

AN ACT AMENDING CERTAIN SECTIONS OF THE CHARTER OF DANAOK CITY.

REPUBLIC ACT NO. 3652, June 22, 1963

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

SECTION 1. Sections two and seventeen of Republic Act Numbered Thirty hundred and twenty-eight, otherwise known as the Charter of Danao City, are hereby amended to read as follows:

"SEC. 2. Territory of Danao City.—The Danao City which is hereby created shall comprise the present territorial jurisdiction of the Poblacion and the following barrios of Baliang, Binalew, Cabungahan, Cahumayhumayan, Cambanay, Dumga, Cogon-Cruz, Dunggoan, Guinacot, Guinsay, Ibo, Lamac, Lawa-an, Langosig, Licos, Looc, Magtagobto, Masaba, Maslog, Malapoc, Manlayag, Manteja, Nangka, Ogis, Pili (proper, Anislagan, Catulero), Quisol, Sabang, Sacsac, Sandayong Norte, Sandayong Sur, Santa Rosa, Santikan, Sibacan, Suba, Tabok, Togonon, Taytay, Tuburan Sur, Danasan, Bayabas, Cambubho, and all other barrios of the Municipality of Danao, Province Cebu. The boundary between the Municipality of Carmen, Province of Cebu and Danao City are hereby established and prescribed as follows:

TECHNICAL DESCRIPTIONS

Line Bearing Distance
MBM-1 N 6° 23'W 221.00M
1-2 N 79°31'E 231.80
2-3 N 12°10'W 732.10
3-4 N 46°38'W 421.00
4-5 N 17 44'E 421.40
5-6 N 24°33'W 311.00
6-7 S 85°14'E 855.00

"SEC. 17. Barrio Councils.—In each barrio there shall be organized a barrio council which shall be composed of a barriolientenant who shall be its chairman, a sub-barrio lieutenant who shall assist the barrio lieutenant in the discharge of his duties, a councilman for livelihood councilman for education, and a councilman for health who in addition to their other duties, will look after the enforcement of laws, ordinances and resolutions, pertaining to matters comprised within their respective offices and the promotion of the welfare of the barrio. They shall be elected at a meeting to be attended by at least one-third of all the residents of the barrio who are qualified voters. The election shall take place once in every four years not earlier than the second Sunday of January and not later than the last day of January. The councilor assigned to the barrio shall convoke and preside over the meeting. He shall appoint a board of inspectors and canvassers to conduct the election. The manner of election shall be by secret ballot. Those who obtain the highest number of votes for the position for which they are candidates shall be declared elected and shall assume office immediately: Provided, however, That no person shall be eligible as a candidate for the barrio council unless he has been a resident of the barrio for at least six months immediately prior to the election, at least twenty years of age at the time of the election, able to read and

write and possess the necessary training, experience, and fitness for position. Any person who is a resident of the bare and is twenty-one years of age or over and is able read and write is eligible to vote in the election, provided had been a resident of the barrio for at least 3 months prior to the election.

"The members of the barrio council shall hold office for four years or until their successors are duly elected qualified. But in no case can he be re-elected for more than four consecutive terms, unless two years have elapsed from the expiration of his last term, in which case he shall again be eligible for election to any barrio office. The councilor may, for cause, recommend to the municipal board the suspension or dismissal of any of the members the barrio council. They shall not receive any compensation or emolument of any kind.

"The barrio council shall have the power to promulgate rules not inconsistent with aw or ordinances of the municipal board and, subject to the approval of the latter, shall be operative within the barrio. The council shall be responsible for the planning, budgeting and spending of funds belonging to the barrio treasury and shall have the following powers and duties:

(a) to represent the barrio in cases in which such representation is not incompatible with the personality of the municipal board:

(b) to hold a regular session once a month;

(c) to make their own rules of procedure which shall be approved by the councilor concerned;

(d) to submit to the municipal board, through said councilor, such suggestions or recommendations as they may see fit for improvement in their place or for the welfare of the inhabitants thereof;

(e) to provide for the publication by town crier or such other means as they see fit, of new laws and municipal ordinances;

(f) to organize at least three times a year civic lectures tending to generalize information concerning the duties and rights of citizenship; and

(g) to cooperate with the government for the success of measures of general interest in their respective barrios. The barrio councilmen may hold their sessions in the public school building of the barrio during hours when there are no classes, or any house or lot in the barrio, the provisional or permanent use of which may be granted to them for said purpose free of charge; and shall elect from among their number a secretary who shall prepare short minutes of the proceeding of the council and draft the recommendations or suggestions to be submitted by the same to the municipal council, in either of the official languages of the country or in the local dialect. The barrio council shall also elect from their number a treasurer who shall collect all fees and contributions due the barrio treasury for which he shall issue the proper receipts. He shall be the custodian of the barrio funds and shall deposit all collections with the City Treasurer within a period of one week after receipt of such fees and contributions. He shall disburse the same in accordance with resolutions of the municipal board upon vouchers signed by the payee and approved by the barrio lieutenant with the approval of the municipal board and subject to availability of funds in the barrio treasury. The barrio council may provide for necessary traveling expenses for the barrio lieutenant or any member of the council.

"For purposes of this Charter, the Poblacion shall be considered a barrio."

SEC. 2. Paragraph (h) of section twenty-eight of the same Act is hereby repealed.

