) days prior to the holding of the local
12 elections, one (1) from the agricultural or industrial workers sector; and
13 one (1) from the other sectors, including urban poor, indigenous cultural
14 communities or disabled persons.

15
16 (b) The regular members of the sangguniang panlungsod and sectoral
17 representatives shall be elected in the manner as may be provided by law.
18

19 (c) The members of the sangguniang panlungsod of the City of Liloan shall
20 receive a minimum monthly compensation corresponding to Salary Grade
21 Twenty-five (25) as prescribed under the Salary Standardization Law and
22 the implementing guidelines issued pursuant thereto.
23

24 **SEC. 11.** Powers, Duties, Functions and Compensation. –

25 (a) The sangguniang panlungsod, as the legislative body of the City, shall enact
26 ordinances, approve resolutions and appropriate funds for the general welfare of the
27 City and its inhabitants pursuant to Section 16 of the Local Government Code and in
28 the proper exercise of the corporate powers of the City as provided for under Section
29 22 of the Local Government Code of 1991, and shall:

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

32 (i) Review all ordinances approved by the sangguniang barangay and
33 executive orders issued by the punong barangay to determine whether
34 these are within the scope of the prescribed powers of the sanggunian and
35 of the punong barangay;

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

39 (iii) Approve ordinances imposing a fine not exceeding Five thousand
40 pesos (P5,000.00) or an imprisonment for a period not exceeding one (1)
41 year, or both, at the discretion of the court, for violation of a city ordinance;

1 (iv) Adopt measures to protect the inhabitants of the City from the
2 harmful effects of man-made or natural disasters and calamities and to
3 provide relief services and assistance for victims during and in the
4 aftermath of said disasters or calamities and in their return to productive
5 livelihood following said events;

6 (v) Enact ordinances intended to prevent, suppress and impose appropriate
7 penalties for habitual drunkenness in public places, vagrancy, mendicancy,
8 prostitution, the establishment and maintenance of houses of ill-repute,
9 gambling and other prohibited games of chance, fraudulent devices and
10 ways to obtain money or property, drug addiction, maintenance of drug
11 dens, drug pushing, juvenile delinquency, the printing, distribution or
12 exhibition of obscene or pornographic materials or publications, and such
13 other activities inimical to the welfare and morals of the inhabitants of the
14 City;

15 (vi) Protect the environment. To this end, it may set aside at least ten
16 percent (10%) of its development funds for the purpose of maintaining and
17 enhancing ecological balance of the City. It may also impose appropriate
18 penalties for acts which endanger the environment, such as dynamite
19 fishing and other forms of destructive fishing, illegal logging, smuggling of
20 logs, smuggling of natural resources products and of endangered species
21 of flora and fauna, slash-and-burn farming and such other activities which
22 result in pollution, acceleration of eutrophication of rivers and lakes or of
23 ecological imbalance;

24 (vii) Subject to the provision of the Local Government Code and
25 pertinent laws, determine the powers and duties of officials and employees
26 of the City;

27 (viii) Consistent with the Salary Standardization Law, determine the
28 positions and the salaries, wages, allowances and other emoluments and
29 benefits of officials and employees paid wholly or mainly from city funds
30 and provide for expenditures necessary for the proper conduct of programs,
31 projects, services and activities of the city government;

32 (ix) Authorize the payment of compensation to a qualified person not
33 in the government service who fills up a temporary vacancy in a concurrent
34 capacity at the rate authorized by law;

35 (x) Provide a mechanism and the appropriate funds therefor, to ensure the
36 safety and protection of all city government property, public documents or
37 records such as those relating to property inventory, land ownership, record
38 of births, marriages, deaths, assessments, taxation, accounts, business
39 permits and such other records and documents of public interest in the
40 offices and departments of the city government;

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

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

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

13 (2) Generate and maximize the use of resources and revenues for the
14 development plans, program objectives and priorities of the City, with particular
15 attention to agro-industrial development and citywide growth and progress:

16 (i) Approve the annual and supplemental budgets of the city government
17 and appropriate funds for specific programs, projects, services and
18 activities of the City, or for other purposes not contrary to law, in order to
19 promote the general welfare of the City and its inhabitants;

20 (ii) Subject to the provisions of Book II of the Local Government Code and
21 the applicable laws, and upon the majority vote of all the members of the
22 sangguniang panlungsod, enact ordinances levying taxes, fees and
23 charges, prescribing the rates thereof for general and specific purposes,
24 and granting tax exemption, incentive or relief;

25 (iii) Subject to the provisions of Book II of the Local Government Code
26 and upon the majority vote of all the members of the sangguniang
27 panlungsod, authorize the city mayor to negotiate and contract loans and
28 other forms of indebtedness. The application for loans or other forms of
29 indebtedness and the terms and conditions thereof shall, before approval,
30 be published in a newspaper of general circulation in the City. Once
31 approved, the contract covering the loans or other forms of indebtedness
32 shall be furnished to any city resident requesting a copy thereof, upon
33 payment of reasonable fees;

34 (iv) Subject to the provisions of Book II of the Local Government Code
35 and applicable laws, and upon the majority vote of all the members of the
36 sangguniang panlungsod, enact ordinances authorizing the floating of
37 bonds or other instruments of indebtedness, for the purpose of raising
38 funds to finance development projects. The authorization to float bonds
39 and other instruments of indebtedness shall be published in a newspaper

1 of general circulation in the City. Once approved, the contract covering the
2 floating of bonds or other instruments of indebtedness shall be furnished
3 to any city resident requesting a copy thereof upon payment of reasonable
4 fees;

5 (v) Appropriate fluids for the construction and maintenance or the
6 rental of buildings for the use of the City and, upon the majority vote of all
7 the members of the sangguniang panlungsod, authorize the city mayor to
8 lease to private parties such public buildings held in a proprietary capacity,
9 subject to existing laws, rules and regulations;

10 (vi) Prescribe reasonable limits and restraints on the use of property
11 within the jurisdiction of the City; to undertake and carry out the
12 reclamation of submerged land from the sea adjoining the city limits at the
13 expense of the city, the area thus reclaimed to belong exclusively to the
14 city, or to cause to be undertaken by private contractors such reclamation
15 work on terms and conditions approved by the City Council and the City
16 Mayor;

17 (vii) Adopt a comprehensive land-use plan for the City and that the
18 formulation, adoption or modification of said plan shall be in coordination
19 within the approved provincial comprehensive land- use plan;

20 (viii) Reclassify lands within the jurisdiction of the City, subject to the
21 pertinent provisions of the Local Government Code;

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

28 (x) Subject to national law, process and approve subdivision plans for
29 residential, commercial or industrial purposes and other development
30 purposes, and to collect processing fees and other charges, the proceeds
31 of which shall accrue entirely to the City: Provided, however. That where
32 approval of a national-agency or office is required, said approval shall not
33 be withheld for more than thirty (30) days from receipt of the application.
34 Failure to act on the application within the period stated above shall be
35 deemed as approval thereof;

36 (xi) With the concurrence of at least two-thirds (2/3) of all the
37 members of the sangguniang panlungsod, grant tax exemptions, incentives
38 or reliefs to entities engaged in community growth-inducing industries,
39 subject to the provisions of the Local Government Code;

1 (xii) Grant loans or provide grants to other local government units or
2 to national, provincial and city charitable, benevolent or educational

3 institutions: Provided. That said institutions are operated and maintained
4 within the City;

5 (xiii) Regulate the numbering of residential, commercial and other
6 buildings; and

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

9 (3) Subject to the provisions of Book II of the Local Government Code of
10 1991, enact ordinances granting franchises and authorizing the issuance of
11 permits or licenses, upon such conditions and for such purposes intended to
12 promote the general welfare of the inhabitants of the City and, pursuant to this
13 legislative authority, shall:

14 (i) Fix and impose reasonable fees and charges for all services rendered by
15 the city government to private persons or entities;

16 (ii) Regulate or fix license fees for any business or practice of profession
17 within the City and the conditions under which the license for said business
18 or practice of profession may be revoked and enact ordinances levying
19 taxes thereon;

20 (iii) Provide for and set the terms and conditions under which public
21 utilities owned by the City shall be operated by the city government, and
22 prescribe the conditions under which the same may be leased to private
23 persons or entities, preferably cooperatives;

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

27 (v) Any law to the contrary notwithstanding, authorize and license the
28 establishment, operation and maintenance of cockpits, and regulate
29 cockfighting and commercial breeding of gamecocks: Provided, That
30 existing rights should not be prejudiced;

31 (vi) Subject to the guidelines prescribed by the Department of
32 Transportation, regulate the operation of tricycles and grant franchises for
33 the operation thereof within the territorial jurisdiction of the City; and

34 (vii) Upon approval by a majority vote of all the members of the
35 sangguniang panlungsod, grant a franchise to any person, partnership,
36 corporation or cooperative to do business within the City; establish,
37 construct, operate and maintain ferries, wharves. markets or
38 slaughterhouses; or undertake such other activities within the City as may

1 be allowed by existing laws: Provided, That cooperatives shall be given
2 preference in the grant of such franchise.

