

AN ACT TO REVISE THE CHARTER OF QUEZON CITY

REPUBLIC ACT NO. 537, June 16, 1950

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

PRELIMINARY ARTICLE

SECTION 1. This Act shall be known as the Revised Charter of Quezon City.

ARTICLE I.-The City as a Public Corporation

SEC. 2. General powers.-The territory within the boundaries described in the next succeeding section is to be known as Quezon City which shall be the capital of the Philippines and the permanent seat of the National Government; and by that name it shall have perpetual succession; have and use of common seal and alter the same at pleasure; sue and be sued, and prosecute and defend suits to final judgment and execution; take, purchase, revive, hold, lease, convey, and dispose of real and personal property, within or without its corporate limits, for the benefit of the city and, expropriate private property for public use; contract and be contracted with; and execute all the powers hereinafter conferred.

SEC. 3. Boundaries.-The boundaries and limits of the territory of said city, containing the total area of fifteen thousand three hundred fifty-nine hectares, more or less, are established and prescribed as follows: Beginning at a point marked "1", which is the northwestern corner of boundary of Quezon City, thence due north 660.00 m. to point "2"; thence N. 43 deg. 30' E., 3,680.00 m. to point "3"; thence, N. 18 deg. 00' W., 3,200.00 m. to point "4"; thence N. 45 deg. 00' E., 4,100.00 m. to point "5"; thence due east 4,200.00 m. to point "6"; thence following the N. boundary line of the Novaliches watershed reservation to point "7"; thence, S. 68 deg. 00' E., 900.00 m. to point "8", which is the center of Marikina River; thence following the center of the downstream course of Marikina River to point "9", which is the intersection of the Arroyo and Marikina Rivers; thence upstream following Arroyo between Payatas and Marikina estates to point "10", which is 100.00 m. to north of the pipe line and which is the corner of Quezon City; thence following the northern boundary of Quezon City to point of beginning; and the territory described as follows: Beginning at a point marked "1" which is identical to boundary monument No. 1, Piedad Estate; thence to point "2", which is boundary monument No. 2 of Piedad Estate; thence downstream following the Arroyo between Payatas Estate and Marikina Estate to point "3", which is 100 meters North of the water pipe line of the Metropolitan Water District; thence following the ridge southwestward to point "4", where the water pipe line crosses the ravine; thence following the ridge south westward to point "5", which is boundary monument No. 25 of Marikina Estate southward to point "6", which is the junction of the Marikina River and Marikina Estate; thence downstream following the Marikina River to point "7", which is the crossing of Marikina River by the old Rosario Road; thence westward following the old Rosario Road to point "8", which is the intersection of the old Rosario Road with the eastern right of way of the circumferential road (Highway 54); thence northwestward following the eastern right of way of the circumferential road to point "9", which is the crossing of the said road by the Santolan Road (northern right of way of the tolan Road); thence westward following the northern right of way of the Santolan Road to point "10", which crossing of the said road with the Salapan Creek; thence downstream following the Salapan Creek to point "11", which is the junction of Salapan

Creek and Dario River; thence southward following the Salapan Creek to its intersection with the east boundary of the City of Manila to point "12"; thence northwestward following; the east boundary of the City of Manila to point "13", near La Loma Cabaret, which is a corner of the boundary of the City of Manila near the entrance of the North Cemetery; thence northward following the boundary of the City of Manila to point "14", which is the Northeast corner of said city; thence westward along said City of Manila boundary at a distance of 100 meters to point "15"; thence northward paralleling the Novaliches Road to a distance of 100 meters from the property line on the side of said road to point "16", which is at a distance of 100 meters North of the crossing of Samson Street (road connecting Balintawak Monument with Bonifacio Monument) ; thence eastward paralleling Samson Street and the circumferential road at a distance of 100 meters on the North side of said street and road to point "17", which is the center of the Culiati Creek; thence upstream following the Culiati Creek to point "18", which is the junction of Pasong Tamo River and Culiati Creek; thence upstream following Pasong Tamo River to point "19", which is the junction of Pasong Tamo River and Pinagpatayan Buaya Creek; thence to point of beginning."

SEC. 4. City not liable for damages.-The failure of any city officer to enforce the provisions of this Act or any law or ordinance, or the negligence of said officer while enforcing or attempting to enforce the same, shall not cause the city to be held liable for damages or injuries to Persons or property.

SEC. 5. Conduct of elections.-The duties which are by the Election Code made incumbent upon provincial boards and municipal councils shall be performed by the City Council; and those upon provincial treasurers and municipal secretaries, by the City Treasurer and city secretary, respectively.

SEC. 6. Police jurisdiction.-The jurisdiction of Quezon for police purposes shall be coextensive with its territorial jurisdiction only, and for the purpose of protecting and insuring the purity of the water supply of the city such police jurisdiction shall extend over all territory within the drainage area of such water supply, or within one hundred meters of any reservoir, conduit, canal aqueduct, or pumping station used in connection with the city water service. The Court of First Instance and the municipal court of Quezon City shall have concurrent jurisdiction with the Courts of First Instance and the courts of justices of the peace of the province and municipalities, respectively, to try crimes and misdemeanors committed within said drainage area, or within said spaces of one hundred meters. The court first taking jurisdiction of such an offense shall thereafter retain exclusive jurisdiction thereof.

SEC. 7. Representative districts.-Until otherwise provided by law, the corresponding territories of Quezon City belonging at the time of the approval of this Act to the First and Second Representative Districts of the Province of Rizal, shall continue to remain parts of said districts.

ARTICLE II.-The Mayor

SEC. 8. The Mayor.-His appointment and compensation.-The Mayor shall be the chief executive of the city, and as such, shall have immediate supervision and control over the executive functions of the different departments subject to the supervision of the Secretary of the Interior, The Mayor shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments of the Congress of the Philippines, and shall hold office at the pleasure of the President. He shall receive a salary of not exceeding nine thousand pesos a year. The City Council may provide the Mayor in addition to his salary a commutable quarter's allowance of not more than three thousand pesos per annum.

SEC. 9. Vice-Mayor.-There shall be a Vice-Mayor who shall be a member of the City Council, and who shall, during the absence of the Mayor from the city or his disability for any reason, discharge the duties of this office and exercise his powers, except that of removing any officer from office. If, for any reason, the Vice-Mayor is temporarily incapacitated for the performance of the duties of the office of the mayor, or said office of the

vice-mayor is vacant, the duties of the Mayor, shall be performed by the City Engineer.

He shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments of the Congress and shall hold office at the pleasure of the president. He shall receive a salary of not exceeding three thousand six hundred pesos a year.

SEC. 10. General duties and powers of the Mayor.-The general duties and powers of the Mayor shall be:

- He shall take care that the laws of the Philippines, the provisions of this Act, and the ordinances and resolutions of the city are duly observed and enforced within the jurisdiction of the city.
- He shall see that executive officers and employees of the city faithfully discharge their respective duties, and to that end may cause to be instituted any appropriate criminal action, or take proceedings to bring to the attention of the proper superior officer the derelictions of city officials.
- He shall give to the City Council from time to timesuch information and recommend such measures as he shall deem advantageous to the city.
- He shall preside at all meetings of the City Council;
shall have the right to vote on all ordinances or other matters coming before the Council, shall sign the secretary's record of the proceedings of each meeting at the same meeting at which same is approved by the Council, and shall sign all ordinances and resolutions.
- He shall have power to examine and inspect the records, and papers of all officers, agents, or employees of the city.
- He shall represent the city in all its business matters, and sign all warrants drawn on the city treasury and all bonds, contracts, and obligations of the city,
- He shall appoint, in accordance with the Civil Service Law, all officers or employees of the city, whose appointment is not otherwise provided by law, and at any time, for cause, he may suspend any such officer or employee thus appointed for a period not exceeding fifteen days which suspension may continue for a longer period if approved by the Department Head; and by and with the consent of the Department Head may discharge any such officer or employee.
- He shall cause to be instituted judicial proceedings to recover property and funds of the city wherever found or otherwise to protect its interests, and shall cause to be defended all suits against the same.
- He shall, as soon as practicable not later than the month of September, prepare and present to the Department Head an annual report covering the operations of the city government during the preceding year.
- To safeguard all the lands, buildings, records, moneys, credits, and other property and right of the city, and subject to the provisions of this Charter, have control of all its property.
- To see that all taxes and other revenues of the city are collected, and applied in accordance with appropriations to the payment of the city expenses.
- To excuse, with the concurrence of the Director of Public Schools, deserving poor pupils from the payment of school fees or any part thereof.
- To take such emergency measures as may be necessary to avoid fires, floods, and mitigate the effects of storms and other public calamities.
- To grant or refuse municipal license or permit of all classes and to revoke the same for violation of the conditions upon which they are granted, or if acts prohibited by law or municipal ordinance are being committed under the protection of such license or permit or in the premise in which the business for which the

same have been granted is carried on, or for any other good reason of general and public interest.

- To receive, hear, and decide as he may deem proper the petitions, complaints, and claims of the residents concerning all classes of local matters of an administrative character.
- To require owner of houses, buildings or other structures constructed without the necessary permit or in violation of existing law or ordinance to remove or demolish such houses, buildings or structures within thirty days after notice, and upon failure of such owner to remove or demolish such house, building, or structure within thirty days, the mayor may cause its removal or demolition at the expense of the owner,
- To perform such other duties and exercise such executive powers as may be prescribed by law or ordinance.

ARTICLE III.-The City Council

SEC. 11. The City Council-Constitution and organization-Compensation of members-Meetings-Ordinances-There shall be a City Council composed of the Mayor as chairman, Vice-Mayor, and eight other members. The Council shall fix the time and places for its regular meetings, which shall be held twice in each week, and shall hold special sessions when called by the Mayor. Any meeting, regular or special, may, in case the amount of business shall require, be adjourned from day to day until the business is completed. The meetings of the Council shall be open to the public unless otherwise ordered by affirmative vote of a majority of its members. It shall keep a record of its proceedings and determine its rules of procedure not herein set forth. A majority of the Council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. The ayes and nays shall be taken and recorded upon the passage of all ordinances, upon all resolutions or motions directing the payment of money or creating liability, and, at the request of any member, upon any other motion or resolution. The affirmative vote of a majority of all the members of the City Council shall be necessary for the passage of any ordinance, resolution, or motion directing the payment of money or creating liability. Each ordinance shall be sealed with the city seal, signed by the Mayor and the city secretary, and recorded in a book for that purpose. Each ordinance shall, on the day its passage, be posted by the city secretary at the main entrance of the municipal building and shall take effect and be in force on and after the tenth day following its passage, if no date is fixed in the ordinance.