SEC. 3. Sections twenty-four and twenty-nine of the same Acts are hereby amended to read as follows:

"SEC. 29. The City Engineer—His powers and duties.—The District Engineer of the Second Engineering District of Cebu shall be the City Engineer ex-officio and as such he shall have charge of the Department of Engineering and Public Works; Provided, That the incumbent officials and employees of the department shall continue in office. The City Engineer shall have the following powers and duties:

"(a) He shall have charge of all the surveying and engineering works of the city and the first representative district of the Province of Cebu, care, cleaning and sprinkling of streets, canals and esteros, parks and public grounds, bridges, recreation and playgrounds and shall perform such services in connection with public improvements, or any work entered upon or projected by the city and the first representative district of the Province Cebu, or any department thereof, as may require the skills and experience of a civil engineer.

"(b) He shall ascertain, record, and establish monuments of the city survey and from thence extend the survey of the city, and locate, establish, and survey all district property, and also private property abutting on the same, whenever directed by the Mayor.

"(c) He shall prepare and submit plans, maps, specifications and estimates for buildings, streets, bridges, docks, and other public works, and supervise the construction and repair of the same.

"(d) He shall make such test and inspection of engineering materials used in construction and repair as may be necessary to protect the city and the district from the use of materials of a poor or dangerous quality.

"(e) He shall have the care of all public buildings, when erected, including markets and slaughterhouses and all buildings rented for city purposes, and of any system now or hereafter established by the city for lighting the streets, public places, or public buildings.

"(f) He shall have the care of all public streets, parks and bridges, and shall maintain and regulate the use of the same for all purposes as provided for by ordinance or law; shall collect and dispose of all garbage, refuse, the contents of closets, vaults, and cesspools, and all other offensive and dangerous substances within the city and, in the event the disposal and collection of such garbage, refuse and other offensive substances has been awarded to a private contractor, the disposal and collection thereof shall be under the supervision of the city engineer.

"(g) He shall have the care and custody of all public docks, wharves, piers, levees, and landing places owned by the city and the district.

"(h) He shall prevent the encroachment of private buildings and fences on the streets and public places of the city and the district.

"(i) He shall have general supervision and inspection of all private docks, wharves, piers, levees, and landing places and other property bordering on the harbor, river, esteros and waterways of the city and district, and shall issue permits for the construction, repair and removal of the same, and enforce all ordinances relating to the same.

"(j) He shall have the care and custody of the public systems of waterworks and sewers, and all sources of water supply, and shall control, maintain, and regulate the use of the same, in accordance with the ordinance relating thereto; shall inspect and regulate the use of private systems for supplying water to the city district and its inhabitants, and all private sewers their connections with the public sewers systems.

"(k) He shall supervise the laying of mains and connections for the purpose of supplying gas to the inhabitant of the city and district.

"(l) He shall inspect and report upon the conditions of public property and public works whenever required by the Mayor or the Department of Public Works and Communications.

"(m) He shall supervise and regulate the location and use of engines, boilers, forges, and other manufacture and heating appliances in accordance with law and ordinance relating thereto. He is authorized to charge fees, at rates to be fixed by the municipal board, for the sanitation and transportation services and supplies furnished by the department.

"(n) He shall inspect and supervise the construction, repair, removal, and safety of private buildings, and regulate and enforce the numbering of houses in accordance with the ordinances of the city.

"(o) With the previous approval of the Mayor in each case, he shall order the removal of buildings and structure erected in violation of the ordinances; shall order the removal of materials employed in the construction repair of any building or structure made in violation said ordinances; and shall cause buildings and structures dangerous to the public to be made secure or torn down.

"(p) He shall file and preserve all maps, plans, notes surveys and other papers and documents pertaining to his office."

"SEC. 24. The General Auditing Office.—The Auditor General shall receive and audit all accounts of the in accordance with the provisions of law relating to government accounts and accounting. The city auditor shall be appointed by the Auditor General and shall receive a salary of four thousand eight hundred pesos per annum to be paid by the national government. He shall also audit the accounts and disbursements of the collecting and disbursing officer of the Second Engineering District of Cebu."

SEC. 4. The same Act is hereby amended by inserting between sections thirty and thirty-one the following new section:

"SEC. 30 (a). Disbursing and collecting office.—There is hereby created under the City Engineer a disbursing and collecting office which shall be headed by a collecting and disbursing officer. He shall have the custody of all national funds for the city and the First Representative District of Cebu which is known as the Second Engineering District of Cebu and shall disburse the same in accordance with law. The collecting and disbursing officer shall be appointed by the Secretary of Public Works and Communications and shall receive a salary of three thousand six hundred pesos per annum payable from national funds."

SEC. 5. Section thirty-eight of the same Act is amended to read as follows:

"SEC. 38. Real Estate Exempt from Taxation.—The following shall be exempted from taxation:

"(a) Lands or buildings owned by the National Government or Danao City, and burying grounds, churches, adjacent parsonages and convents, and lands or buildings used exclusively for religious, charitable, scientific, educational purposes, and not for profit.

"(b) Lands or buildings which are the only real property of the owner, and the value of which does not exceed four hundred pesos.

"(c) Machinery, which term shall embrace machines, mechanical contrivances, instruments, appliances, and apparatus attached to the real estate, used for industrial agricultural or manufacturing purposes.

SEC. 6. This Act shall take effect upon its approval: Provided, That the members of the barrio councils elect in the election held following the approval of this act shall hold office for four (4) years and until their successors shall have been elected and have qualified.

Approved, June 22, 1963.

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