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

6 (i) Declare, prevent or abate any nuisance;

7 (ii) With the concurrence of a majority of the members of the sangguniang
8 panlungsod, a quorum being present, deny the entry of legalized gambling
9 by ordinance into any part of the City or regulate its location in the City;

10 (hi) Require that buildings and the premises thereof and any land within
11 the City be kept and maintained in a sanitary condition; impose penalties
12 for any violation thereof; or, upon failure to comply with said requirement,
13 have the work done at the expense of the owner, administrator or tenant
14 concerned; or require the filling up of any lands or premises to a grade
15 necessary for proper sanitation;

16 (iv) Regulate the disposal of clinical and other wastes from hospitals,
17 clinics and other similar establishments;

18 (v) Regulate the establishment, operation and maintenance of cafes,
19 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging
20 houses and other similar establishments, including tourist guides and
21 transports;

22 (vi) Regulate the sale, giving away or dispensing of any intoxicating
23 malt, vino, mixed or fermented liquors at any retail outlets;

24 (vii) Regulate the establishment and provide for the inspection of
25 steam boilers or any heating device in buildings and the storage of
26 inflammable and highly combustible materials within the City;

27 (viii) Regulate the establishment, operation and maintenance of any
28 entertainment or amusement facilities, including the theatrical
29 performances, circuses, billiard-pools, public dancing schools; public dance
30 halls, sauna baths, massage parlors and other places for entertainment or
31 amusement; regulate such other events or activities for amusement or
32 entertainment, particularly those which tend to disturb the community or
33 annoy the inhabitants, or require the suspension or suppression of the
34 same; or prohibit certain forms of amusement or entertainment in order to
35 protect the social and moral welfare of the community;

36 (ix) Provide for the impounding of stray animals; regulate the keeping
37 of animals in homes or as part of a business, and the slaughter, sale or

1 disposition of the same; and adopt measures to prevent and penalize
2 cruelty to animals; and

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

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

9 (i) Provide for the establishment, maintenance, protection and conservation
10 of tree parks and greenbelts;

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

15 (iii) Authorize the establishment, maintenance and operation by the
16 city government of ferries, wharves, and/or other structures intended to
17 accelerate productivity related to marine life in the preservation thereof;

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

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

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

34 (vii) Subject to existing laws, establish and provide for the
35 maintenance, repair and operation of an efficient waterworks system to
36 supply water for the inhabitants and to purify the source of the water
37 supply; regulate the construction, maintenance, repair and use of hydrants,
38 pumps, cisterns and reservoirs; protect the purity and quantity of the water
39 supply of the City and, for this purpose, extend the coverage of appropriate

1 ordinances over all territory within the drainage area of said water supply
2 and within one hundred meters (100 m.) of the reservoir, canal, conduit,
3 aqueduct, pumping station or watershed used in connection with the water
4 service; and regulate the consumption, use or wastage of water and fix and
5 collect charges therefor;

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

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

19 (x) Subject to the availability of funds and the existing laws, rules and
20 regulations, establish and provide for the operation of vocational and
21 technical schools and similar post-secondary institutions and, with the
22 approval of the DepEd, the Commission on Higher Education (CHED) or the
23 Technical Education and Skills Development Authority (TESDA) and subject
24 to existing laws on tuition fees, fix and collect reasonable tuition fees and
25 other school charges in educational institutions supported by the city
26 government;

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

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

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

35 (xiv) Provide for the care of persons with disabilities (PWD), paupers,
36 the aged, the sick, persons of unsound mind, abandoned minors, juvenile
37 delinquents, drug dependents, abused children and other youth below
38 eighteen (18) years of age, and subject to the availability of funds, establish
39 and provide for the operation of centers and facilities for the said needy
40 and disadvantaged persons;

- 1 (xv) Establish and provide for the maintenance and improvement of
2 jails and detention centers, institute a sound jail management program and
3 appropriate funds for the subsistence of detainees and convicted prisoners
4 in the City;
- 5 (xvi) Establish a city council whose purpose is the promotion of culture
6 and the arts, coordinate with government agencies and nongovernmental
7 organizations and, subject to the availability of funds, appropriate funds for
8 the support and development of the same; and
- 9 (xvii) Establish a city council for the elderly and senior citizens which
10 shall formulate policies and adopt measures mutually beneficial to the
11 elderly and to the community; provide incentives for nongovernmental
12 agencies and entities and, subject to the availability of funds, appropriate
13 funds to support programs and projects for the benefit of the elderly.
- 14 (6) Perform such other duties and functions and exercise such other powers
15 as provided for under the Local Government Code of 1991, and those that are
16 prescribed by law or ordinance.

17 **ARTICLE V**
18 **PROCESS OF LEGISLATION**

19
20 **SEC. 12.** Internal Rules of Procedure. –

- 21 (a) On the first regular session, following the election of its members and within
22 ninety (90) days thereafter, the sangguniang panlungsod shall adopt or update its
23 existing rules of procedure.
- 24 (b) The rules of procedure shall provide for the following:
 - 25 (1) The organization of the sanggunian and the election of its officers as
26 well as the creation of standing committees which shall include, but shall not be
27 limited to, the committees on appropriations, revenues, engineering and public
28 works, education and health, women and family, human rights, youth and sports
29 development, environmental protection, peace and order and traffic, and
30 cooperatives; the general jurisdiction of each committee; and the elections of
31 the chairman and members of each committee;
 - 32 (2) The order and calendar of business for each session;
 - 33 (3) The legislative process;

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

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

11 (6) Such other rules as the sanggunian may adopt.

12 **SEC. 13.** Full Disclosure of Financial and Business Interests of Sangguniang
13 Panlungsod Members. –

14 (a) Every sangguniang panlungsod member shall, upon assumption to office, make
15 a full disclosure of his business and financial interests. He shall also disclose any
16 business, financial, professional relationship or any relation by affinity or consanguinity
17 within the fourth civil degree, which he may have with any person, firm or entity
18 affected by any ordinance or resolution under consideration by the sanggunian of
19 which he is a member, which relationship may result in conflict of interests. Such
20 relationship shall include:

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

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

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

31 (b) The disclosure required under this Act shall be made in writing and submitted
32 to the secretary of the sanggunian or the secretary of the committee of which he is a
33 member. The disclosure shall, in all cases, form part of the record of the proceedings
34 and shall be made in the following manner:

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

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

4 **SEC. 14. Sessions. –**

- 5 (a) On the first day of the session immediately following the election of its
6 members, the sangguniang panlungsod shall, by resolution, fix the day,
7 time and place of its sessions. The minimum number of regular sessions
8 shall be once a week for the sangguniang panlungsod.
- 9 (b) When the public interest so demands, special sessions may be called by the
10 city mayor or by a majority of the members of the sanggunian.
- 11 (c) All sanggunian sessions shall be open to the public unless a closed-door
12 session is ordered by an affirmative vote of a majority of the members
13 present, there being a quorum, in the public interest or for reasons of
14 security, decency or morality. No two sessions, regular or special, may be
15 held in a single day.
- 16 (d) In the case of special sessions of the sanggunian, a written notice to the
17 members shall be served personally at the members' usual place of
18 residence at least twenty- four (24) hours before the special session is held.
19 Unless concurred In by two-thirds (2/3) vote of the sanggunian members
20 present, there being a quorum, no other matters may be considered at a
21 special session except those stated in the notice.
- 22 (e) The sangguniang panlungsod shall keep a journal and record of Its
23 proceedings, which may be published upon resolution of the majority of its
24 members.
25

26 **SEC. 15. Quorum. –**

- 27 (a) A majority of all the members of the sanggunian who have been elected
28 and qualified shall constitute a quorum to transact official business. Should
29 a question of quorum be raised during a session, the presiding officer shall
30 immediately proceed to call the roll of the members and thereafter
31 announce the results.
- 32 (b) Where there is no quorum, the presiding officer may declare a recess until
33 such time a quorum is constituted, or a majority of the members present
34 may adjourn from day to day and may compel the immediate attendance
35 of any member absent without justifiable cause by designating a member
36 of the sanggunian, to be assisted by a member or members of the police
37 force assigned in the territorial jurisdiction of the City of Liloan, to arrest
38 the absent member and present him at the session.
- 39 (c) If there is still no quorum despite the enforcement of the immediately
40 preceding subsection, no business shall be transacted. The presiding
41 officer, upon proper motion duly approved by the members present, shall
42 then declare the session adjourned for lack of quorum.
43

44 **SEC. 16. Approval of Ordinances. –**

1 (a) Every ordinance enacted by the sangguniang panlungsod shall be presented to
2 the city mayor if the city mayor approves the same, he shall affix his signature
3 on each and every page thereof; otherwise, he shall veto it and return the same
4 with his objections to the sanggunian, which may proceed to reconsider the
5 same. The sanggunian may override the veto of the city mayor by two-thirds
6 (2/3) vote of all its members, thereby making the ordinance or resolution
7 effective for all legal intents and purposes.
8

9 (b) The veto shall be communicated by the city mayor to the sanggunian within
10 ten (10) days; otherwise, the ordinance shall be deemed approved as if he had
11 signed it.
12

13 **SEC. 17. Veto Power of the City Mayor. –**

14 (a) The city mayor may veto any ordinance of the sangguniang panlungsod on the
15 ground that it is ultra vires or prejudicial to the public welfare, stating his
16 reasons thereof in writing.