The eight councilors hereinabove mentioned shall be appointed by the President of the Philippines with the consent of the Commission on Appointments, shall hold office at the pleasure of the President; and, such councilors who are not officers or employees of the Government receiving a fixed compensation or salary from public funds shall receive a fixed salary of not exceeding three thousand six hundred pesos each per annum.

SEC. 12. General powers and duties of the council-The City Council shall have power by ordinance or resolution:

(a)

To make all appropriations for the expenses of the government of the city, and establish and fix the salaries of city officers and employees whose salaries are not otherwise provided in this Charter, provided that the rate thereof shall not exceed those fixed in the schedule of salary established by the competent authority.

(b)

To provide for the levy and collection of taxes and other city revenues and apply the same to the payment of city expenses in accordance with appropriations.

(c)

To tax, fix the license fee, and regulate the business of the following: Hawkers, peddlers, hucksters, not including hucksters or peddlers who sell only native vegetable fruits or food, personally carried by the

hucksters peddlers, auctioneers, plumbers, barbers, embalmers, collecting agencies, mercantile agencies, transportation companies and agencies, advertising agents, tattooers, hotels, clubs, restaurants, lodging houses, boarding houses, livery stables, private police detectives, private detective agencies, special police agencies, guard agencies, special watchmen agencies, massage clinics, masseur and masseuse, chiropodists, hair dressing and beauty parlors, painters, clubs, night clubs, boarding stables, dealers in large cattle and hogs, laundries, cleaning and dyeing establishments for the storage of highly combustible or explosive materials, public warehouses, circus, and other performances and places of amusement, public vehicles, horse races, bowling alleys, pawn brokers, dealers in secondhand merchandise, junk dealers, billiard or pool tables, theaters, theatrical performances and other performances and places of amusement, shooting galleries, slot machines not used for gaming, and other similar riding devices, brewers, distilleries, rectifiers, money changers, real estate and commercial brokers, other stockbrokers, the keeping of, preparation, and sale of meat, poultry, fish, game, butter, cheese, lard, vegetables, bread and other provisions, dance halls or schools, physical or beauty culture and fashion schools, blacksmith shops, foundries, lumberyards, the storage and sale of gunpowder, tar, pitch, resin, coal, oil, gasoline, benzine, turpentine, hemp, cotton, nitroglycerine, petroleum, or any of the products thereof and of all other highly combustible or explosive materials, and other establishments likely to endanger the public safety or give rise to conflagration or explosions, soap factories, tailor shops, dress shops, milliners, manufactures of embroideries, native cloths, rope, papers, slippers or sandals or both, harness and valises or bags, furniture of all kinds, including rattan goods, wire brass beds or both, men's shirts, hats, printers or bookbinders or both, dyes, bottles or glasswares or both, salted or dried fish or both, fertilizers, nails, and buttons, dealers in hardwares, glasswares, electrical goods and construction materials, groceries, drugstores, dealers of arms, ammunitions, and sporting goods, and such other business, trades and occupation as may be established or practiced in the city, the selling, giving away, depositing in any manner of any intoxicating liquors, signs, signboards, and billboards, displayed or maintained in any place or places where the profession or business advertised thereby is in whole or in part conducted.

(d)

To make regulations for the conducting of the business to the persons and places named in subsection (c) of this section. To regulate the business and fix the location blacksmith shops, foundries, steam boilers, steam engines, lumberyards, sawmills, and other establishments likely to endanger the public safety by giving rise to conflagrations or explosions; to regulate the storage and sale of gunpowder, tar, pitch, resin, coal, oil, gasoline, benzine turpentine, hemp, cotton, nitroglycerine, petroleum, or any of the products thereof and of all other highly combustible or explosive materials.

(e)

To regulate the use of streets and public places by vehicles; to regulate garages and stables and the keeping of carriages, carts, and other conveyances for hire; and to designate stands to be occupied by public vehicles when not in use.

(f)

To provide for the erection or rental and care of buildings necessary for the use of the city.

(g)

To establish and maintain public schools, subject to limitations of law.

(h)

To establish fire limits and regulate the kinds of buildings and structures that may be erected within said limits and the manner of constructing and repairing the same.

(i)

To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other equipment for the prevention and extinguishment of fires, and to provide for the management and use of the same.

(j)

To regulate the use of lights in stables, shops, and other buildings and places, and to regulate or restrain the building of bonfires and the use of firecrackers, fireworks, torpedoes, and pyrotechnic displays.

(k)

To make suitable provisions to insure the public safety from conflagrations and mitigate the effects of storms and other public calamities, and to provide relief for persons suffering from the same.

(l)

To provide for the lighting, cleaning, and sprinkling of streets and public places, to prevent and remove encroachments and obstructions upon the same; to regulate or prevent the use of the same for processions, signs, signposts, awning, and awning posts; to prohibit placing, depositing, leaving or throwing of offal, garbage, refuse, or other offensive matter in the same, and to provide for its collection and disposition; to regulate the opening therein for the laying of gas, water sewer, and other pipes therein, the building and repair of tunnels, sewers, and drains, and all structures therein and thereunder, and the erecting of poles and stringing of wires therein; to provide for and regulate crosswalks, curbs, and gutters therein; to name and change the names of all streets and public places and provide for and regulate the numbering of houses and lots fronting thereon; to regulate traffic and sales upon the same; to abate nuisances in the same, and punish the authors or owners thereof; to construct, maintain and regulate the use of bridges, viaducts and culverts; to prevent and regulate amusements having tendency to annoy persons using the streets or public places, or to frighten horses and other animals; to regulate the speed of horses and other animals, vehicles, and locomotives within the limits of the city.

(m)

Notwithstanding the provisions of any existing law to the contrary, the City Council shall have the exclusive power to provide for the inspection, placing, stringing, attaching, installing, repair and construction of all gas, electric telegraph and telephone wires, conduits, meters and other apparatus or electrical appliances, and the condemnation and correction or removal of the same when dangerous and defective.

(n)

To maintain waterworks for the purposes of supplying water to the inhabitants of the city, to purify the source of supply, to regulate the control and use of the water, and to fix and collect rents therefor; to regulate the construction, repair, and use of hydrants, pumps, cisterns, and reservoirs, and to prevent the waste of water and for the purpose of protecting and insuring the purity and quantity of the water supply of the city, to extend its finance over all territories within the drainage area of such water supply, and within one hundred meters of any reservoir, conduit, canal, aqueduct, pumping station, or watershed used in connection with the water service.

(o)

To establish and maintain a city pound and fix the fees for poundage; regulate, restrict, or prohibit the running at large of domestic animals and dogs unlicensed, and provide for the distraining, impounding, and killing or sale of the same for the penalty incurred and the cost of the proceedings; also impose penalties upon the owners of said animals for the violation of any ordinance in relation thereto. But carabaos, horses, mules, asses, and all members of the bovine family shall be disposed of in accordance with general law.

(p)

To regulate the keeping and use of animals, in so far as the same affects the public health and the health of domestic animals.

(q)

To require any land or building which is in an insanitary condition to be cleaned at the expense of the owner or tenant, and, upon failure to comply with such an order, have the work done, and assess the expense upon the land or buildings.

(r)

To fill up or require to be filled up to a grade necessary for proper sanitation any and all lands and premises which may be declared and duly reported by the City Department of Health as being insanitary by reason of being below such grade or which in the opinion of the Council, the public health or welfare may require.

(s)

To construct and keep in repair public drains, sewers, and cesspools, and regulate the construction and use of private water-closets, privies, sewers, drains, and cesspools.

(t)

To prohibit the burial of the dead within the center of population of the city and provide for their burial in such proper place and in such manner as the Council may determine, subject to the provisions of the general law regulating burial grounds and cemeteries and governing funerals and disposal of the dead.

(u)

To establish or authorize the establishment of slaughterhouses and markets, and inspect and regulate the keeping preparation, and sale of meat, fruits, poultry, milk, vegetables, and other provisions or articles of food one for sale.

(v)

To enforce the regulations of the Department of Health, and by ordinance to provide fines and penalties for violations of such regulations; to adopt such other measures to prevent the introduction and spread of disease as may, from time to time, be deemed desirable or necessary.

(w)

To declare, prevent, and abate nuisances.

(x)

To provide for the recording of births, marriages, and deaths.

(y)

To establish, maintain, and regulate a police force and prescribe the powers and duties of its members.

(z)

To establish, maintain, and regulate a city prison.

(aa)

To prohibit and provide for the punishment of cruelty to animals.

(bb)

To suppress gambling houses, houses of ill fame and other disorderly houses; and to prohibit the printing, sale, or exhibition of immoral pictures, books, or publications of any description.

(cc)

To prevent and suppress riots, affrays, disturbances, and disorderly assemblies; to punish and prevent intoxication, fighting, quarreling, and all disorderly conduct; and to make and enforce all necessary police ordinances, with the view to the confinement and reformation of vagrants, disorderly persons, mendicants, and prostitutes, and persons convicted of violating any city ordinance.

(dd)

To establish, regulate, and maintain city departments, and prescribe the powers and duties thereof and readjust the same.

(ee)

To construct, erect, and establish a public light, heat and power supply and installation system, and to the end to purchase, expropriate, or otherwise acquire all lands which may be necessary, and to build, erect, and construct any and all buildings, stations, and other structures, and to purchase any or all such machinery, poles, wires, wagons, trucks, or other vehicles, supplies, and equipment as may low or hereafter be necessary to the successful operation of such system, as may be provided by law.

(ff)

To maintain and operate any electric light, heat or power supply and installation system, however acquired to keep the same in repair, to alter, increase, extend, improve enlarge or modify the same or any part thereof; to replace worn or useless parts, machinery, poles, animals vehicles, trucks, wires, and other equipment; and to operate, control, and manage the same.

(gg)

For any and all the purposes contemplated in the last two preceding subsections, to enter, if necessary into contracts for partial or deferred payment; to appoint and employ such officers, clerks, employees, and laborers as may be necessary; and to appropriate funds of the city for all the purposes aforesaid.

(hh)

To enter into contracts with, and to supply electric light, heat, current, and other services to residents, merchants, businessmen, and manufacturers in and about the city at rates and for prices not less than sufficient properly to maintain and operate any such plant or system and to pay for depreciations in the same and for all extensions, improvements, enlargements, alterations, or changes thereof and therein.

(ii)

To enter into a contract of lease, and to rent or lease any electric light, heat, or power supply or installation system whether erected, constructed, and established by the City Council, or acquired by it through purchase, grant, or conveyance, or in any other manner, to any person or persons, or to any corporation, for proper and sufficient consideration and subject to the right of supervision and control by the City Council over the operation of such system and over the amount of heat, light, power and current delivered, and the character of other services rendered and of the rates and amounts charged therefor.

