

AN ACT AMENDING CERTAIN SECTIONS OF COMMONWEALTH ACT NUMBERED ONE HUNDRED FIFTY-EIGHT, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF ILOILO.

REPUBLIC ACT NO. 4659, June 18, 1966

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

SECTION 1. The first paragraph of Section twelve of Commonwealth Act Numbered One hundred fifty-eight, as amended, is further amended to read as follows:

"SEC. 12. Secretary of city.—The Municipal Board shall appoint a secretary of the city, who shall receive an annual compensation in accordance with existing laws and shall be considered chief of a department of the city. Said secretary shall be the local civil registrar of the City of Iloilo and shall have charge and custody of all records and documents of the city and of any office or department thereof for which provision is not otherwise made; shall keep the corporate seal of the city and affix the same with his signature to all ordinances and resolutions signed by the Mayor and to all other official documents and papers of the government of the city as may be required by custom, in the discretion of the Mayor; shall attest all executive orders, proclamations, ordinances and resolutions signed by the Mayor and shall perform such other duties as the Mayor may require of him or as may be required of him by law or ordinance; shall, on demand, burnish certified copies of all records and documents in his charge which are not of a confidential character and shall collect twenty centavos for each one hundred words including the certificate, and all receipts shall be paid into the city treasury. He shall likewise perform all the duties imposed on chiefs of departments of the city government by Section twenty-four hereof."

SEC. 2. Section twenty-one of the same Act, as amended, is further amended by adding after the last subparagraph thereof a new subparagraph (dd), to read as follows:

"(dd) to create new barrios within the city limits."

SEC. 3. The first paragraph of Section twenty-three of the same Act, as amended, is further amended to read as follows:

"SEC. 23. City departments.—There shall be the following city departments over which the Mayor shall have general supervision:

"1. Department of Finance.

"2. Department of Engineering and Public Works.

"3. Legal Department.

"4. Police Department.

"5. Department of Assessment.

"6. Department of Public Services.

"7. Fire Department."

SEC. 4. Section twenty-five of the same Act, as amended, is further amended to read as follows:

"SEC. 25. Appointment and Removal of Officers and Employees.—With the consent of the Commission on Appointments the President of the Philippines shall appoint the City Treasurer, City Assessor, City Engineer, City Fiscal, the City Judge, the Auxiliary City Judge, the Chief of Police and the Chief of Fire Department. Subject to the provisions of the Civil Service Law and rules, the Mayor shall appoint and remove upon confirmation and approval by the Municipal Board all other officers and employees of the city whose appointment is not otherwise provided by law and whose salaries are paid wholly or partly from city funds, excluding the regular employees in the City Auditor's Office. The suspension or removal of the same should be subject to the provisions of Executive Order Numbered Thirty-nine of the President of the Philippines. The Mayor shall recommend to the President of the Philippines the suspension or removal of any officer or employee of the executive or administrative departments of the city appointed by said President, whose decision shall be final."

SEC. 5. The first paragraph of Section fifty-six of the same Act, as amended, is further amended to read as follows:

"SEC. 56. City Court—Its jurisdiction.—There shall be a city court for the City of Iloilo for which there shall be appointed four city judges and two auxiliary city judges who shall receive the salary provided for under existing laws. The city judges shall have as a general rule the same powers and duties as are conferred upon them by law, including authority to solemnize marriages. They shall be entitled to thirty days vacation with pay each year. One of the said city judges shall be designated by the Secretary of Justice to try all cases of traffic violations within the City of Iloilo."

SEC. 6. Section sixty-four of the same Act, as amended, is further amended to read as follows:

"SEC. 64. The city fiscal—His assistants—His duties.—There shall be a city fiscal with fourteen assistant city fiscals, who shall discharge his duties under the general supervision of the Secretary of Justice. He shall be the legal adviser of the city and all offices and departments thereof; shall represent the city in all civil cases wherein the city or any officer thereof in his official capacity is a party; shall attend, when necessary, meetings of the Board, draft ordinances, contracts, bonds, leases and other documents involving any interest of the city, and inspect documents and pass upon all such documents already drafted; shall give his opinion in writing when requested by the Mayor or the Board upon any question relating to the city, or the rights and duties of any city officers shall, whenever it is brought to his knowledge that any city officer or employee is guilty of neglect or misconduct in office, or that any person firm, or corporation holding or exercising any franchise or public privilege from the city, or contract with the same has failed to comply with any condition, or to pay any consideration mentioned in the same, investigate the matter and report to the Mayor, and shall, when directed by the Mayor, institute and prosecute whatever suits may be necessary in the city's interest. He shall also prosecute and defend all civil suits related to or connected with any city office or interest. He shall discharge all the duties in respect to criminal prosecutions enjoined by law upon provincial fiscals, and shall have exclusive charge of the prosecution in the city court of all offenses and violations of city ordinances committed within the city limits. He shall have concurrent jurisdiction with the provincial fiscal in the prosecution in the Court of First Instance of violations of the penal laws committed within the two and one-half mile zone surrounding the city by land; but the fiscal first prosecuting such violations shall acquire exclusive jurisdiction over the same. The present positions of special counsel are hereby abolished."