17 (b) The city mayor shall have the power to veto any particular item or items of an
18 appropriations ordinance, an ordinance or resolution adopting a local
19 development plan, any public investment program or an ordinance directing
20 the payment of money or creating liability. In such case, the veto shall not
21 affect the item or items which are not objected to. The vetoed item or items
22 shall not take effect unless the sangguniang panlungsod overrides the veto in
23 the manner herein provided; otherwise, the item or items in the appropriations
24 ordinance of the previous year corresponding to those vetoed, if any, shall be
25 deemed enacted.

26 (c) The city mayor may veto an ordinance or resolution only once. The sanggunian
27 may override the veto of the city mayor by two-thirds (2/3) vote of all its
28 members, thereby making the ordinance effective even without the approval of
29 the city mayor.
30

31 **SEC. 18. Review of City Ordinances by the Sangguniang Panlalawigan. –**

32 (a) Within three (3) days after approval the secretary to the sangguniang
33 panlungsod shall forward to the sangguniang panlalawigan for review, copies
34 of approved ordinances and the resolutions approving the local development
35 plans and public investment programs formulated by the local development
36 councils.

37 (b) Within thirty (30) days after receipt of copies of such ordinances and
38 resolutions, the sangguniang panlalawigan shall examine the documents or
39 transmit them to the provincial attorney or the provincial prosecutor for prompt
40 examination. The provincial attorney or the provincial prosecutor shall, within
41 a period of ten (10) days from the receipt of the documents, inform the
42 sangguniang panlalawigan in writing of his comments or recommendations,
43 which may be considered by the sangguniang panlalawigan in making its
44 decision.

- 1 (c) If the sangguniang panlalawigan finds that such an ordinance or resolution is
2 beyond the power conferred upon the sangguniang panlungsod concerned, it
3 shall declare such ordinance or resolution invalid in whole or in part. The
4 sangguniang panlalawigan shall enter its action in the minutes and shall advise
5 the corresponding city authorities of the action it has taken.
6 (d) If no action has been taken by the sangguniang panlalawigan within thirty (30)
7 days after submission of such an ordinance or resolution, the same shall be
8 presumed consistent with law and therefore valid.
9

10 **SEC. 19.** Review of Barangay Ordinances by the Sangguniang Panlungsod. –

- 11 (a) Within ten (10) days after its enactment the sangguniang barangay shall furnish
12 copies of all barangay ordinances to the sangguniang panlungsod for review as
13 to whether the ordinance is consistent with law and city ordinances.
14 (b) If the sangguniang panlungsod fails to take action on barangay ordinances
15 within thirty (30) days from receipt thereof, the same shall be deemed
16 approved.
17 (c) If the sangguniang panlungsod finds the barangay ordinances inconsistent with
18 law or city ordinances, the sangguniang panlungsod shall, within thirty (30)
19 days from receipt thereof, return the same with its comments and
20 recommendations to the sangguniang barangay concerned for adjustment,
21 amendment or modification; in which case, the effectivity of the barangay
22 ordinance is suspended until such time as the revision called for is effected.
23

24 **SEC. 20.** Enforcement of Disapproved Ordinances or Resolutions. – Any attempt
25 to enforce any ordinance or any resolution approving the local development plan and
26 the public investment program after the disapproval thereof shall be sufficient ground
27 for the suspension or dismissal of the official or employee concerned.

28 **SEC. 21.** Effectivity of Ordinances or Resolutions. –

- 29 (a) Unless otherwise stated in the ordinance or the resolution approving the local
30 development plan and the public investment program, the same shall take
31 effect after ten (10) days from the date a copy thereof is posted in a bulletin
32 board at the entrance of the City Hall of Liloan, and in at least two other
33 conspicuous places in the City of Liloan not later than five days after approval
34 thereof.
35 (b) The secretary to the sangguniang panlungsod shall cause the posting of an
36 ordinance or resolution in the bulletin board at the entrance of the city hall and
37 in at least two conspicuous places not later than five days after approval
38 thereof. The text of the ordinance or resolution shall be disseminated and
39 posted in Filipino or English and in the dialect or native language used by the
40 majority of the city residents and the secretary of the sangguniang panlungsod
41 shall record such fact in a book kept for the purpose, stating the dates of
42 approval and posting.
43 (c) The main features of the ordinance or resolution duly enacted or adopted shall,
44 in addition to being posted, be published once in a local newspaper of general
45 circulation within the City: Provided, That in the absence thereof, the ordinance

1 or resolution shall be published in any newspaper of general circulation:
2 Provided, further, That the gist of all ordinances with penal sanctions shall also
3 be published in a newspaper of general circulation.
4

5 **ARTICLE VI**
6 **SUCCESSION FOR ELECTIVE CITY OFFICIALS**
7

8 **SEC. 22.** Permanent Vacancy in the Offices of the City Mayor and the City Vice
9 Mayor. –

- 10 (a) If a permanent vacancy occurs in the office of the city mayor, the city vice
11 mayor shall become the city mayor. If a permanent vacancy occurs in the
12 office of the city vice mayor, the highest ranking sangguniang panlungsod
13 member or, in case of his permanent incapacity, the second highest ranking
14 sangguniang panlungsod member shall become the city vice mayor. If
15 permanent vacancies occur in both the offices of the city mayor and the city
16 vice mayor, the first and second highest ranking sangguniang panlungsod
17 members, or in case of permanent incapacity of one or both of them, the
18 next highest ranking sangguniang panlungsod member or members, shall
19 become the city mayor and the city vice mayor, respectively. Subsequent
20 vacancies in the said offices shall be filled in automatically by the other
21 sanggunian members according to their ranking as defined herein.
- 22 (b) A tie between or among the highest ranking sangguniang panlungsod
23 members shall be resolved by drawing of lots.
- 24 (c) The successors as defined herein shall serve only the unexpired terms of
25 their predecessors.
- 26 (d) For purposes of this Act, a permanent vacancy arises when an elective local
27 official fills a higher vacant office, refuses to assume office, fails to qualify,
28 dies, is removed from office, voluntarily resigns or is otherwise permanently
29 incapacitated to discharge the functions of his office.
- 30 (e) For purposes of succession as provided in this Act, ranking in the sanggunian
31 shall be determined on the basis of the proportion of votes obtained by each
32 winning candidate to the total number of registered voters in the City
33 immediately preceding local election.
34

35 **SEC. 23.** Permanent Vacancies in the Sangguniang Panlungsod. – Permanent
36 vacancies in the sangguniang panlungsod where automatic succession as provided
37 above does not apply shall be filled by appointments in the following manner:

- 38 (a) The governor shall make the aforesaid appointments;
39 (b) Only the nominee of the political party under which the sanggunian member
40 concerned had been elected shall be appointed in the manner herein provided.
41 The appointee shall come from the political party as that of the sanggunian
42 member who caused the vacancy and shall serve the unexpired term of the
43 vacant office. In the appointment herein mentioned, a nomination and a
44 certificate of membership of the appointee from the highest official of the
45 political party concerned are conditions sine qua non, and any appointment

1 without such nomination and certification shall be null and void ab initio and
2 shall be a ground for administrative action against the official responsible
3 therefor;

- 4 (c) In case the permanent vacancy is caused by a sanggunian member who does
5 not belong to any political party, the city mayor shall, upon the recommendation
6 of the sangguniang panlungsod, appoint a qualified person to fill the vacancy;
7 and
8 (d) In case of vacancy in the representation of the youth and the barangay in the
9 sangguniang panlungsod, said vacancy shall be filled automatically by the
10 official next-in-rank of the organization concerned.