(jj)

To fix the penalties for violation of ordinances, but no single penalty shall exceed a fine of two hundred pesos or imprisonment for six months, or both, but imprisonment shall be imposed in lieu of unpaid fines at the rate

of one day's imprisonment for each two pesos and fifty centavos of the fine. Persons undergoing imprisonment for violation of ordinances may be required to labor for the period of imprisonment upon works of the city in such manner as be directed by the City Council. Whenever a person imprisoned for nonpayment of a fine, he shall be released upon payment of such fines, less two pesos and fifty centavos per day for each day that he has been confined. Pending appeal, the defendant shall remain in custody unless released upon sufficient bail, in accordance with the general provisions of law, to await the judgment of the appellate court.

In case of violation of ordinance about building construction, the City Council, in addition to the penalties authorized in the preceding paragraph, may further impose the penalty of removal or demolition of the building or structure by the owner or by the city at the expense of the owner.

(kk)

To authorize the free distribution of medicines to the employees and laborers whose salary or wage does not exceed one hundred fifty pesos per month or five pesos per day; of fresh native milk to indigent mothers residing in the city, the distribution to be made under the direct supervision and control of the Mayor.

(ll)

To fix the tariff of fees and charges for all services rendered by the city or any of its departments, branches or offices.

(mm)

To establish or aid in the establishment and maintenance of vocational schools and institutions of higher learning conducted by the National Government or any of its subdivisions and agencies; and, with the approval of the Director of Public Schools, to fix reasonable tuition fees for instruction in the vocational schools and in other educational institutions supported by the city.

(nn)

To tax, license and regulate boxing, bowling, billiards, pools, horse or dog races, cockpits, roller or ice-skating or any sporting or athletic contests, as well as grant exclusive rights to establishments for this purpose, notwithstanding any existing law to the contrary.

(oo)

To make such further ordinances and regulations not repugnant to law as may be necessary to carry into effect and discharge the powers and duties conferred by this Act and such as it shall deem necessary and proper to provide for the health and safety, promote the prosperity, improve the morals, peace, good order, comfort, and convenience of the city and the inhabitants thereof, and for the protection of property therein; and enforce obedience thereto with such lawful fines or penalties the City Council may prescribe under the provisions of subsection (jj) of this section.

SEC. 13. Restrictive provision.-No commercial sign, signboard, or billboard shall be erected or displayed on public lands, premises, or buildings. If after due investigation and having given the owners an opportunity to be heard the Mayor of the city shall decide that any sign, signboard, or billboard displayed or exposed to public view is offensive to the sight or is otherwise a nuisance, he may order the removal of such sign, signboard, or billboard, and if same is not removed within ten days after he has issued such order he may himself cause its removal, and the sign, signboard, or billboard shall thereupon be forfeited to the City, and the expenses incident to the removal of the same shall become a lawful charge against any person or property liable for the erection or display thereof.

SEC. 14. Power over subdivisions.-The City Council shall have power by ordinance approved by the department head to require that no plat or plan of subdivision of a residential estate within its jurisdiction shall be presented

for approval or verification by the Bureau of Lands or the General Land Registration Office until the same shall have been approved by the city engineer under such regulations as may be provided by ordinance. Such regulations may provide for the proper arrangements, design width of streets in relation to other existing or planned streets, for adequate and convenient open spaces for traffic, public services, access of fire-fighting apparatus, recreation, light, and air, and for the avoidance of congestion of population including minimum width and area of lots in the several districts or sections of the city. Such regulations may also include provisions as to the extent to, and methods by, which streets and other ways may be graded, and improved and water and sewer and other public service mains, piping, or other facilities installed. Such regulations shall provide for approval of the plat or plan within sixty days after the submission thereof to the city engineer.

ARTICLE IV.-The City Secretary

SEC. 15. Appointment and compensation.-There shall be city secretary who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments and shall hold office at the pleasure of the President. He shall receive a salary of not exceeding four thousand eight hundred pesos per annum.

SEC. 16. General powers and duties.-The city secretary shall have the following general powers and duties:

- He shall act as secretary of the City Council, the board of tax appeals, and such other boards or committees as may hereafter be created, and shall keep a journal of their proceedings.
- He shall record in a book kept for that purpose all ordinances passed by the City Council, with the dates of passage and publication of the same.
- He shall keep a seal circular in form, with the inscription "Quezon City Council" and affix the same with his signature to all ordinances and other official acts of the Mayor or Council.
- He shall cause each ordinance passed to be published as herein provided.
- He shall have charge of all records and documents of the city for which provision is not otherwise made and shall, on demand, furnish certified copies of all records and documents, and collect and receive therefor such fees as the council may prescribe, for the use of the city.
- He shall perform such other duties as the Mayor Council may direct.

ARTICLE V.-Departments and Offices

SEC. 17. City departments.-There shall be the following city departments over which the Mayor shall have direct supervision and control, any existing law to the contrary notwithstanding:

- Department of Engineering
- Department of Finance
- Law Department
- Department of Health
- Police Department
- Department of Assessment
- Fire Department

The Council may from time to time make such readjustments of the duties of the several departments as the public interest may demand.

SEC. 18. Powers and duties of heads of departments.-Any existing law to the contrary notwithstanding, each head of department of the city government shall be in control of such department, under the direct supervision of the Mayor, and shall possess such powers as may be prescribed herein or by ordinance. He shall certify to the correctness of all pay rolls and vouchers of his department covering the payment of money before payment. Except as herein otherwise expressly provided on or before the first day of March of each year, he shall prepare and present to the Mayor for submission to the Council an estimate of the receipts and appropriation necessary for the operation of his department during the ensuing year, and shall submit therewith such information for purposes of comparison as the Mayor may desire. He shall make to the Mayor as often as required reports covering the operations of his department.

In case of absence or sickness, or inability to act for any other reason, of the head of one of the city departments, or in case of a temporary vacancy, the officer next in rank in that department shall perform the duties of the head of the department concerned. In case of temporary vacancy, the officer next in rank performing the duties of the head of such department shall, during his incumbency in an acting capacity, receive the salary and other emoluments of the latter.

SEC. 19. Appointment and removal of officials and employees.-The President of the Philippines shall appoint, with the consent of the Commission on Appointments of Congress, the city health officer, the city engineer, the chief of police, the city treasurer, the city assessor, the city attorney, and the assistant city attorneys, the judges of the municipal court, and in case of a temporary vacancy on such court, an acting judge therefor, and the city superintendent of schools. He may appoint to any of the above-named offices persons already holding official positions. In case of sickness, absence, or inability to serve for any reason of any of the aforementioned officials, including the Mayor, Vice-Mayor, city secretary and members of the Council, the President of the Philippines, may make a temporary appointment or designation, the provision of the last paragraph of the preceding section notwithstanding, until the return to duty of such official. During the period of such temporary appointment or designation, the person so appointed or designated shall possess all the powers and perform all the duties pertaining to the office.

SEC. 20. Officers not to engage in certain transactions.- No city officer or employee shall be directly or indirectly interested in any city contract work, or in any business transaction with the city whereby money is to be paid directly or indirectly out of the revenues of the city to such person, or in any games and amusements licensed by the city or in any business of the city, or in the purchase of any real estate or any property belonging to the city.

ARTICLE VI.-Relation to Bureaus and Offices

SEC. 21. The General Auditing Office.-The Auditor General shall receive and audit all accounts of the city, in accordance with the provisions of law relating to government Accounts and accounting. The city auditor shall be paid from the funds of the city at the rate of not exceeding six thousand pesos per annum.

SEC. 22. The Bureau of Public Schools.-The Director 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 the schools of the city as are vested in division superintendents in respect to the schools their divisions.

The clerical force and assistants and laborers in the office of the city superintendent of schools shall be paid by the city, as well as the office expenses for supplies and materials incident to the operation of said office. The City Council may provide for additional compensation for the superintendent of city schools, so that the latter may have a total salary equal to that of a city department head of the same importance.

SEC. 23. Maintenance of schools and school buildings.-The city superintendent of schools shall make a quarterly report of the condition of the schools and school buildings of Quezon City to the Mayor, and such recommendations as seem to him wise in respect to the number of teachers, their salaries, new buildings to be erected, and all other similar matters, together with the amount of city revenues which should be expended in paying teachers, and improving the schools or school buildings of the city.

The care and custody of school buildings by the department of engineering and its supervision of the construction and repair of schoolhouses ordered by the council, shall be subject to the provisions of law governing public schools.

ARTICLE VII.-Engineering Department

SEC. 24. The City Engineer, his powers, duties and compensation.-There shall be a City Engineer who shall be in charge of the department of engineering. He shall receive a salary of not exceeding seven thousand two hundred pesos per annum. He shall have the following powers and duties:

- He shall have charge of all the surveying and engineering work of the city, and shall perform such service in connection with public improvements, or any work entered upon or projected by the city, or any department thereof, as may require the skill and experience of engineer.

- He shall ascertain, record, and establish monuments of the city surveys and from thence extend the surveys of the city, and locate, establish, and survey all city property and also private property abutting on the same, whenever directed by the Mayor; shall make such tests and inspection of engineering materials used in construction and repair as may be necessary to protect the city from the use of materials of a poor or dangerous quality; shall inspect and report upon the condition of public property and public works whenever required by the Mayor; shall have the care and custody of all public buildings, 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, and public buildings of the city; shall prevent the encroachment of private buildings and fences on the streets and public places of the city; shall inspect and supervise the construction, repair, removal, and safety of private buildings; shall regulate and enforce the numbering of houses in accordance with the ordinances of the city; shall have the care of all public streets, parks, cemeteries, bridges; shall maintain, clean, sprinkle, and regulate the use of the same for all purposes as provided by laws and ordinances; shall prepare plans and have charge of the construction of any sewer and water supply system of the city hereafter authorized; shall have the care and custody of any such public system of water-works and sewers, and all sources of water supply, and shall control, maintain, and regulate the use of the same in accordance with the ordinances relating thereto; shall inspect and regulate, subject to the approval of the Mayor, the use of all private systems supplying water to the city and its inhabitants, and all private sewers and their connections with the public sewer system; and shall prepare plans, maps, specifications, and estimates for buildings, streets, parks, bridges, and other public works, and supervise the construction and repair of the same. He is authorized to charge fees at rates to be approved by the City Council for sanitation and transportation services and supplies furnished by his office.

- He shall file and preserve all maps, plans, notes surveys, and other papers and documents pertaining to his office.

