

AN ACT TO AMEND THE CHARTER OF THE CITY OF CEBU

REPUBLIC ACT NO. 1233, June 07, 1955

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

SECTION 1. The last paragraph of section seven of Commonwealth Act Numbered Fifty-eight, as amended by Public Act Numbered Two hundred forty-four, is hereby Wier amended to read as follows:

"SEC. 7. The Mayor shall be elected at large by the qualified electors of the city. He shall be at least thirty years of age, a resident of the city at least two years prior to his election, and a qualified voter therein: Provided, That the first election for Mayor shall be held at the general election for provincial and municipal officials next following the approval of this Act. He shall hold office for four years unless sooner removed, and shall receive a salary of seven thousand two hundred pesos a year."

SEC. 2. Section eight of the same Act, as Republic Act Numbered Two hundred forty-four, is h6 further amended to read as follows:

"SEC. 8. The vice-mayor.—There shall be elected a vice-mayor who shall perform the duties and exercise the powers of the mayor, in the event of death, sickness, absence or other temporary incapacity of the mayor. The vice-mayor shall be elected in the same manner as the mayor and shall at the time of his election posses the same qualifications as the mayor. If, for any reason the vice-mayor is temporarily incapacitated by sickness absence or other temporary incapacitated to perform the duties of such office, the duties and powers of the mayor shall be performed and exercised by a member of the municipal board who shall be chosen by a majority of all the members of the Board. As soon as the vice-mayor assumes the duties of the Mayor, he automatically ceases to be the presiding officer thereof. His duties as president of the Board shall be exercised by the councilor chosen by the majority of the members of the Board and such councilor ceases temporarily to take part in the deliberations of the Board except to preside and to vote in case of tie. When the offices of the mayor and the vice-mayor are left vacant by virtue of death or permanent disability of the incumbents, the vacancies shall be filled up by appointments by the President of the Philippines in accordance with law.

"The vice-mayor shall perform such other duties as may be assigned upon him by the mayor or prescribed by law or ordinances."

SEC. 3. Section twelve of the same Act, as amende by section two of Commonwealth Act Numbered One hundred twenty-nine, is hereby amended to read as follows:

"SEC. 12. Constitution and organization of Municipal Board.—The Municipal Board shall be the legislative of the city, and shall consist of the vice-mayor, who shall be its presiding officer, and nine councilors, who be elected at large by the qualified voters of the city in comformity with the provisions of the Revised Election Code. The vice-mayor shall have no right to vote except in case of tie. The president shall sign all ordinances, all resolutions and motion directing the payment of money or creating liability, enacted or adopted by the Board, or if for any reason it becomes necessary to maintain a quorum, the president of the Philippines may make a temporary appointment until the return to duty of the sick or absent member. During the period of such temporary appointment the person receiving the same shall possess all the rights and perform all the duties of a member of the Board.

"If the vice-mayor or a councilor should be candidate for office in any election, he shall be disqualified to act with the municipal board in the discharge of the duties conferred upon it relative to election matters, and in such case the other councilors shall discharge said duties without his assistance.

"The members of the Board shall receive an annual salary of three thousand six-hundred pesos per annum."

SEC. 4. The last sentence of section thirty-three of the same Act is hereby amended to read as follows:

"SEC. 33. * * *. He shall receive a salary of three thousand pesos per annum."

SEC. 5. The last sentence of section thirty-four of the same Act is hereby amended to read as follows:

"SEC. 34. * * *. He shall receive a salary of three thousand two-hundred pesos per annum."

SEC. 6. The last paragraph of section thirty-seven of Commonwealth Act Numbered Fifty-eight, as amended by section six of Republic Act Numbered Two hundred forty-four, is hereby further amended to read as follows:

"SEC. 37. * * *.

"The fiscal of the city and his assistants shall receive the salaries hereinafter set forth, which shall be paid by pity of Cebu: fiscal of the city, six thousand pesos per annum; first assistant fiscal, four thousand six hundred pesos per annum; second assistant fiscal, four thousand two hundred pesos per annum; and three third assist fiscals, three thousand six hundred pesos per annum each."

SEC. 7. This Act shall take effect upon its approval.

Approved, June 7, 1955.

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