11
12 **SEC. 24. Temporary Vacancy in the Office of the City Mayor. –**

- 13 (a) When the city mayor is temporarily incapacitated to perform his duties for
14 physical or legal reasons such as, but not limited to, leave of absence, travel
15 abroad and suspension from office, the city vice mayor or the highest ranking
16 sangguniang panlungsod member shall automatically exercise the powers and
17 perform the duties and functions of the city mayor, except the power to
18 appoint, suspend or dismiss employees which can only be exercised if the
19 period of temporary incapacity exceeds thirty (30) working days.
20 (b) Said temporary incapacity shall terminate upon submission to the sangguniang
21 panlungsod of a written declaration by the city mayor that he has reported back
22 to office. In case where the temporary incapacity is due to legal cause, the city
23 mayor shall also submit necessary documents showing the said legal causes no
24 longer exist.
25 (c) When the city mayor is traveling within the country but outside territorial
26 jurisdiction for a period not exceeding three consecutive days, he may
27 designate in writing the officer-in-charge of his office. Such authorization shall
28 specify the powers and functions that the local official concerned shall exercise
29 in the absence of the city mayor, except the power to appoint, suspend or
30 dismiss employees.
31 (d) In the event, however, that the city mayor fails or refuses to issue such
32 authorization, the city vice mayor or the highest ranking sangguniang
33 panlungsod member, as the case may be, shall have the right to assume the
34 powers, duties and functions of the said office on the fourth day of absence of
35 the city mayor, subject to the limitations provided in subsection (c) hereof.
36 (e) Except as provided above, the city mayor shall, in no case, authorize any local
37 official to assume the powers, duties and functions of the office, other than the
38 city vice mayor or the highest ranking member of the sangguniang panlungsod,
39 as the case may be.
40

41 **ARTICLE VII**

42 **THE APPOINTIVE OFFICIALS OF THE CITY**

43 **SEC. 25. The Secretary to the Sangguniang Panlungsod. –**

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

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

4 **SEC. 26.** The City Treasurer. –

5 (a) The city treasurer shall be appointed by the Secretary of Finance from a list of
6 at least three ranking eligible recommendees of the city mayor, subject to civil
7 service law, rules and regulations.

8 (b) The city treasurer shall be under the administrative supervision of the city
9 mayor, to whom he shall report regularly on the tax collection efforts of the
10 City.

11 (c) No person shall be appointed city treasurer unless he is a citizen of the
12 Philippines, a resident of the City of Liloan, of good moral character, a holder
13 of a college degree preferably in commerce, public administration or law from
14 a recognized college or university, and a first grade civil service eligible or its
15 equivalent. He must have acquired experience in treasury or accounting service
16 for at least five (5) years.

17 (d) The city treasurer shall receive such compensation, emoluments and
18 allowances as may be determined by law.

19 (e) The city treasurer shall take charge of the city finance department, and shall:

20
21 (1) Advise the city mayor, the sangguniang panlungsod and other local
22 government and national concerned regarding disposition of local
23 government funds and on such other matters relative to public finance;

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

25 (3) Take charge of the disbursement of all funds of the City and such other
26 funds, the custody of which may be entrusted to him by law or other
27 competent authority;

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

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

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

36 **SEC. 27.** The Assistant City Treasurer. –

37 (a) The assistant city treasurer shall be appointed by the Secretary of Finance from
38 a list of at least three ranking eligible recommendees of the city mayor, subject
39 to civil service law, rules and regulations.

- 1 (b) No person shall be appointed assistant city treasurer unless he is a citizen of
2 the Philippines, a resident of the City of Liloan, of good moral character, a
3 holder of a college degree preferably in commerce, public administration or law
4 from a recognized college or university, and a first grade civil service eligible or
5 its equivalent. He must have acquired at least five years' experience in treasury
6 or accounting.
- 7 (c) The assistant city treasurer shall receive such compensation, emoluments and
8 allowances as may be determined by law.
- 9 (d) The assistant city treasurer shall assist the city treasurer and perform such
10 other duties as the latter may assign to him. He shall have authority to
11 administer oaths concerning notices and notifications to those delinquent in the
12 payment of the real property tax and concerning official matters relating to the
13 accounts of the city treasurer or otherwise arising from the offices of the city
14 treasurer and the city assessor.

15 **SEC. 28. The City Assessor. –**

16 (a) The city assessor must be a citizen of the Philippines, a resident of the City of
17 Liloan, of good moral character, a holder of a college degree preferably in civil or
18 mechanical engineering, commerce or any other related course from a recognized
19 college or university, and a first grade civil service eligible or its equivalent. He must
20 have acquired experience in real property assessment work or in any related field for
21 at least five years immediately preceding the date of his appointment.

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

24 (c) The city assessor shall take charge of the city assessment department, and
25 shall:

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

28 (2) Initiate, review and recommend changes in policies and
29 objectives, plans and programs, techniques, procedures and practices in
30 the evaluation and assessment of real properties for taxation purposes;

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

32 (4) Install and maintain a real property identification and accounting
33 systems;

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

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

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

6 Page 30 of 56

7 (8) Prepare a schedule of the fair market value of the different classes
8 of real properties in accordance with the provisions of the Local
9 Government

10 Code;

11 (9) Issue, upon request of any interested party, certified copies of
12 assessment records of real properties and all other records relative to its
13 assessment, upon payment of a service charge or fee to the city treasurer;

14 (10) Submit every semester a report of all assessments, as well as
15 cancellations and modifications of assessments to the city mayor and the
16 sangguniang panlungsod; and

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

21 **SEC. 29.** The Assistant City Assessor. –

22 (a) The assistant city assessor must be a citizen of the Philippines, a resident of
23 the City of Liloan, of good moral character, a holder of a college degree
24 preferably in civil or mechanical engineering, commerce or any related course
25 from a recognized college or university, and a first grade civil service eligible or
26 its equivalent. He must have acquired experience in assessment or in any
27 related field for at least three years immediately preceding the date of his
28 appointment.

29 (b) The assistant city assessor shall receive such compensation, emoluments and
30 allowances as may be determined by law.

31 (c) The assistant city assessor shall assist the city assessor and perform such other
32 duties as the latter may assign to him. He shall have the authority to administer
33 oaths and all declarations of all real property for purposes of assessment.
34

35 **SEC. 30.** The City Accountant. –

36 (a) The city accountant must be a citizen of the Philippines, a resident of the City
37 of Liloan, of good moral character and a certified public accountant. He must have
38 acquired experience in the treasury or accounting service for at least five years
39 immediately preceding the date of his appointment.

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

3 (c) The city accountant shall take charge of both the office of the accounting and
4 internal audit services, and shall:

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

6 (2) Prepare and submit financial statements to the city mayor and to the
7 sangguniang panlungsod;

8 (3) Apprise the sangguniang panlungsod and other officials on the financial
9 condition and operations of the City;

10 (4) Certify to the availability of budgetary allotment to which expenditures
11 and obligations may be properly charged;

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

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

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

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

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

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

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

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

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

30

31 **SEC. 31.** The City Budget Officer. –

32 (a) The city budget officer must be a citizen of the Philippines, a resident of the
33 City of Liloan, of good moral character, a holder of a college degree preferably in
34 accounting, economics, public administration or any related course from a recognized
35 college or university, and a first grade civil service eligible or its equivalent. He must

1 have acquired experience in government budgeting or in any related field for at least
2 five years immediately preceding the date of his appointment.

3 (b) The city budget officer shall take charge of the city budget department, and
4 shall:

5 (1) Prepare forms, orders and circulars embodying instructions on
6 budgetary and appropriation matters for the signature of the city mayor;

7 (2) Review and consolidate the budget proposals of different departments
8 and offices of the City;

9 (3) Assist the city mayor in the preparation of the budget and during budget
10 hearings;

11 (4) Study and evaluate budgetary Implications of proposed legislation and
12 submit comments and recommendations thereon;

13 (5) Submit periodic budgetary reports to the Department of Budget and
14 Management (DBM);

15 (6) Coordinate with the city treasurer, the city accountant and the city
16 planning development officer for the purpose of budgeting;

17 (7) Assist the sangguniang panlungsod In reviewing the approved budgets
18 of component barangays;

19 (8) Coordinate with the city planning development officer In the formulation
20 of the development plan of the City; and

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

24
25 **SEC. 32.** The City Planning and Development Officer. –

26 (a) The city planning and development officer must be a citizen of the Philippines,
27 a resident of the City of Liloan, of good moral character, a holder of a college degree
28 preferably In urban planning, development studies, economics, public administration
29 or any related course from a recognized college or university, and a first grade civil
30 service eligible or its equivalent. He must have acquired experience in development
31 planning or in any related field for at least five (5) years.

32 (b) The city planning and development officer shall receive such compensation,
33 emoluments and allowances as may be determined by law.