- Upon order by or with previous approval of the Mayor in each case, he shall cause or order the removal of buildings and structures erected in violation of existing law or ordinances, or the removal of the materials employed in the construction or repair of any building or structure made in violation of law or ordinances; he shall have power, subject to the approval of the Mayor, to cause buildings dangerous to the public to be made secure or torn down, and shall supervise and regulate the location and use of engines, boilers, forges, and other manufacturing and heating appliances in accordance with law and ordinances relating thereto.

SEC. 25. Execution of public works and improvements.- All repair or construction of any work or public improvements except parks, boulevards, streets, or alleys involving an estimated cost of three thousand pesos or more shall be awarded to the lowest responsible bidder after public advertisement by the Mayor upon the recommendation of the City Engineer: Provided, however, That the City Engineer may, with the approval of the Secretary of Public Works and Communications, execute by administration any such public works costing three thousand pesos or more.

In case of public works involving an expenditure of less than three thousand pesos, it shall be discretionary with the City Engineer either to proceed with the work himself or let the contract to the lowest bidder after such publication and notice as shall be deemed appropriate or as may be, by regulation, prescribed for the purpose.

SEC. 26. Assistants and employees.-To assist the City Engineer in the discharge of his official duties, there shall be such assistant engineers, superintendents, and other employees as are from time to time provided for in appropriation ordinances.

ARTICLE VIII-The Department of Finance

SEC. 27. Powers and, duties of the City Treasurer.- shall be a City Treasurer with a salary of not exceeding seven thousand eight hundred pesos per annum, who shall have charge of the Department of Finance and shall act as chief fiscal officer and financial adviser of the city and custodian of its funds, and shall have the following general powers and duties:

- He shall collect all taxes and assessments due the city, all licenses authorized by law or ordinance, and all rents due for lands, markets, and other property owned by the city, all further charges of whatever nature fixed by law or ordinance; shall administer markets and slaughterhouses and shall receive and issue receipts for all costs, fees, fines, and forfeitures imposed by the Municipal Court, from the clerk thereof, and the fees collected by the sheriff or his deputies.
- He shall receive and safely keep all money arising from the revenue of the city and shall spend and disburse the same upon the lawful warrants in accordance with the authorized appropriations; collect all miscellaneous charges made by the Department of Engineering and by other departments of the city government, and all charges made by the City Engineer for inspections, permits, licenses, and the installation, maintenance, and services rendered in the operation of the privy system.
- He shall collect, as deputy of the Collector of Internal Revenue by himself or deputies, all taxes and charges imposed by the National Government, upon property or persons in Quezon City.
- Unless otherwise specifically provided by law or regulations, he shall perform in and for the city the duties imposed by law or regulation upon provincial treasurers generally, as well as the other duties imposed upon him by the succeeding sections of this article.
- He shall purchase and issue all supplies, equipment or other property required by the city as may be authorized.
- He shall be accountable for all funds and property of the city and shall render such accounts in connection therewith as may be prescribed by the Auditor General.
- He shall deposit daily all city funds and collections the National Treasury or in a government depository.
- On or before the first day of April of each year, the City Treasurer shall present to the Mayor a certified detailed statement by departments of all receipts and expenditures of the city pertaining to the preceding fiscal year, and to the current fiscal year to and including March thirty-first, together with an estimate of the receipts and expenditures for the remainder of the current fiscal year; and he shall submit with his statement a detailed

estimate of the revenues and receipts of the city from all sources for the ensuing fiscal year. Upon receipt of this statement and estimate and the estimates of department heads as required by section eighteen, the Mayor shall formulate and submit to the City Council before the fifteenth day of May next following, a detailed budget covering the estimated necessary expenditures for the ensuing fiscal year; and the City Council shall thereupon make detailed appropriations covering such estimated expenditures: Provided, however, That in no case shall the aggregate amount of such appropriations exceed the estimate of revenues and receipts submitted by the City Treasurer as provided above. Supplemental budgets, formulated in the same manner, may be adopted when special or unforeseen circumstances make such action necessary. Without further action by the City Council, disbursements of city funds may be made by the City Treasurer, out of the authorized appropriations, upon properly executed vouchers bearing the approval of the chiefs of the departments concerned. On or before the twenty-fifth day of each month said City Treasurer shall furnish the Mayor and the City Council for their administrative information a statement of the appropriations, expenditures and balances of all funds and accounts as of the last day of the month preceding.

- He shall perform such other duties as may be prescribed by law or ordinance.

ARTICLE IX.-The Law Department

SEC. 28. The City Attorney-His assistants-His duties.-There shall be a City Attorney who shall be the chief of the law department of the city, a first assistant city attorney who shall be the assistant chief, a second assistant city attorney, and two third assistant city attorneys, who shall discharge their duties under the general supervision of the Secretary of Justice. The City Attorney shall be the chief legal adviser of the city and all offices and departments thereof and shall have the following general powers and duties:

- He shall represent the city in all civil cases wherein the city or any officer thereof in his official capacity is a party.

- He shall attend, when required by a resolution of the City Council, meetings of the City Council, draw ordinances, contracts, bonds, leases, and other documents involving any interest of the city, and inspect and pass upon all such documents already drawn.

- He shall give his opinion in writing, when requested by the Mayor or Council, upon any question relating to the city, or the rights or duties of any city officer.

- He 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 has failed to comply with any condition, or to pay any consideration mentioned in the grant of such franchise or privilege, investigate the same and report to the Mayor.

- He shall, when directed by the Mayor, institute and prosecute in the city's interest a suit on any bond, lease, or other contract, and upon any breach or violation thereof.

- He shall prosecute and defend all civil actions related to or connected with any city office or interest.

- He shall also have charge of the prosecution of all crimes, misdemeanors, and violations of city ordinances, in the Court of First Instance and the municipal courts of the city, and shall discharge all the duties in respect to the criminal prosecutions enjoined by law upon provincial fiscals.

- He shall cause to be investigated all charges of crimes, misdemeanors, and violations of ordinances and have the necessary information or complaints prepared or made against the persons accused. He or any of his assistants may conduct such investigations by taking oral evidence of reputable witnesses, and for this purpose may issue subpoena, summon witnesses to appear and testify under oath before him, and the attendance or evidence of an absent or recalcitrant witness may be enforced by application to the municipal court or the Court of First Instance. No witness summoned to testify under this section shall be under obligation to give any

testimony which tend to incriminate himself.

- He shall cause to be investigated the cause of sudden deaths which have not been satisfactorily explained and when there is suspicion that the cause arose from the unlawful acts or omissions of other persons, or from foul play. For that purpose, he may cause autopsies to be made and shall be entitled to demand and receive for purposes of such investigations or autopsies, subject to the rules and conditions previously established by the Secretary of Justice, the aid of the medico-legal section of the National Bureau of Investigation. In case the City Attorney deems it necessary to have further expert assistance for the satisfactory performance of his duties in relation with medico-legal matters or knowledge, including the giving of medical testimony in the courts of justice, he shall request the same, in the same manner and subject to the same rules and conditions as above-specified, from the medico-legal officer of the said bureau who shall thereupon furnish the assistance required, in accordance with his powers and faculties.

- He shall at times render such professional services as the Mayor or City Council may require, and shall have such powers and perform such other duties as may be prescribed by law or ordinance.

SEC. 29. Compensation of City Attorney and his assistants.-The City Attorney and his assistants shall receive the salaries hereinafter set forth, which shall be paid by Quezon City:

- City Attorney, not exceeding seven thousand two hundred pesos per annum.
- First assistant city attorney, not exceeding six thousand pesos per annum.
- Second assistant city attorney, not exceeding six thousand pesos per annum.
- Two third assistant city attorneys, not exceeding four thousand eight hundred pesos per annum each.

ARTICLE X.-The Municipal Court

SEC. 30. The Municipal court.-There shall be a municipal court for Quezon City, with two judges to be known as judges of the first and second branch, respectively.

The municipal court shall have the same jurisdiction in civil and criminal cases and the same incidental powers as are at present conferred by law upon justice of the peace courts except those in conflict with the provisions of this Charter and such other additional jurisdiction and powers as may be conferred upon it by this Charter or by special law.

In case of the absence, sickness or incapacity of the judges of the municipal court of Quezon City and in case of any vacancy in said offices, the Secretary of Justice shall designate any Assistant Attorney of the Solicitor General's Office or Provincial Fiscal to act as judge of the municipal court, and he shall hold the office temporarily with all the powers of a regular judge of said court, until any of the regular incumbents shall have resumed office, or until a judge shall have been appointed in accordance with the provisions of this Act, but such acting judge shall not receive any additional compensation during the time he is acting as judge.

The judges of the municipal court shall receive a salary of not exceeding five thousand four hundred pesos per annum each.

SEC. 31. Clerk and employees of the municipal court.-There shall be a clerk of the municipal court who shall be appointed by the municipal judge in accordance with the Civil Service laws, rules, and regulations who shall receive a compensation to be fixed by ordinance. He shall keep the seal of the court and affix it to all orders, judgments, certificates, records, and other documents issued by the court. He shall keep a docket of the trials in the court, in which he shall record in a summary manner the names of the parties and the various proceedings in civil cases, and in criminal cases, the name of the defendant the charge against him, the names of the witnesses,

the date of the arrest, the appearance of the defendant, together with the fines and costs adjudged or collected in accordance with the judgment. He shall have the power to administer oaths.

The clerk of the municipal court shall at the same time be sheriff of the city and shall as such have the same powers and duties as are assigned by existing law to provincial sheriffs. The City Council may provide for such number of clerks in the office of the clerk of the municipal court as the needs of the service may demand.

SEC. 32. Criminal jurisdiction.-The municipal court shall have territorial jurisdiction embracing the entire police jurisdiction of the city, and shall hold a daily session, Sundays and legal holidays alone excepted: Provided, however, That when a legal holiday occurs in two or more successive days or when a Sunday is immediately preceded and/or followed by a holiday, the municipal court may hold night session during said holidays. Said court shall have jurisdiction, exclusive of the other courts sitting in the city, over all criminal cases arising under the penal laws of the Philippines, where the offense is committed within the police jurisdiction of the city and the maximum punishment is by imprisonment for not more than six months, or a fine of not more than two hundred pesos, or both. It shall also have concurrent jurisdiction with the Courts of First Instance over all criminal cases arising under the laws relating to gambling and management of lotteries, to assaults where the intent to kill is not charged or evident upon the trial, to larceny, embezzlement and estafa where the amount of money or property stolen, embezzled or otherwise involved does not exceed the sum or value of two hundred pesos, to the sale of intoxicating liquors, to falsely impersonating an officer, to malicious mischief, to trespass on Government or private property, and to threatening to take human life. It may also conduct preliminary examinations for any offense, without regard to the limits of punishment, and may release, or commit and bind over any person charged with such offense to secure his appearance before the proper court.