SEC. 7. Article VIII and Sections sixty-five, sixty-six and sixty-seven of the same Act, are amended to read as follows:

"Article VIII.—Police Department.

"SEC. 65. Powers and duties of chief of police.—There shall be a chief of police, who shall have charge of the police department, and everything pertaining thereto, including the organization, government, discipline and disposition of the city police and detective force; shall investigate, under the direction of the Mayor, any complaints filed against members of the police and report the result of his investigation to the Mayor, making whatever recommendations he may deem pertinent, for such action as said officer may consider necessary shall quell riots, disorders, disturbances of the peace, and shall arrest and prosecute violators of any law or ordinance; shall exercise police supervision over all land and adjacent waters within the police jurisdiction of the city; shall be charged with the protection of the rights of person and property wherever found within the jurisdiction of the city, and shall arrest without warrant, when necessary to prevent the escape of the offender, violators of any law or ordinance, and all who obstruct or interfere with him in the discharge of his duty; shall be responsible for the safekeeping of all prisoners until they shall be released from custody, in accordance with law, or delivered to the warden of the proper prison; may take good and sufficient bail for the appearance before the city court of any person arrested for violation of any city ordinance: Provided, however, That he shall not exercise this power in cases of violations of any penal law, except when the city fiscal shall so recommend and fix the bail to be required of the person arrested, shall have authority, within the police jurisdiction of the city, to serve and execute processes of any court; shall either in person or by deputy, attend all sessions of the city courts, and shall promptly and faithfully execute all orders of the Mayor, and all writs and processes of the city courts.

"SEC. 66. Assistant chief of police.—There shall be an assistant chief of police whose duties shall be to act as chief of police in the absence or inability to act of the chief of police and to perform such other duties as may be imposed upon him by the chief of police or prescribed by law or ordinance.

"The chief of police and the assistant chief of police shall be appointed by the President with the consent of the Commission on Appointments.

"SEC. 67. Second assistant chief of police.—There shall be a second assistant chief of police who shall be chief of the secret service and shall have charge of the detective work of the department and of the detective force of the city, and shall perform such other duties as may be assigned to him by the chief of police or prescribed by law or ordinance."

SEC. 8. A new article to be known as Article VIII-I is hereby inserted between Sections sixty-eight and sixty-nine the same Act to read as follows:

"Article VIII-I—Fire Department

"SEC. 69. Powers and duties of chief of fire department.—There shall be a chief of the fire department who shall have charge of the management and control of all matters relating to the administration of said department, and the organization, government, discipline and disposition of the fire force; shall have charge of fire-engine houses, fire-engines, hose carts, hooks and ladders, trucks and all other fire apparatus; shall have full police powers in the vicinity of fires, shall have authority to remove any building or other property whenever it shall become necessary to prevent the spreading of fire or to protect adjacent property; shall investigate and report to the Mayor upon the origin and cause of all fires occurring within the city; shall inspect all buildings erected or under construction or repair within the city and determine whether they provide sufficient protection against fire and comply with the ordinances relating thereto; shall have charge of the city telegraph, telephone and fire alarm service; shall supervise and regulate the stringing, grounding, and installation of wires for all electrical connections with a view to avoiding conflagrations, interference with public traffic or safety, or the necessary operations of the fire department; shall supervise and regulate the manufacture, storage, and use of petroleum, gas, acetylene, gunpowder, and other highly combustible matter and explosive; and shall see that all ordinances relating to these subjects or any of them, are enforced."

SEC. 9. The following new section to be known as Section eighty-one-A is hereby inserted between Sections

eighty-one and eighty-two of the same Act to read as follows:

"SEC. 81-A. Bureau of Public Schools—Superintendent of City Schools.—The Director of the Bureau of Public Schools shall exercise the same jurisdiction and powers in the city as elsewhere in the Philippines, and the city superintendent of schools shall have all the powers and duties in respect to schools of the city as are vested in division superintendents in respect to schools of their divisions. The city superintendent of schools shall receive a salary fixed by law. In the absence of the city superintendent of schools the principal of the city high school shall be the officer-in-charge. Thereafter, the city superintendent of schools shall be appointed by the President of the Philippines with the consent of the Commission on Appointments."

SEC. 10. This Act shall take effect upon its approval.

Approved, June 18, 1966.

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