34 (c) The city planning development officer shall take charge of the city planning and
35 development coordinating office, and shall:

- 1 (1) Formulate integrated economic, social, physical and other development
2 plans and policies for consideration of the City;
- 3 (2) Conduct continuing studies, researches and training programs necessary
4 to evolve plans and programs for Implementation;
- 5 (3) Integrate and coordinate all sectoral plans and studies undertaken by
6 the different functional groups or agencies;
- 7 (4) Monitor and evaluate the implementation of the different development
8 programs, projects and activities in the City in accordance with the approved
9 development, plan;
- 10 (5) Prepare comprehensive plans and other development planning
11 documents for the consideration of the local development council;
- 12 (6) Analyze the Income and expenditure patterns and formulate and
13 recommend fiscal plans and policies for consideration of the finance
14 committee of the sangguniang panlungsod;
- 15 (7) Promote people's participation in development planning within the City;
- 16 (8) Exercise supervision and control over the secretariat of the local
17 development council; and
- 18 (9) Perform such other duties and functions and exercise such other powers
19 as provided for under Republic Act No. 7160, otherwise known as the Local
20 Government Code of 1991, and those that are prescribed by law or ordinance.

21

22 **SEC. 33.** The City Engineer. –

23 (a) The city engineer must be a citizen of the Philippines, a resident of the City of
24 Liloan, of good moral character and a licensed civil engineer. He must have acquired
25 experience in the practice of his profession for at least five years immediately
26 preceding the date of his appointment.

27 (b) The city engineer shall receive such compensation, emoluments and allowances
28 as may be determined by law.

29 (c) The city engineer shall take charge of die city engineering office, and shall:

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

33 (2) Advise the city mayor on infrastructure, public works and other
34 engineering

35 matters;

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

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

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

9 **SEC. 34.** The City Health Officer. –

10 (a) The city health officer must be a citizen of the Philippines, a resident of the City
11 of Liloan, of good moral character, and a licensed medical practitioner. He must have
12 acquired experience in the practice of his profession for at least five years immediately
13 preceding the date of his appointment.

14 (b) The city health officer shall receive such compensation, emoluments and
15 allowances as may be determined by law.

16 (c) The city health officer shall take charge of the office of the city health services,
17 and shall:

18 (1) Supervise the personnel and staff of said office, formulate program
19 implementation guidelines and rules and regulations for the operation of the
20 said office for the approval of the city mayor in order to assist him in the
21 efficient, effective and economical implementation of health service program s
22 geared to implement health-related projects and activities;

23 (2) Formulate measures for the consideration of the sangguniang
24 panlungsod and provide technical assistance and support to the city mayor in
25 carrying out activities to ensure the delivery of basic services and the provision
26 of adequate facilities relative to health services or provided for under Section
27 17 of the Local Government Code of 1991;

28 (3) Develop plans and strategies and, upon approval thereof by the city
29 mayor, implement the same, particularly those which have to do with health
30 programs and projects which the city mayor is empowered to implement and
31 which the sangguniang panlungsod is empowered to provide for under the
32 Local Government Code of 1991;

33 (4) In addition to the foregoing duties and functions, the city health officer
34 shall:

35 (i) Formulate and implement policies, plans and projects to promote the
36 health of die people in the City;

- 1 (ii) Advise the city mayor and the sangguniang panlungsod on matters
2 pertaining to health;
- 3 (iii) Execute and enforce all laws, ordinances and regulations relating to
4 public health;
- 5 (iv) Recommend to the sangguniang panlungsod through the local health
6 board the passage of such ordinances as he may deem necessary for
7 the preservation of public health;
- 8 (v) Recommend the prosecution of any violation of sanitary laws,
9 ordinances or regulations;
- 10 (vi) Direct the sanitary inspection of all business establishments selling food
11 items or providing accommodation such as hotels, motels, lodging
12 houses, pension houses and the like, in accordance with the Sanitation
13 Code;
- 14 (vii) Conduct health information campaigns and render health intelligence
15 services;
- 16 (viii) Coordinate with other government agencies and
17 nongovernmental organizations involved in the promotion and delivery
18 of health services; and
- 19 (ix) Be in the frontline of the delivery of health services, particularly during
20 and In the aftermath of man-made and natural disasters and
21 calamities; and
- 22 (5) Perform such other duties and functions and exercise such other powers
23 as provided for under Republic Act No. 7160, otherwise known as the Local
24 Government Code of 1991, and those that are prescribed by law or ordinance.

25 **SEC. 35.** The City Civil Registrar. –

- 26 (a) The city civil registrar must be a citizen of the Philippines, a resident of the City
27 of Liloan, of good moral character, a holder of a college degree from a recognized
28 college or university, and a first grade civil service eligible or its equivalent. He must
29 have acquired experience in civil registry work for at least five years immediately
30 preceding the date of his appointment.
- 31 (b) The city civil registrar shall receive such compensation, emoluments and
32 allowances as may be determined by law.
- 33 (c) The city civil registrar shall be responsible for the civil registration program in
34 the City of Liloan pursuant to the Civil Registry Law, the Civil Code and other pertinent
35 laws, rules and regulations issued to implement them.
- 36 (d) The city civil registrar shall take charge of the office of the city civil registry,
37 and shall:

1 (1) Develop plans and strategies and, upon approval thereof by the city
2 mayor, implement the same, particularly those which have to do with the
3 management and administration-related programs and projects which the city
4 mayor is empowered to implement and which the sangguniang panlungsod is
5 empowered to provide for under the Local Government Code;

6 (2) In addition to the foregoing duties and functions, the city civil registrar
7 shall:

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

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

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

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

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

19 (vi) Receive applications for the issuance of a marriage license and,
20 after determining that the requirements and supporting certificates and
21 publication thereof for the prescribed period have been complied

22 with, issue the license upon payment of the authorized fee to the treasurer;
23 and

24 (vii) Coordinate with the National Statistics Office In conducting
25 educational campaigns for vital registration and assist in the preparation of
26 demographic and other statistics for the City of Liloan.

27 (3) Perform such other duties and functions and exercise such other powers
28 as provided for under the Local Government Code, and those that are prescribed
29 by law or ordinance.

30 **SEC. 36.** The City Administrator. –

31 (a) The city administrator must be a citizen of the Philippines, a resident of the City
32 of Liloan, of good moral character, a holder of a college degree preferably in public
33 administration, law or any other related course from a recognized college or university,
34 and a first grade civil service eligible or its equivalent. He must have acquired
35 experience in management and administrative work for at least five years immediately
36 preceding the date of his appointment.

1 (b) The term of die city administrator is coterminous with that of his appointing
2 authority.

3 (c) The city administrator shall receive such compensation, emoluments and
4 allowances as may be determined by law.

5 (d) The city administrator shall take charge of the city administrator's office, and
6 shall:

7 (1) Develop plans and strategies and, upon approval thereof by the city
8 mayor, implement the same, particularly those which have to do with the
9 management and administration-related programs and projects which the city
10 mayor is empowered to implement and which the sangguniang panlungsod is
11 empowered to provide for under the Local Government Code;

12 (2) In addition to the foregoing duties and functions, the city administrator
13 shall:

14 (i) Assist in the coordination of the work of all the officials of the City
15 under the supervision, direction and control of the city mayor and,
16 for this purpose, he may convene the chiefs of offices and other
17 officials of the City;

18 (ii) Establish and maintain a sound personnel program for the City
19 designed to promote career development and uphold the merit
20 principle in the local government service; and

21 (iii) Conduct a continuing organizational development of the City with
22 the end in view of instituting effective administrative reforms.

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

26 (4) Recommend to the sangguniang panlungsod and advise the city mayor
27 on all matters relative to the management and administration of the City; and

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

31 **SEC. 37.** The Human Resource Management and Development Officer. –

32 (a) The Human Resource Management and Development Officer must be a citizen
33 of the Philippines, a resident of Liloan, Cebu, of good moral character, a holder of a
34 college degree preferably in psychology, public administration or law, obtained from
35 a recognized college or university, and a first grade civil service eligible or its
36 equivalent. The appointee must have acquired experience in human resource
37 management or organizational development for at least five (5) years.

1 (b) The human resource management and development officer shall receive such
2 compensation, emoluments and allowances as may be determined by law.

3 (c) The human resource management and development officer shall take charge
4 of the Human Resources Management and Development Office, and shall perform the
5 following powers and duties:

6 (1) Formulate, for approval by the city mayor a human resource management
7 and development plan that will enhance personnel management processes
8 with emphasis in the areas of recruitment and selection, career
9 development, performance management, welfare, rewards and incentives
10 for service excellence;

11 (2) Institutionalize a central record of personnel documents such as
12 appointments, personal data sheets, service records, statement of assets
13 and liabilities, leave credits, and other personnel records;

14 (3) Conduct continuing human resource development programs, and other
15 capacity building interventions to enhance the competency of officials and
16 employees;

17 (4) Monitor and evaluate the implementation of performance management
18 systems in accordance with the civil service rules and regulations;

19 (5) Advise the city mayor and the sanggunian on matters pertaining to the civil
20 service rules and regulations on appointments and leave benefits of
21 employees;

22 (6) Ensure that the Civil Service Law; and its implementing rules and
23 regulations on personnel matters are properly executed;

24 (7) Establish linkages / partnerships with human resource organizations and
25 other local government units; and

26 (8) Exercise such other powers and duties as may be prescribed by law or
27 ordinance.