SEC. 33. Incidental powers of municipal court.-The municipal court shall have power to administer oaths and to give certificates thereof; to issue summonses, writs, warrants, executions, and all other processes necessary to enforce its orders and judgments; to compel the attendance of witnesses; to punish contempts of court by fine or imprisonment, or both, within the limitations imposed by the Rules of Court; and to require of any person arrested a bond for good behaviour or to keep the peace, or for the further appearance of such person before a court of competent jurisdiction. But no such bond shall be accepted unless it be executed by the person in whose behalf it is made, with sufficient surety or sureties, to be approved by said court.

SEC. 34. Procedure in municipal court in prosecutions for violation of laws and ordinances.-In a prosecution for the violation of any ordinance, the first process shall be a summons; except that a warrant for the arrest of the offender may be issued in the first instance upon the affidavit of any person that such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe that the party charged is guilty thereof which warrant shall conclude: "Against the ordinance of the city in such case made and provided." All proceedings and prosecutions for offenses against the laws of the Philippines shall conform to the rules relating to process, pleading, practice, and procedure for the judiciary of the Philippines and such rules shall govern the municipal court and its officers in all cases in so far as the same may be applicable.

SEC. 35. Costs, fees, fines and forfeitures.-There shall be taxed against and collected from the defendant, in case of his conviction in the municipal court, such costs and fees may be prescribed by the Council not exceeding those charged in criminal cases in justices of the courts. All costs, fees, fines and forfeitures shall be collected by the clerk of the court, who shall keep a docket of those imposed and of those collected, and shall pay collections of the same to the City Treasurer for the benefit the city on the next business day after the same are collected, and take receipts therefor. The presiding judge shall examine said docket each day, compare the same with the amount receipted for by the City Treasurer, and satisfy himself that such costs, fees, fines, and forfeitures have been duly accounted for.

SEC. 36. Commitment to prison.-No person shall be confined in the city prison by sentence of the municipal court until the officer in charge of the prison shall receive a written commitment showing the offense for which the prisoner was tried, the date of the trial, the exact terms of the judgment or sentence, and the date of the order of commitment. The clerk shall, under seal of the court-issue such a commitment in each case of sentence to imprisonment.

SEC. 37. Procedure on appeal from the municipal court to Court of First Instance.-An appeal shall lie to the Court of First Instance next to be within the city, in all cases where fine or imprisonment, or both, is imposed by the municipal court. The party desiring to appeal shall before four o'clock post meridian of the day after the rendition and entry of the judgment by the municipal court, file with the clerk of the court a written statement that he appeals to the Court of First Instance. The filing of such statement shall perfect the appeal. The judge of the court from whose decision appeal is taken shall, within five days after the appeal is taken, transmit to the clerk of the Court of First Instance a certified copy of the records of proceedings and all the original papers and process in the case, and the clerk of Court of First Instance docket the appeal in that court. A perfected appeal shall operate to vacate the judgment of the municipal court, and the action, when duly entered in the Court of First Instance, shall stand for trial de novo upon its merits in accordance with the regular procedure in that court, as though the same had never been tried and had been originally there commenced. Pending an appeal, the defendant shall remain in custody unless released in the discretion of the judge of the municipal court or of the Court of First Instance, upon sufficient bail, in accordance with the rules and regulation now or hereafter in force, to await the judgment of the appellate court.

Appeals in civil cases shall be governed by the ordinary procedure establishment by law for appeals from decisions of justice of the peace courts.

SEC. 38. Persons arrested to be promptly brought before a court-Preliminary examinations in City Attorney's office, municipal court and Court of First Instance.-Every person arrested shall, without unnecessary delay, be brought before the City Attorney, the municipal court, or the Court of First Instance for preliminary hearing, release on bail, or trial. In case triable in the municipal court the defendant shall not be entitled as of right to a preliminary examination, except to a summary one to enable the court to fix the bail, in any case where the prosecution announces itself ready for trial within three days, not including Sundays, after the request for an examination is presented. In case triable only in the Court of First Instance the defendant shall not be entitled as of right to preliminary examination in any case where the Fiscal of the city, after a due investigation of the facts, shall have presented an information against him in proper form. But the Court of First Instance may make such summary investigation into the case as it may deem necessary to enable it to fix the bail or to determine whether the offense is bailable.

SEC. 39. Compensation of certain expert witnesses in criminal cases.-Out of any sum appropriated for contingent expenses of the law department, the judge of the municipal court, or a judge of the Court of First Instance in the city, as the case may be, may allow compensation to physicians and surgeons, other than officers or employees of the National Government or the city, summoned by the Government as expert witnesses in criminal prosecutions when the attendance of such physicians and surgeons is necessary in the interest of justice. Such compensation shall not in any one case exceed five pesos for the testimony of the physician or surgeon so summoned, and the payment shall be made upon the certification of the judge presiding at the trial that the witness attended and testified, that the case is an exceptional and meritorious one, and that compensation ought to be allowed. The total expenditure under the provisions of this section shall not exceed five hundred pesos a year.

SEC. 40. Assessors in the courts in the city.-The aid of assessors in the trial of any civil or criminal action in the municipal court, or the Court of First Instance, within the city, may be invoked, in the manner provided in the

Rules of Court. It shall be the duty of the Municipal Council to prepare one list of the names of twenty-five residents of the city best fitted by education, natural ability, and reputation for probity to sit as assessors in the trial of actions in the municipal court and a like list of persons to sit as assessors in the trial of action in the Court of First Instance. The Council may at any time strike any name from the list so prepared, by reason of the death, permanent disability, or unfitness of the person named; and in case names are so stricken out, other names shall be added in their place, to be selected as ii this section provided. Parties desiring to avail themselves of the use of assessors in the municipal court or Court of First Instance shall proceed as provided for by law or Rules of Court; and the method of summoning assessors enforcing their attendance, excusing them from attendance, their compensation, oath, duties and effect of dissent from the opinion of the judge shall be as provided in those laws or rules.

SEC. 41. Judicial notice of ordinances.-All courts ting in the city shall take judicial notice of the ordinal passed by the City Council.

ARTICLE XI.-Health Department

SEC. 42. Powers and duties of the City Health Officer.-There shall be a City Health Officer, with a salary of not exceeding six thousand pesos per annum, who shall have charge of the health department. He shall have the following general powers and duties:

- He shall have general supervision and control over the health and sanitary condition of the city, including the cleaning of crematories, cemeteries, stockyards, slaughter houses, and markets.
- He shall execute and enforce all laws, ordinances, and regulations relating to the public health.
- He shall recommend to the City Council the passage of ordinances as he may deem necessary for the preservation of public health.
- He shall cause to be prosecuted all violations of sanitary laws, ordinances, or regulations.
- He shall make sanitary inspections and may be aided therein by such members of the police force of the city or of the Philippine Army as shall be designated as sanitary police by the chief of police or proper Army officer and by such sanitary inspectors as may be authorized by law.
- He shall have control and supervision over puericulture centers and social services of the city.
- He shall have general supervision and control over the health and sanitary establishments and activities of the city, including garbage collection, sanitary employees of the city markets, city pound, and slaughterhouses, subject to existing law and ordinances.
- He shall be the ex-officio civil registrar of the city.
- He shall perform such other duties, not repugnant to law, with reference to the health and sanitation of the city as the Director of Health shall direct.

ARTICLE XII.-The Police Department

SEC. 43. The Chief of Police.-There shall be a chief of lice with a salary of not exceeding eight thousand four hundred pesos per annum who shall have the following general powers and duties:

- He shall have charge of the organization, government, discipline, and disposition of the city police and detective force, and notwithstanding any law to the contrary, shall have exclusive charge of the administrative investigation of any member of his department.
- He 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 within the police jurisdiction of the city; shall be charged with the protection of the rights of persons 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 duties.

- He may take good and sufficient bail for the appearance before the municipal court of any person arrested for violation of any city ordinance.

- He shall have authority, within the police limits of the city, to serve and execute criminal processes of any court; shall, either in person or by deputy, attend all sessions of the municipal court; and shall promptly and faithfully execute all orders of the Mayor and all writs and processes of the municipal court when placed in his hands for that purpose.

- He shall have general supervision over the city warden, a position which may be created and compensation thereof fixed by the City Council, whose duties, among others to be determined by the Council, shall include the custody and care of the City Hall and the safekeeping of all prisoners until they shall be released from custody, in accordance with law, or delivered to the warden of proper prison or penitentiary.

- He shall have such powers and perform such further duties as may be prescribed by law or ordinance.

SEC. 44. Peace officers.-The chief of police, all city officers, and all members of the police force and secret service shall be peace officers; and all peace officers provided for in this Act, or authorized by law or ordinance, are authorized to serve and execute all processes of the municipal court and criminal processes of other courts to whomsoever directed, within the jurisdiction or the police limits of the city, and within the same territory they may pursue and arrest, without warrant any person found in suspicious places or under suspicious circumstances reasonably tending to show that such person has committed or is about to commit any crime or breach of the peace; may arrest or cause to be arrested, without warrant, any offender when the offense is committed in the presence of a peace officer or within his view; and in such pursuit or arrest may enter any building or take into custody any person therein suspected of being concerned in such crime or breach of the peace, and any property suspected of being stolen; they shall detain such person only until he can be brought before the proper magistrate; and shall have such other powers and perform such other duties as peace officers as may be prescribed by law or ordinance. Whenever the Mayor shall deem it necessary to avert danger or public calamity, or when he has reason to fear any violation of law and order, he shall have power to swear in special police, in such number as the occasion may demand, who shall have the same powers while on duty as members of the regular force.

ARTICLE XIII.-Department of Assessment

SEC. 45. The City Assessor.-There shall be a City Assessor who shall have charge of the department of assessment. He shall receive a compensation of not exceeding six thousand pesos per annum.

SEC. 46. Powers and duties of the City Assessor.-The City Assessor or his duly authorized deputies shall annually assess all lands, buildings and other real properties subject to taxation within the jurisdiction of the city, and for this purpose he is empowered to administer oaths authorized to be administered in the assessment or collection of taxes.

- He shall make a list of all taxable real estate in the city and the names of the owners thereof, with, brief description opposite their names of the property owned by them and the cash value thereof. In making this list the City Assessor shall take into consideration any sworn statement made by the owners of the property, but shall not be prevented thereby from considering other evidence on the subject, and exercising his own judgment in respect thereto. For the purpose of completing this list he is authorized to summon witnesses, administer oaths to them and subject them to examination concerning the amount of real estate, its ownership, and cash value. If the City Assessor is unable to discover the owner of any real estate, he shall nevertheless list

the same for taxation and charge against an unknown owner, In case of doubt or dispute as to ownership of real estate, the taxes should be levied against the possessor or possessors thereof. Where it shall appear that there are separate owners of the land and the improvements thereon, a separate assessment of the property of each shall be made. If it shall be discovered by the Assessor or brought to his attention that any taxable real estate in the city has escaped listing, it shall be his duty at once to list and value the same and it shall be the duty of the City Treasurer forthwith to charge against the owner thereof the taxes due for the current year and for all other years since the original assessment not exceeding four years and the taxes thus assessed shall be legal and collectible and if they are not paid before the expiration of the tax collection period next ensuing, penalties should be added to the back taxes as if they were assessed at the time when they shall have been assessed.

- He shall complete the listing and valuation of all real estate situated within the city on or before the thirty first day of December of each year, and when completed shall authenticate the same by signing the following certificate at the foot of the list:

"I hereby certify that the foregoing list contains a true statement of the piece or pieces of taxable real estate belonging to each person named in the list, and its true cash value, and that no real estate taxable by law in Quezon City has been omitted from the list, according to the best of my knowledge and belief.

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City Assessor"

- He shall, when the list is completed, inform the public by notice published for seven days in a newspaper of general circulation in the city, if any, and by notice posted for seven days at the main entrance of the municipal building, that the list is on file in his office, and may be examined by any person interested therein, and that upon the date fixed in the notice, which shall not be later than the tenth day of January, the City Assessor will be in his office for the purpose of hearing complaints as to the accuracy of the listing of the property and the assessed value thereof. It shall be his duty carefully to preserve and record in his office copies of said notices. On the day fixed in the notice, and for five days thereafter, he shall be present in his office to hear all complaints filed within that period by persons against whom taxes have been assessed as owners of real estate, and he shall make his decision forthwith and enter the same in a well-bound book, to be kept by him for that purpose, and if he shall determine that injustice has been done or errors have been committed he is authorized to amend the list in accordance with his findings.

- He shall attend all meetings of the Board of Tax Appeals and furnish it with all written evidence in his possession relating to assessment and valuation. He shall likewise furnish the City Treasurer with a list of taxable real estate, the respective assessments thereof and against whom assessed, and such other information as the City measurer may require for the collection of taxes.

- He shall issue, upon request of the interested party, certified copies the declarations of real property and of all other records relative to the assessment of said real charging therefor such fee as may be determined by the City Council and the proceeds thereof shall be paid into the city treasury.

SEC. 47. Exemption from taxation.-There shall be levied, assessed, and collected an annual ad valorem tax o real property, including land, buildings, machinery and other improvements not hereinafter specifically exempted. The following shall be exempt from taxation:

- Property owned by the Republic of the Philippines Quezon City, any province, city, municipality or municipal district.
- Cemeteries or burial grounds.

- Churches and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements used exclusively for religious, charitable, scientific, or educational purposes.
- When the entire assessed valuation of real property belonging to a single owner is not in excess of one hundred pesos or when the assessed value of a house, used as residence of the owner thereof, together with the lot on which the same is built, does not exceed three hundred pesos and such owner has no other real property, the tax thereon shall not be collected, nor shall the tax be collected on a dwelling house built on the field, nor on an adjacent orchard, if any, as improvement, if the assessed value of each, assessed separately, is not in excess of one hundred pesos, though in any event the property shall be valued for the purposes of assessment and record shall be kept thereof as in other cases.
- Machinery, which term shall embrace machines, mechanical contrivances, instruments, appliances, and apparatus attached to the real estate, used for industrial, agricultural or manufacturing purposes, during the ins five years of the operation of the machinery.
- The provisions hereof notwithstanding, depreciation allowance shall be made for machinery mentioned
- equivalent to an amount not exceeding ten per cent of its value for each year of use.

SEC. 48. Declaration by real estate owner.-It shall be the duty of each person who at any time acquires estate in the city, and of each person who constructs or adds to any improvement on real estate owned by him within the city, to prepare and present to the City Assessor, within a period of sixty days next succeeding the acquisition or completion of such construction or addition, a sworn declaration setting forth the value of the real estate acquired or the improvement constructed or addition made by him and containing a description of such property sufficient to enable the City Assessor readily to identify the same. Any person who fails to make and present such declaration of real estate newly acquired by him within the said period of sixty days shall be deemed to have waived his right to notice of the assessment of such property, and the assessment of the same in the name of its former owner shall, in all such cases, be valid and binding on all persons interested, and for all purposes, as though the same had been assessed in the name of its actual owner.

SEC. 49. Revision of assessment.-The City Assessor shall, during the first fifteen days of December of each year, add to his list of taxable real estate in the city the value of the improvements placed upon such property during the preceding year, and any property which is taxable and which has therefore escaped taxation. He may during the same period revise and correct the assessed value of any or all parcels of real estate in the city which are not assessed at their true money value, by reducing or increasing the existing assessments as the case may be. He shall give notice by publication for ten days prior to December first in two newspapers of general circulation published in the city, that he will be present in his office for that purpose on said days, and he shall further notify in writing each person the amount of whose tax will be changed agent in the Philippines sometime in the month of changed by such action or such proposed change by delivering or mailing such notification to such person or his authorized agent at the last known address of such owner November.

SEC. 50. The Board of Tax Appeals.-There shall be a Board of Tax Appeals which shall be composed of members of the City Council, the Mayor to be chairman thereof.

- The members of the Board of Tax Appeals shall, before organizing as such, take the following oath before the municipal judge or some other officer authorized administer oaths.

"I do solemnly swear (or affirm) that I will well and truly hear and determine all matters and issues between the City Assessor and taxpayer submitted f my decision. So help me God. (In case of affirmation, the last four words to be stricken out.)

"-----

(Signature)

"Subscribed and sworn to (or affirmed) before me this _____ day of _____ 19__

(Signature and title of officer administering oath)"

The oath of each member shall be recorded by the secretary of the Board in the minutes of its proceedings.

SEC. 51. Proceedings before Board of Tax Appeals.-The Board of Tax Appeals shall meet on the second Monday in January of each year, shall hear all appeals duly transmitted to it, shall decide the same forthwith, and shall complete its work and adjourn on or before the first day of March of each year unless its sessions for any given year are extended to a later date by direction the Secretary of Finance. It shall have authority to cause to be amended the listing and valuation of the property in respect to which any appeal has been perfected by order signed by the Board or majority thereof, and transmit it to the City Assessor, who shall amend the tax list in conformity with said order. It shall also have power to vise and correct, with the approval of the Department Head first had, any and all erroneous or unjust assess and valuation for taxation, and make a correct and just assessment, and state the true valuation, in each case where it decides that the assessments previously made are erroneous or unjust.

The list when so corrected shall be lawful and valid for all purposes as though the assessments had been made within the time herein prescribed. Such reassessments and revaluation shall be made on due notice to the individual concerned and he shall be entitled to be heard by the Board of Tax Appeals before any reassessment or revaluation is made. The decision of the Board of Tax Appeals shall be final unless the Secretary of Finance forthwith declares the decision reopened for a review by him, in which case he may make such revision or revaluation as in his opinion the circumstances justify. Such decision, when approved by the President of the Philippines, shall be final.

SEC. 52. Annual real estate tax.-A tax, the rate per centum of ad valorem taxation not to exceed two per centum, to be determined by the City Council shall be levied annually on or before the second Monday of December of the preceding year on the assessed value of all the real estate in the city subject to taxation. The tax for any year shall be due on the first day of January and become payable on or before the thirty-first day of May of the year, and if any taxpayer shall fail to pay taxes assessed against him on or before the thirty-first day of May of the year for which such taxes are due, he shall be delinquent in such payment and shall be subject to a penalty ten per centum of the amount of the original tax due, payment is made during the first and second months delinquency, and thereafter, to an additional penalty of two per centum for each month or fraction thereof of delinquency, but in no case shall the total penalty on each annual tax exceed sixteen per centum of the original tax. The penalty shall be collected at the same time and in the same manner as the original tax.

At the option of the taxpayer, the tax due for any year may be paid in two installments, the first of such installments to consist of two-thirds of the annual tax due on the property and the second to consist of the remainder tax for the year. In such cases the first installment shall be paid on or before the thirty-first day of May of the year in which the tax is due, and the second shall be paid at any time prior to the first day of January of the following year, but if the first installment of the tax for any year is not paid on or before the thirty-first day of May of such year, then the whole of the year's tax shall be delinquent and the penalty due thereon as hereinbefore provided. If any taxpayer, having paid the first installment of his tax for any year, shall fail to pay the second installment thereof before the first day of January of the following year, he shall be subject to a penalty of ten per centum of such delinquent installment, if payment is made during the first and second months of delinquency and thereafter to an additional penalty of two per centum for each month or fraction thereof of delinquency; but in no

case shall the total penalty on such unpaid tax exceed sixteen per centum of the amount due.

The penalties thus imposed shall be accounted for by the City Treasurer in the same manner as the tax. In the event that such tax and penalty shall remain unpaid for fifteen days after the tax becomes delinquent the City Treasurer shall proceed to make collection thereof in the manner hereinafter prescribed.

The City Council may extend the time for the collection of the tax on real estate in the city for a period not to exceed three months. It may also remit all or part of the tax on real estate or the penalties thereon during the ensuing year in case there are good and sufficient reasons for it. The resolution in any such case shall not take effect until it has been approved by the President of the Philippines.

The President may, in his discretion, extend the time for the collection of the tax on real estate in the city to a date within the same calendar year and may also remit or reduce the tax on real estate during any year if he deems it to be in the public interest.

SEC. 53. Distrain of personal property.-Fifteen days after the tax shall become delinquent, the City Treasurer shall prepare and sign a certified copy of the records his office showing the persons delinquent in payment of taxes and the amount of tax and penalty respectively due from them. He may thereupon proceed to seize the personal property of each delinquent not exempt under the provisions of the next succeeding section, and, unless redeemed as hereinafter provided, to sell at public auction, either at the main entrance of the City Hall or at the place where such property is seized, as he shall determine, so much of the same as shall satisfy the tax, penalty, and costs of seizure and sale, to the highest bidder for cash, after due advertisement by notice posted for ten days at the main entrance of the City Hall and at a public and conspicuous place in the district where the property was seized, stating the time, place, and cause of sale. The certified copy of the City Treasurer's record of delinquents shall be his warrant for these proceedings, and the purchaser at such sale shall acquire an indefeasible title to the property sold. Within two days after the sale the City Treasurer shall make return of his proceedings and spread it upon his record. Any surplus resulting from the sale, over and above the tax, penalty, and costs, shall be returned to the taxpayer on account of whose delinquency the sale has been made.