28 **SEC. 38.** The City Legal Officer. –

29 (a) The city legal officer must be a citizen of the Philippines, a resident of the City
30 of Liloan, of good moral character and a member of the Philippine Bar. He must have
31 practiced his profession for at least five years immediately preceding the date of his
32 appointment. The term of the city legal officer shall be coterminous with that of the
33 appointing authority.

34 (b) The city legal officer shall receive such compensation, emoluments and
35 allowances as may be determined by law.

36 (c) The city legal officer, the chief legal counsel of the City, shall take charge of
37 the office of the city legal service, and shall:

1 (1) Formulate measures for the consideration of the sangguniang
2 panlungsod and provide legal assistance and support to the city mayor in carrying
3 out the delivery of basic services and the provision of adequate facilities;

4 (2) Develop plans and strategies and, upon approval thereof by the city
5 mayor, implement the same, particularly those which have to do with the
6 programs and projects related to legal services which the city mayor is
7 empowered to implement and which the sangguniang panlungsod is empowered
8 to provide;

9 (3) In addition to the foregoing duties and functions, the city legal officer
10 shall:

11 (i) Represent the City of Liloan in all civil actions and special proceedings
12 wherein the City or any of its official, in his official capacity, is a party:
13 Provided, That in actions or proceedings where the City is a party adverse
14 to the provincial government or to another the adverse party;

15 (ii) When required by the city mayor or sangguniang panlungsod, draft
16 ordinances, contracts, bonds, leases and other instruments involving any
17 interest of the City and provide comments and recommendations on any
18 instrument already drawn;

19 (iii) Render his opinion in writing on any question of law when requested to
20 do so by the city mayor or sangguniang panlungsod;

21 (iv) Investigate or cause to be investigated any city official or employee for
22 administrative neglect or misconduct in office, and recommend appropriate
23 action to the city mayor or sangguniang panlungsod, as the case may be;

24 (v) Investigate or cause to be investigated any person, firm or corporation
25 holding any franchise or exercising any public privilege for failure to comply
26 with any term or condition in the grant of such franchise or privilege, and
27 recommend appropriate action to the city mayor or sangguniang
28 panlungsod, as the case may be;

29 (vi) When directed by the city mayor, or sangguniang panlungsod, initiate
30 and prosecute, in the interest of the City of Liloan, any civil action on any
31 bond, lease or other contract upon any breach or violation thereof; and

32 (vii) Review and submit recommendations on ordinances approved and
33 executive orders issued by component barangays.

34 (4) Recommend measures to the sangguniang panlungsod and advise the
35 city mayor on all matters related to upholding the rule of law;

36 (5) Be in the frontline of protecting human rights and prosecuting any
37 violation thereof, particularly those which occur during and in the aftermath of
38 manmade or natural disasters and calamities; and

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

4
5 **SEC. 39.** The City Social Welfare and Development Officer. –

6 (a) The city social welfare and development officer must be a citizen of the
7 Philippines, a resident of the City of Liloan, of good moral character, a duly licensed
8 social worker or a holder of a college degree, preferably in sociology or any other
9 related course from a recognized college or university, and a first grade civil service
10 eligible or Its equivalent. He must have acquired experience In the practice of social
11 work for at least five years immediately preceding the date of his appointment.

12 (b) The city social welfare and development officer shall receive such
13 compensation, emoluments and allowances as may be determined by law.

14 (c) The city social welfare and development officer shall take charge of the office
15 of the social welfare and development, and shall:

16 (1) Formulate measures for the approval of the sangguniang panlungsod
17 and provide technical assistance and support to the city mayor in carrying out
18 measures to ensure the delivery of basic services and the provision of adequate
19 facilities relative to social welfare and development services;

20 (2) Develop plans and strategies and, upon approval thereof by the city
21 mayor, implement the same, particularly those which have to do with social
22 welfare programs and projects which the city mayor is empowered to implement
23 and which the sangguniang panlungsod is empowered to provide;

24 (3) In addition to the foregoing duties and functions, the city social welfare
25 and development officer shall:

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

29 (ii) Provide relief and appropriate crisis intervention for victims of abuse and
30 exploitation and recommend appropriate measures to deter further abuse
31 and exploitation;

32 (iii) Assist the city mayor in implementing the barangay level program
33 for the total development and protection of children up to six years of age;

34 (iv) Facilitate the implementation of welfare programs for the
35 differently-abled, elderly, and victims of drug addiction, the rehabilitation
36 of prisoners and parolees, the prevention of juvenile delinquency and such
37 other activities which would eliminate or minimize the ill-effects of poverty;

1 (v)Initiate and support youth welfare programs that will enhance the role
2 of the youth in nation-building; and

3 (vi) Coordinate with government agencies and nongovernmental
4 organizations which have for their purpose the promotion and protection of
5 all needy, disadvantaged, underprivileged or impoverished groups or
6 individuals, particularly those Identified to be vulnerable and high-risk to
7 exploitation, abuse and neglect.

8 (4) Be in the frontline of the delivery of services particularly those which
9 have to do with immediate relief and assistance during and in the aftermath of
10 man-made and natural disasters and calamities;

11 (5) Recommend to the sangguniang panlungsod and advise the city mayor
12 on all other matters related to social welfare and development services which
13 will improve the livelihood and living conditions of the inhabitants; and

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

17 **SEC. 40.** The City Veterinarian. –

18 (a) The city veterinarian must be a citizen of the Philippines, a resident of the City
19 of Liloan, of good moral character and a licensed doctor of veterinary medicine. He
20 must have practiced his profession for at least three years immediately preceding the
21 date of his appointment.

22 (b) The city veterinarian shall receive such compensation, emoluments and
23 allowances as may be detennined by law.

24 (c) The city veterinarian shall take charge of the office of veterinary services, and
25 shall:

26 (1) Formulate measures for the consideration of the sangguniang
27 panlungsod and provide technical assistance and support to the city mayor in
28 carrying out measures to ensure the delivery of basic services and the provision
29 of adequate facilities;

30 (2) Develop plans and strategies and, upon approval thereof by the city
31 mayor, implement the same, particularly those which have to do with veterinary-
32 related activities which the city mayor is empowered to implement and which the
33 sangguniang panlungsod is empowered to provide;

34 (3) In addition to the foregoing duties and functions, the city veterinarian
35 shall:

36 (i) Advise the city mayor on all matters pertaining to the slaughter
37 of animals for human consumption and the regulation of slaughterhouses;

- 1 (ii) Regulate the keeping of domestic animals;
- 2 (iii) Regulate and inspect poultry, milk and dairy products for public
3 consumption;
- 4 (iv) Enforce all laws and regulations for the prevention of cruelty to
5 animals; and
- 6 (v) Take the necessary measures to eradicate, prevent or cure all
7 forms of animal diseases.

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

13 (5) Recommend to the sangguniang panlungsod and advise the city mayor
14 on all other matters relative to veterinary services which will increase the number
15 and improve the quality of livestock, poultry and other domestic animals used
16 for work or for human consumption; and

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

20 **SEC. 41.** The City General Services Officer. –

21 (a) The city general services officer must be a citizen of the Philippines, a
22 resident of the City of Liloan, of good moral character, a holder of a college
23 degree on public administration, business administration and management from
24 a recognized college or university, and a first grade civil service eligible or its
25 equivalent. He must have acquired experience in general services, including
26 management of supply, property, solid waste disposal and general sanitation for
27 at least five years immediately preceding the date of his appointment.

28 (b) The city general services officer shall receive such compensation,
29 emoluments and allowances as may be determined by law.

30 (c) The city general services officer shall take charge of the office on general
31 services, and shall:

- 32 (1) Formulate measures for the consideration of the sangguniang
33 panlungsod and provide technical assistance and support to the city
34 mayor in carrying out measures to ensure the delivery of basic services
35 and the provision of adequate facilities which require general services
36 expertise and technical support services;

1 (2) Develop plans and strategies and, upon approval thereof by the
2 city mayor, implement the same, particularly those which have to do
3 with general services supportive of the welfare of the inhabitants of the
4 City which the city mayor is empowered to implement and which the
5 sangguniang panlungsod is empowered to provide;

6 (3) In addition to the foregoing duties and functions, the city general
7 services officer shall:

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

11 (ii) With the approval of the city mayor, assign building or land space
12 to city officials and other public officials who by law, are entitled to
13 such space;

14 (iii) Recommend to the city mayor reasonable rental rates for
15 city properties, whether real or personal, which will be leased to
16 public or private entities by the city government;

17 (iv) Recommend to the city mayor reasonable rental rates of
18 private properties which may be leased for the official use of the city
19 government;

20 (v) Maintain and supervise janitorial, security, government public
21 buildings and other real property, whether owned or leased by the
22 city government;

23 (vi) Collate and disseminate information regarding prices,
24 shipping and other costs of supplies and other items commonly used
25 by the city government;

26 (vii) Perform archival and record management with respect to
27 records of offices and departments of the city government; and

28 (viii) Perform all other functions pertaining to supply and
29 property management and enforce policies on records creation,
30 maintenance and disposal.