SEC. 54. Exempt personal property.-The following personal property shall be exempt from seizure and sale for delinquency in the payment of the real estate tax:

- Tools and implements necessarily used by the delinquent in his trade or employment.
- One horse or cow, or carabao, or other beast of burden, such as the delinquent may select, and necessarily used by him in his ordinary occupation.
- His necessary clothing, and that of all his family.
- Household furniture and utensils necessary for housekeeping, and used for that purpose by the delinquent, such as he may select, of a value not exceeding two hundred pesos.
- Provisions actually provided for individual or family use sufficient for three months.
- The professional libraries of lawyers, judges, clergymen, doctors, schoolteachers, and music teachers, not exceeding five hundred pesos in value.
- One fishing boat and net, not exceeding the value of one hundred pesos, the property of any fisherman, by the lawful use of which he earns a livelihood

SEC. 55. Redemption of property seized. -The owner the personal property seized may redeem the same from the collecting officer at any time after seizure and b sale by tendering to him the amount of the tax, the pen and the costs incurred up to the time of tender. The costs be charged in making such seizure and sale shall only embrace

the actual expense of seizure and preservation of the property pending the sale, and no charge shall be imposed for the services of the collecting officer or his deputy.

SEC. 56. Tax lien.-Taxes and penalties assessed against realty shall constitute a lien thereon, which shall be superior to all other liens, mortgages, or incumbrances of any kind whatsoever; shall be enforceable against the property whether in the possession of the delinquent or any subsequent owner or possessor, and shall be removable only by the payment of the delinquent tax and penalty. A lien upon real estate for taxes levied for each year shall attach on the first day of January of such year.

SEC. 57. Tax sale.-In addition to the procedure prescribed in section fifty-three hereof the City Treasurer may, upon the warrant of the certified record required in said section and after the lapse of not less than twenty days after delinquency, advertise the real estate delinquent for sale, or so much thereof as may be necessary to satisfy all public taxes upon said property and penalties and costs of sale, for a period of thirty days.

The advertisement shall be made by posting a notice at the main entrance of the City Hall and in a public conspicuous place in the district in which the real lies, and by publication once a week for three weeks, in a newspaper of general circulation published in if any there be. Publication in the Official Gazette shall not be required for such notice. The advertisement state the amount of the taxes and penalties so due, the time and place of sale, the name of the taxpayers against whom the taxes are levied, and the approximate area, the lot and block number, the location by district, and the street number, if the property has a street number of the real estate to be sold. At any time before the day fixed for the sale, the taxpayer may discontinue all proceedings by paying the taxes, penalties, and costs the City Treasurer. If he does not do so the sale shall be held either at the main entrance of the City Hall or on the premises to be sold, as the City Treasurer may determine. Within five days after the sale the City Treasurer shall make a return of the proceedings and spread it in his records. The purchaser at the sale shall receive a certificate from the City Treasurer from his records showing the proceedings of the sale, describing the property sold, stating the name of the purchaser, and setting out the exact amount of all public taxes, penalties and costs.

It shall not be essential to the validity of a sale of real estate for delinquent taxes hereunder that the City Treasurer shall have attempted to make the amount due out of the personal property of the delinquent taxpayer, and the remedy provided in section fifty-three hereof shall be deemed cumulative only.

SEC. 58. In case the taxpayer shall not redeem the realty sold as above provided within one year from the date of sale, the City Treasurer shall, as grantor, execute a deed in form and effect sufficient to convey to the purchaser so much of the real estate against which the taxes have been assessed as has been sold, free from all liens, of any kind whatsoever, and the deed shall succinctly recite all the proceedings upon which the validity of the sale depends.

SEC. 59. Forfeiture of real estate.-In case there is no bidder at the public sale of such realty who offers a sum sufficient to pay the taxes, penalties, and costs, the City Treasurer shall declare the real estate forfeited to the city, and shall make, within two days thereafter, a return of his proceedings and the forfeiture, which shall be spread upon the records of his office.

SEC. 60. Conveyance to city.-Within one year from the date of such forfeiture, the taxpayer, or anyone for him, may redeem said realty as above provided in cases where the same is sold. But, if the realty is not thus redeemed within a year, the forfeiture shall become absolute and the City Treasurer shall execute a deed, similar in form and having the same effect as the deed required to be made by him in case of a sale, conveying the real estate to the city. The deed shall be recorded as required by law for other real estate titles and shall then be forwarded to the Mayor for notation and return to the City Treasurer who shall file the same and enter it in his records of city

property.

SEC. 61. Repurchase by owner after absolute forfeiture.-After the title to the property shall have become absolutely vested in the Government of Quezon City in the manner above provided, and at any time before a sale or contract of sale shall have been made by the City Treasurer to a third party in the manner provided for by law, the original owner or his legal representative shall have a further right to repurchase the property in question by paying therefor the full amount then due for taxes, penalties, and costs, together with an additional penalty of fifteen per centum upon the whole, and if the City Mayor has made a contract for the lease of the property the repurchase may be made subject to such contract,

SEC. 62. Civil action to collect tax debt.-The assessment of a tax shall constitute a lawful indebtedness from the taxpayer to the city which may be enforced by a civil action in any court of competent jurisdiction, and this remedy shall be in addition to all the other remedies provided by law.

SEC. 63. Suits assailing validity of tax.-No court shall entertain any suit assailing the validity of a tax assessed under this article until the taxpayer shall have paid, under protest, the taxes assessed against him, nor shall any court declare any tax invalid by reason of irregularities or informalities in the proceedings of the officers charged with the assessment or collection of the taxes, or of a failure to perform their duties within the times herein specified for their performance, unless such irregularities, informalities, or failures shall have impaired the substantial rights of the taxpayer; nor shall any court declare any tax assessed under the provisions of this article invalid except upon condition that the taxpayer shall pay the just amount of his tax as determined by the court in the pending proceeding.

SEC. 64. Suits assailing validity of tax sale.-No court shall entertain any suit assailing the validity of a tax sale of real estate under this article until the taxpayer shall have paid into the court the amount for which the real estate was sold, together with interest at the rate of fifteen per centum per annum upon the sum from the date of sale to the time of instituting suit. The money so paid into court shall belong to the purchaser at the tax sale if the deed is declared invalid, and shall be returned to the depositor should he fail in his action. No court shall declare any such sale invalid by reason of any irregularities or informalities in the proceedings of the officer charged with the duty of making the sale or by reason of failure by him to perform his duties within the time herein specified for their performance, unless such irregularities, informalities, or failures shall have impaired the substantial rights of the taxpayer.

ARTICLE XIV.-The Fire Department

SEC. 65. Powers and duties of chief.-There shall be a chief of the fire department, with a salary of six thousand pesos per annum, who shall have the following general powers and duties:

- He shall have the management and control of all Matters relating to the administration of said department, and the organization, government, discipline, investigation, and disposition of the fire forces.
- He shall have charge of fire-engine houses, fire engines, hose carts, hooks and ladders, trucks, and all other fire apparatus.
- He shall have full police powers in the vicinity of fires.
- He 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.
- He shall investigate and report to the Mayor upon the origin and cause of all fires occurring within the city
- He 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 ordinance relating thereto.

- He shall have charge of the city telegraph, telephone, and fire-alarm service.
- Notwithstanding the provisions of existing laws to the contrary, he shall have exclusive charge and power to 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.
- He shall supervise and regulate the manufacture, storage, and use of petroleum, gas, acetylene, gunpowder, and other highly combustible matter and explosives.
- He shall see that all ordinances relating to the subjects mentioned in this section, or any of them are enforced.
- He shall perform such other powers and duties as may be prescribed by law or ordinance.

ARTICLE XV.-Special Assessments for Public Improvements

SEC. 66. Power to levy.-The City Council may, by ordinance duly approved, provide for the levying and collection, by special assessments of the real estate comprised within the district or section of the city especially benefited, of the cost, or a part thereof not less than sixty per centum, of laying out, opening, constructing, straightening, widening, extending, grading, paving, curbing, walling, deepening, or otherwise establishing, repairing, enlarging, improving public avenues, roads, streets, alleys, sidewalks, parks, plazas, bridges, landing places, wharves, piers, docks, levees, reservoirs, waterworks, water mains, water courses, esteros, canals, drains, and sewers, including the cost of acquiring the necessary land. Within the meaning of this article, all real estate comprised within the district benefited, except lands or buildings owned by the Government of the Philippines, or by Quezon City, shall be subject to the payment of the special assessment, based upon the valuation of such real estate as shown by the books of the City Assessor, or its present value as fixed by said officer in the first instance if the property does not appear of record in his books according to the valuation whereof the special tax has to be made, computed and assessed.

SEC. 67. Contents of Ordinance.-The ordinance providing for the levying and collection of a special assessment shall describe in terms of reasonable accuracy the nature, extent, and location of the proposed improvement; the probable cost of the improvement; the rate per centum of the cost to be defrayed by special assessment; the district which shall be subject to the payment of the said rate per centum of the proposed improvement, delimiting the same by metes and bounds, and the number of annual installments, which shall not be less than five, in which such special assessment shall be paid without arty interest. The City Council shall not be required to fix one uniform rate per centum for all the taxable real estate in the entire district, but may fix different rates for real estate in different parts or sections of the same, according as said property will derive greater or less benefit from the contemplated improvement.

SEC. 68. Publication and hearing.-The proposed special assessment ordinance shall be published for the period of one week in two daily newspapers of general circulation, one in English and one in the Spanish or Tagalog language, before its adoption by the Council. The city secretary shall, upon request, furnish a copy of the proposed ordinance free of charge to each owner affected or his agent, and shall in so far as possible send each of them a copy of said proposed ordinance, by ordinary mail or otherwise. At the request of any owner, made within three days from the last publication of the proposed ordinance, or at its own motion, the Council or the committee thereof in charge of the project shall hold a public hearing on the same and hear all pertinent arguments and evidence offered by the persons interested or their attorneys and such arguments and evidence shall be attached to the records of the project.

SEC. 69. Transmitted to the Mayor.-The special assessment ordinance shall be sent to the Mayor, together with all papers pertaining to the same, within five days after its passage. The Mayor may then consider the protest of the persons claiming to be affected if signed by a majority of said persons representing more than one-half of the total assessed value of the property which, according to the proposed ordinance would be subject to the special assessment, and within fifteen days after the Mayor receives such protest, if any, he may propose to the City Council such amendment or amendments to the same as he may see fit. If a protest has been duly filed with the Mayor in accordance with this section, the special assessment ordinance shall not take effect until the Mayor shall have returned such ordinance together with amendments, if any, and the City Council shall have repassed the same.