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

35 (5) Recommend to the sangguniang panlungsod and advise the city
36 mayor on all other matters relative to general services; and

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

4 **SEC. 42.** The City Environment and Natural Resources Officer. –

5 (a) The city environment and natural resources officer must be a citizen of the
6 Philippines, a resident of the City of Liloan, of good moral character, a holder of a
7 college degree preferably in environment, forestry, agriculture or any other related
8 course from a recognized college or university, and a first grade civil service eligible
9 or its equivalent. He must have acquired experience in the environment and natural
10 resources management, conservation and utilization work for at least five years
11 immediately preceding the date of his appointment.

12 (b) The city environment and natural resources officer shall receive such
13 compensation, emoluments and allowances as may be determined by law.

14 (c) The city environment and natural resources officer shall take charge of the
15 environment service department, and shall:

16 (1) Formulate measures for the consideration of the sangguniang
17 panlungsod and provide assistance and support to the city mayor in carrying out
18 measures to ensure the delivery of basic services and the provision of adequate
19 facilities relative to environment and natural resources services as provided for
20 under Section 17 of the Local Government Code of 1991;

21 (2) Develop plans and strategies and, upon approval thereof by the city
22 mayor, implement the same, particularly those which have to do with the
23 environment and natural resources programs and projects which the city mayor
24 is empowered to implement and which the sangguniang panlungsod is
25 empowered to provide;

26 (3) In addition to the foregoing duties and functions, the city environment
27 and natural resources officer shall:

28 (i) Establish, maintain, protect and preserve communal forests,
29 watersheds, tree parks, mangroves, greenbelts and similar forest
30 projects and commercial forests, like industrial tree farms and
31 agroforestry projects;

32 (ii) Provide extension services to the beneficiaries of forest
33 development projects and technical, financial, and infrastructure
34 assistance;

- 1 (iii) Manage and maintain seed banks and produce seedlings for
2 forests and tree parks;
- 3 (iv) Render assistance for natural resources-related conservation and
4 utilization activities consistent with ecological balance;
- 5 (v) Promote the small-scale mining and utilization of mineral
6 resources particularly mining of gold; and
- 7 (vi) Coordinate with government agencies and nongovernmental
8 organizations in the implementation of measures to prevent and control
9 land, air and water pollution with the assistance of the Department of
10 Environment and Natural Resources (DENR).
- 11 (4) Be in the frontline of the delivery of services concerning the environment
12 and natural resources, particularly in the renewal and rehabilitation of the
13 environment during and in the aftermath of man-made and natural disasters and
14 calamities;
- 15 (5) Recommend measures to the sangguniang panlungsod and advise the
16 city mayor on all matters relative to the protection, conservation, maximum
17 utilization, application of appropriate technology and other matters related to the
18 environment and natural resources; and
- 19 (6) Perform such other duties and functions and exercise such other powers
20 as provided for under the Local Government Code, and those that are prescribed
21 by law or ordinance.

22 **SEC. 43.** The City Architect. –

- 23 (a) The city architect must be a citizen of the Philippines, a resident of the City of
24 Liloan, of good moral character and a duly licensed architect. He must have practiced
25 his profession for at least five years immediately preceding the date of his
26 appointment.
- 27 (b) The city architect shall receive such compensation, emoluments and allowances
28 as may be determined by law.
- 29 (c) The city architect shall take charge of the office on the architectural planning
30 and design, and shall:
 - 31 (1) Formulate measures for the consideration of the sangguniang
32 panlungsod and provide technical assistance and support to the city mayor in
33 carrying out measures to ensure the delivery of basic services and the provision
34 of adequate facilities relative to architectural planning and design;
 - 35 (2) Develop plans and strategies and, upon approval thereof by the city
36 mayor, implement the same, particularly those which have to do with
37 architectural planning and design programs and projects which the city mayor

1 is empowered to implement and which the sangguniang panlungsod is
2 empowered to provide for under the Local Government Code of 1991;

3 (3) In addition to the foregoing duties and functions, the city architect shall:

4 (i) Prepare and recommend for consideration of the sangguniang
5 panlungsod the architectural plan and design for the City or a part
6 thereof, including the renewal of slums and blighted areas, land
7 reclamation activities, the greening of land, and appropriate planning of
8 marine and foreshore areas;

9 (ii) Review and recommend for appropriate action of the
10 sangguniang panlungsod or city mayor the architectural plans and design
11 submitted by government and nongovernment entities or individuals,
12 particularly those undeveloped, underdeveloped and poorly-designed
13 areas; and

14 (iii) Coordinate with government and nongovernment entities and
15 individuals involved in the aesthetics and the maximum utilization of land
16 and water within the jurisdiction of the City, compatible with
17 environmental integrity and ecological balance.

18 (4) Be in the frontline of the delivery of services involving architectural
19 planning and design, particularly those related to the redesigning of spatial
20 distribution of basic facilities and physical structures during and in the
21 aftermath of man-made and natural disasters and calamities;

22 (5) Recommend to the sangguniang panlungsod and advise the city mayor
23 on all matters relative to architectural planning and design as it relates to the
24 total socioeconomic development of the City; and

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

28 **SEC. 44.** The City Information Officer. –

29 (a) The city information officer must be a citizen of the Philippines, a resident of
30 the City of Liloan, of good moral character, a holder of a college degree
31 preferably in journalism, mass communication or any related course from a
32 recognized college or university, and a first grade civil service eligible or its
33 equivalent. He must have experience in writing articles and research papers,
34 or writing for print, television.

35 broadcast and other forms of mass media for at least five years immediately
36 preceding the date of his appointment.

37 (b) The city information officer shall receive such compensation, emoluments and
38 allowances as may be determined by law.

1 (c) The city information officer shall take charge of the city information and
2 community relations department, and shall:

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

8 (2) Develop plans and strategies and, upon approval thereof by the city
9 mayor, implement the same, particularly those which have to do with public
10 information and research data to support programs and projects which the
11 city mayor is empowered to implement and which the sangguniang
12 panlungsod is empowered to provide;

13 (3) In addition to the foregoing duties and functions, the city information
14 officer shall:

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

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

20 (iii) Maintain effective liaison with the various sectors of the
21 community on matters and issues that affect the livelihood and the
22 quality of life of the inhabitants and encourage support for programs of
23 the local and national government;

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

28 (5) Recommend to the sangguniang panlungsod and advise the city mayor
29 on all matters relative to public information and research data as it relates to
30 the total socioeconomic development of the City; and

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

34
35 **SEC. 45. The City Cooperatives Officer. –**

36 (a) The city cooperatives officer must be a citizen of the Philippines, a resident of
37 the City of Liloan, of good moral character, a holder of a college degree preferably in

1 business administration with special training on cooperatives or any related course
2 from a recognized college or university, and a first grade civil service eligible or its
3 equivalent. He must have experience in cooperatives organization and management
4 for at least five years immediately preceding the date of his appointment.

5 (b) The city cooperatives officer shall receive such compensation, emoluments and
6 allowances as may be determined by law.

7 (c) The city cooperatives officer shall take charge of the office for the development
8 of cooperatives, and shall:

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

14 (2) Develop plans and strategies and, upon approval thereof by the city mayor,
15 implement the same, particularly those which have to do with the integration
16 of cooperative principles and methods in programs which the city mayor is
17 empowered to Implement and which die sangguniang panlungsod is
18 empowered to provide;

19 (3) In addition to the foregoing duties and functions, the city cooperatives officer
20 shall:

21 (i) Assist in the organization of cooperatives;

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

25 (iii) Assist cooperatives in establishing linkages with government
26 agencies and nongovernment organizations involved in the promotion
27 and integration of the concept of cooperatives in the livelihood of the
28 people and other community activities.

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

33 (5) Recommend to the sangguniang panlungsod and advise the city mayor
34 on all other matters relative to cooperatives development and viability
35 enhancement which will improve the livelihood and the quality of life of the
36 inhabitants; and

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

4 **SEC. 46.** The City Population Officer. –

5 (a) The city population officer must be a citizen of the Philippines, a resident of the
6 City of Liloan, of good moral character, a holder of a college degree preferably with
7 specialized training in population development from a recognized college or university,
8 and a first grade civil service eligible or its equivalent. He must have acquired
9 experience in the implementation of programs on population development or
10 responsible parenthood for at least five years immediately preceding the date of his
11 appointment.