SEC. 70. Assessment of tax.-Upon the effectivity of the special assessment ordinance, the City Assessor and Collector shall forthwith proceed to determine the special tax payable by each realty each year during the period fixed in the ordinance, upon the basis of the estimated cost of the work and the total and parcel value of the real estate comprised within the district especially benefited, and shall notify each owner by ordinary mail of the special tax assessed against each property owned by him in the district benefited; but if upon the completion of the improvement it should appear that the cost has been less or more, the City Engineer shall forthwith certify this fact to the Assessor and Collector, who shall thereupon proceed to rectify the assessment, reducing or increasing, as the case may be the special tax upon each property affected for the unpaid remainder of the annual installments, or, if all are paid fixing the amount to be credited to or the special additional tax to be collected from the realty, as the case may be, and shall notify the persons interested of such rectifications.

SEC. 71. Appeal.-Any owner considering himself aggrieved by any decision of the City Assessor and Collector, may appeal to the Board of Tax Appeals in the same time and in the same manner as prescribed by law for cases of assessment and valuation of real estate for the ordinary tax.

SEC. 72. Payment.-All sums and amounts due from any owner or owners as a result of any action taken by virtue of the authority conferred in this article shall be due and payable to the City Assessor and Collector in the same manner as the annual tax levied on real estate under the provisions of article thirteen hereof, and shall be subject to the same penalties for delinquency, and enforceable by the same remedies, as such annual tax; and all such sums and amounts together with any such penalties incurred, shall from the date on which they were assessed constitute a lien on the property against which the same were assessed and shall take precedence over any and all other liens which may exist upon such property excepting only such as may have attached as a result of the nonpayment of said annual tax.

ARTICLE XVI.-Special Assessments for National Roads

SEC. 73. Assessment by direction of the President.- When the President of the Philippines shall so direct it, the City Council, as an agency of the National Government, shall provide, by means of an ordinance, for the levying and collection, by special assessments of the real estate within the district or section of Quezon City especially benefited, of the cost or a part thereof to be determined by the President, of laying out, opening, constructing, frightening, widening, extending, grading, paving, curbing, walling, deepening, or otherwise establishing, repairing, enlarging, or improving national roads, in Quezon City, including the costs of acquiring the necessary land and improvements therein. Within the meaning of this section, all real estate comprised within the district or section benefited, except lands or buildings owned by the Republic of the Philippines or by Quezon City, shall be subject to the payment of the special assessment, based upon the valuation of such real estate as shown by the books of the City Assessor, or its present value as fixed by said officer in the first instance if the property does not appear of record in his books according to the valuation whereof the special tax has to be made, computed and assessed.

SEC. 74. Contents of ordinance.-The ordinance providing for the levying and collection of a special assessment shall describe in terms of reasonable accuracy the nature extent, and location of the national road project to cover the cost of which the special assessment is to be levied; the probable or actual cost thereof; the rate per centum, as shall be determined by the President, of the cost to be defrayed by special assessment; the district or section which shall be subject to the payment of the said special assessment, delimiting the same by metes and bounds and the number of annual installments, which shall not be less than five, in which such special assessment shall be paid, without any interest.

The City Council shall not be required to fix one uniform rate per centum for all the taxable real estate in the entire district or section, but may fix different rates for real estate in different parts or sections of the same, according as said property will derive greater or less benefit from the improvement.

SEC. 75. Publication and hearing.-The proposed special assessment ordinance shall be published for a period one week in two daily newspapers of general circulation one in English and one in the Spanish or Tagalog language before its adoption by the Council, and shall be posted in the usual places for posting public notices, in the offices of the Director of Public Works and in the office of the City Engineer and also at conspicuous places in the district or section of the city where such national road project is constructed or contemplated to be constructed. The city secretary shall, upon request, furnish a copy of the proposed ordinance, by ordinary mail or otherwise. Within three days after the last publication of the special assessment ordinance, the Council or the committee in charge of the project shall hold a public hearing on the same and hear all pertinent arguments and evidence offered by the persons interested or their attorneys and such arguments and evidence shall be attached to the proper records.

SEC. 76. Transmittal to the Mayor.-The special assessment ordinance, together with all papers pertaining to the same, shall be sent to the Mayor within five days after its passage. The Mayor may then consider the protest of the persons claiming to be affected if signed by a majority of said persons representing more than one-half of the total assessed value of the property which according to the proposed ordinance would be subject to the special assessment, and within fifteen days after the Mayor receives such protest, if any, he may propose to the City Council such amendment or amendments to the same as he may see fit. If a protest has been filed with the Mayor in accordance with this section, within ten days after transmittal to him by the City Council, the special assessment ordinance shall not take effect until the Mayor shall have returned such ordinance together, with amendments, if any, and the City Council shall have repassed the same, otherwise such ordinance shall take effect like any other ordinary ordinance. Either the parties affected or the City Engineer through the Director of Public Works may appeal to the President of the Philippines, whose decision shall be final.

SEC. 77. Assessment of Tax.-Upon the effectivity of the special assessment ordinance, the City Assessor and Collector shall forthwith proceed to determine the special tax payable by each realty during the period fixed in the ordinance, upon the basis of the estimated or actual cost of the work and the total and parcel value of the real estate comprised within the district especially benefited, and shall notify each owner by ordinary mail of the special tax assessed against such property owned by him in the district benefited, but if upon the completion of the improvement in cases where the assessment is made prior to the completion thereof, it should appear that the cost has been less or more, the City Engineer through the Director of Public Works, shall forthwith certify this fact to the City Assessor and Collector who shall thereupon proceed to rectify the assessment, reducing or increasing, as the case may be, the special tax upon each property affected, for the unpaid remainder of the annual installments, or if all are paid, fixing the amount to be credited to or the special additional tax to be collected from the realty, as the case may be, and shall notify the persons interested of such rectification.

SEC. 78. Appeal.-Any owner considering himself aggrieved by any decision of the City Assessor and Collector may appeal from the same to the Board of Tax Appeals within the same time and in the same manner as

prescribed by law for cases of assessment and valuation of real estate for the ordinary tax.

SEC. 79. Payment.-All sums and amounts due from any owner or owners as a result of any action taken by virtue of the authority conferred in this Act shall be due and payable to the City Treasurer in the same manner as the annual tax levied on real estate under the provisions of article XIII of this Act, and shall be subject to the same penalties for delinquency, and enforceable by the same remedies, as such annual tax; and all such sums and amounts, together with any such penalties incurred, shall from the date on which they were assessed constitute liens which may exist upon such property excepting only such as may have attached as a result of the non-payment of said annual tax: Provided, however, That the proceeds thereof shall accrue to the National Treasury as a special fund for the construction, improvement, and maintenance of national roads within Quezon City, to be allotted by the Secretary of Public Works to such projects upon the recommendation of the Director of Public Works.

ARTICLE XVII.-Regulation of Places of Amusements and Sale of Intoxicating Liquors

SEC. 80. Power of Council over amusement places.- All laws and executive orders existing at the time of the approval of this Act referring to the regulation of nightclubs, cabarets, dancing schools, pavilions, cockpits, bars, saloons, bowling alleys, billiard pools, boxing contests and other places of amusements, and the regulations for the sale of intoxicating liquors, shall be inoperative within Quezon City, and the power to promulgate such regulations shall be vested in the City Council and the Mayor. Notwithstanding the provisions of the preceding paragraph, such laws and Executive Orders existing at the time of the approval of this Act shall continue in force within Quezon City until the City Council and the Mayor shall by ordinance provide otherwise.

ARTICLE XVIII.-Acquisition and Administration of Landed Estates

SEC. 81. Administration of lands by the city.-All lands, estates, or haciendas in Quezon City already purchased or to be purchased by the National Government for resale to their bona fide tenants or occupants shall be administered by the city through the Mayor, in accordance with ordinances, to be approved by the City Council. For this purpose, all duties, functions, powers and obligations heretofore imposed upon, or exercised or assumed by the Rural Progress Administration in connection with said lands, estates or haciendas are hereby transferred to Quezon City.

SEC. 82. City Council to fix terms and conditions for resale of lots.-The City Council shall by ordinance fix the terms and conditions for resale of the lots in the lands, haciendas or estates mentioned in section one: Provided, That (a) in such resale, first priority shall be given to the bona fide tenants or occupants of the land, hacienda or estate at the time the same was purchased by the National Government, and second priority to laborers and low-salaried employees and veterans; (b) the price to be fixed shall not exceed that which is sufficient to cover the purchase price paid by the National Government plus cost of surveying, subdividing and laying of boundaries and monuments, etc., if the same had not been already made at the time of the purchase; (c) in the case lots sold on the installment plan, no interest shall be charged in excess of four per centum per annum of the unpaid balance; (d) no cost or expenses of administration of any kind shall be imposed upon the buyers of lots; (e) lands or areas reserved for streets, alleys or other public improvements shall be paid by Quezon City and shall not be charged to the buyers, but for this purpose the city shall be considered as a bona fide tenant and shall be entitled to such terms, installments and other conditions as any other bona fide tenant; and (f) no rent shall be charged to the bona fide tenants or occupants from the time the lands, haciendas or estates were bought by the National Government to the time the lots into which they have been subdivided were sold to the bona fide tenants or occupants.

SEC. 83. Revision of contracts in connection with resale of lots.-All contracts made and existing at the time of the approval of this Act in connection with the resale of the lots herein mentioned shall be revised and readjusted to

conform with the conditions set forth in the proviso of the preceding section and any additional conditions prescribed by the City Council, in so far as they are favorable to the purchasers of said lots. All rents paid by the bona fide tenants or occupants to the National Government at the time of approval of this Act shall be credited in their favor as part of the purchase price the respective lots.

SEC. 84. Authority of the City to acquire private for sale to residents.-Quezon City is hereby authorized to acquire private lands in the city to subdivide into home lots for sale on easy terms to city residents, giving first priority to the bona fide tenants or occupants of said lands, and second priority to laborers and low-salaried employees and veterans. For the purpose of this section, the city may raise the necessary funds by appropriation of general funds, by securing loans or by issuing bonds, and, if necessary, may acquire the lands through expropriation proceedings in accordance with law, with the approval of the President. The lands acquired under this section shall be administered in the same manner as those mentioned in section eighty-one and the conditions prescribed in the proviso of section eighty-two shall be applicable to the resale of the lands thus acquired.

ARTICLE XIX.-Final Provisions

SEC. 85. Repealing clause.-Commonwealth Act Numbered Five hundred and two, as amended by Commonwealth Act Numbered Six hundred and fifty-nine, as further amended by Republic Acts Numbered Three hundred and thirty-three and Three hundred and ninety-two, is hereby repealed.

SEC. 86. Effectivity.-This Act shall take effect upon its approval.

Approved, June 16, 1950.

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