12 (b) The city population officer shall receive such compensation, emoluments and
13 allowances as may be determined by law.

14 (c) The city population officer shall take charge of the office of the population
15 development, and shall:

16 (1) Formulate measures for the consideration of the sangguniang
17 panlungsod and provide technical assistance and support to the city mayor in
18 carrying out measures to ensure the delivery of basic services and the provision
19 of adequate facilities relative to the integration of population development
20 principles and in providing access to said services and facilities;

21 (2) Develop plans and strategies and, upon approval thereof by the city
22 mayor, implement the same, particularly those which have to do with the
23 integration of population development principles and methods in programs and
24 projects which the city mayor is empowered to implement and which the
25 sangguniang panlungsod is empowered to provide;

26 (3) In addition to the foregoing duties and functions, the city population
27 officer shall:

28 (i) Assist the city mayor in the implementation of the constitutional
29 provisions relative to population development and the promotion of
30 responsible parenthood;

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

34 (iii) Implement appropriate training programs responsive to the
35 cultural heritage of the inhabitants; and

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

4
5

6 **SEC. 47. The City Agriculturist. –**

7 (a) The city agriculturist must be a citizen of the Philippines, a resident of the City
8 of Liloan, of good moral character, a holder of a college degree preferably in
9 agriculture or any other related course from a recognized college or university, and a
10 first grade civil service eligible or its equivalent. He must have practiced his profession
11 in agriculture or acquired experience in a related field for at least five years
12 immediately preceding the date of his appointment.

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

15 (c) The city agriculturist shall take charge of the office for the agricultural services,
16 and shall:

17 (1) Formulate measures for the approval of the sangguniang panlungsod
18 and provide technical assistance and support to the city mayor in carrying out
19 measures to ensure the delivery of basic services and the provision of adequate
20 facilities relative to agricultural services;

21 (2) Develop plans and strategies and, upon approval thereof by the city
22 mayor, implement the same, particularly those which have to do with agricultural
23 programs and projects which the city mayor is empowered to implement and
24 which the sangguniang panlungsod is empowered to provide;

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

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

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

36 (iii) Assist the city mayor in the establishment and extension services
37 of demonstration farms or aquaculture and marine products;

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

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

6 (4) Be in the frontline of the delivery of basic agricultural services,
7 particularly those needed for the survival of the inhabitants during and in the
8 aftermath of man-made and natural disasters and calamities;

9 (5) Recommend to the sangguniang panlungsod and advise the city mayor
10 on all other matters related to agriculture and aquaculture which will improve
11 the livelihood and living conditions of the inhabitants; and

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

15 **ARTICLE IX**
16 **THE CITY FIRE STATION SERVICE, THE CITY JAIL SERVICE,**
17 **THE CITY SCHOOLS DIVISION AND THE CITY**
18 **PROSECUTION SERVICE**
19

20 **SEC. 48.** The City Fire Station Service. –

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

25 (b) The city fire station shall be responsible for the provision of various emergency
26 services such as the rescue and evacuation of injured people at fire-related incidents
27 and, in general, all fire prevention and suppression measures to secure the safety of
28 life and property of the citizenry.

29 **SEC. 49.** The City Jail Service. –

30 (a) There shall be established and maintained in the City a secured, clean,
31 adequately equipped and sanitary jail for the custody and safekeeping of prisoners,
32 any fugitive from justice, or person detained awaiting investigation or trial and/or
33 violent mentally ill person who endangers himself or the safety of others, duly certified
34 as such by the proper medical health officer, pending the transfer to a mental
35 institution.

36 (b) The city jail service shall be headed by a city jail warden who must be a
37 graduate of a four year course in psychology, psychiatry, sociology, nursing, social
38 work or criminology who shall assist in the immediate rehabilitation of individuals or

1 detention of prisoners. Great care must be exercised so that human rights of these
2 prisoners are respected and protected, and their spiritual and physical well-being are
3 properly and promptly attended to. Likewise, the City shall ensure that proper separate
4 detention centers for juveniles and women are provided for.

5
6 **SEC. 50.** The City Schools Division. –

7 (a) There shall be established and maintained by the DepEd a city schools division
8 of the City of Liloan whose area of jurisdiction will cover all the school districts within
9 the City.

10 (b) The city schools division shall be headed by a city schools division
11 superintendent who must possess the necessary qualifications required by the DepEd.

12 **SEC. 51.** The City Prosecution Service. –

13 (a) There shall be established in the City of Liloan a city prosecution service to be
14 headed by a city prosecutor and such number of assistant city prosecutors as may be
15 necessary, who shall be organizationally part of the DOJ, and under the supervision
16 and control of the Secretary of Justice and whose qualifications, manner of
17 appointment, rank, salary and benefits shall be governed by existing laws covering
18 prosecutors in the DOJ.

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

23 The Secretary of Justice shall always ensure the adequacy and quality of prosecution
24 service in the City of Liloan and for this purpose, shall, in the absence or lack or
25 insufficiency in number of assistant city prosecutors as provided

26 hereinabove, designate from among the assistant provincial prosecutors a sufficient
27 number to perform and discharge the functions of the city prosecution service as
28 provided hereinabove.

29 **ARTICLE X**
30 **TRANSITORY AND FINAL PROVISIONS**

31
32 **SEC. 52.** Municipal Ordinances Existing at the Time of the Approval of this Act.

33 – All municipal ordinances of the Municipality of Liloan existing at the time of the
34 approval of this Act shall continue to be in force within die City of Liloan until the
35 sangguniang panlungsod ordinance shall provide otherwise.

36 **SEC. 53.** Plebiscite. – The City of Liloan shall acquire corporate existence upon

37 the ratification of its creation by a majority of the votes cast by the qualified voters in
38 a plebiscite to be conducted in the present Municipality of Liloan within thirty (30)

1 days from the approval of this Act. The expenses for such plebiscite shall be borne by
2 the Municipality of Liloan. The Commission on Elections shall conduct and supervise
3 such plebiscite.

4 **SEC. 54.** Officials of the City of Liloan. – The present elective officials of the
5 Municipality of Liloan shall continue to exercise their powers and functions until such
6 time that a new election is held and the duly elected officials shall have already
7 qualified and assumed their offices. The appointive officials and employees of the City
8 shall likewise continue exercising their functions and duties and they shall be
9 automatically absorbed by the City Government of the City of Liloan.

10 **SEC. 55.** Succession Clause. – The City of Liloan shall succeed to all the assets,
11 properties, liabilities and obligations of the Municipality of Liloan.

12 **SEC. 56.** Election of Provincial Governor and the Sangguniang Panlalawigan
13 Members of the Province of Cebu. – The qualified voters of the City of Liloan shall be
14 qualified to vote and run for any elective position in the elections for provincial
15 governor, provincial vice governor, sangguniang panlalawigan members and other
16 elective offices for the Province of Cebu.

17 **SEC. 57.** Jurisdiction of the Province of Cebu. – The City of Liloan shall, unless
18 otherwise provided by law, continue to be under the jurisdiction of the Province of
19 Cebu.

20 **SEC. 58.** Suspension of Increase in Rates of Local Taxes. – No increase in the
21 rates of local taxes shall be imposed by the City within the period of five years from
22 its acquisition of corporate existence.

23 **SEC. 59.** Representative District. – Until otherwise provided by law, the City of
24 Liloan shall continue to be a part of the Fifth Congressional District of the Province of
25 Cebu.

26 **SEC. 60.** Limitation. – Within three years from the approval of this Act, no new
27 race track, jai-alai fronton, gambling casino or cockpit shall be licensed or allowed to
28 operate in the City.

29 **SEC. 61.** Reservation. – Nothing herein contained shall preclude the
30 determination by the appropriate agency or forum of boundary disputes or cases
31 involving questions of territorial jurisdiction between the City of Liloan and any of the
32 adjoining local government units even after the effectivity of this Act.

33 **SEC. 62.** Applicability of Laws. – The provisions of Republic Act No. 7160,
34 otherwise known as the Local Government Code of 1991, and other laws pertaining
35 to the Province of Cebu and such laws as are applicable to cities shall govern the City
36 of Liloan insofar as they are not inconsistent with the provisions of this Act.

37 **SEC. 63.** Separability Clause. – If, for any reason or reasons, any part or
38 provisions of this charter shall be held unconstitutional, invalid or inconsistent with the

1 Local Government Code of 1991, the other parts or provisions hereof which are not
2 affected thereby shall continue to be in full force and effect. Moreover, in cases where
3 this Charter is silent or unclear, the pertinent provisions of the Local Government Code
4 shall govern, if so provided therein.

5 **SEC. 64.** Effectivity. – This Act shall take effect fifteen (15) days after its
6 complete publication in at least two newspapers of general and local circulation.

Approved,