

## **AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED THIRTY-EIGHT HUNDRED AND ELEVEN, ENTITLED &#8220;AN ACT CREATING THE CITY OF DAPITAN.&#8221;**

*REPUBLIC ACT NO. 4993, June 17, 1967*

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

SECTION 1. Section two of Republic Act Numbered Thirty-eight hundred and eleven is hereby amended to read as follows:

"SEC. 2. Territory of the City of Dapitan.—The City of Dapitan, which is hereby created, shall also be known as the Shrine City, and shall comprise the present territorial jurisdiction of the Municipality of Dapitan, Province of Zamboanga del Norte."

SEC. 2. Section seven of the same Act is hereby amended to read as follows:

"SEC. 7. The City Mayor.—The City Mayor shall be the chief executive of the city. He shall be elected by the qualified voters of the city and shall hold office for a term of four years, the first elected mayor to begin serving upon the expiration of the term of office of the incumbent municipal mayor. He shall receive a compensation in accordance with the provisions of existing laws, and shall be entitled, in addition to his salary, to an allowance of not exceeding two thousand four hundred pesos per annum. No person shall be eligible for election as City Mayor unless, he is not less than thirty, years of age, a resident of the city or that of the former Municipality of Dapitan for at least two years prior to his election, and a qualified voter therein."

SEC. 3. Section eight of the same Act is hereby amended to read as follows:

SEC. 8. The City Vice-Mayor.—There shall be a City Vice-Mayor who shall be chosen in the same manner, as the City Mayor, and shall possess, the same qualifications as that of the City Mayor. He shall, perform the duties and exercise the powers of the City Mayor in the event of the death, sickness, absence or other temporary incapacity of the incumbent, or in the event of a permanent vacancy in the position of City Mayor. If, for any reason, the City Vice-Mayor is temporarily incapacitated, for the performance of the duties of the City Mayor, or said office of the City Vice-Mayor is vacant, the duties and powers of the City Mayor shall be performed and exercised by the councilor who obtained the highest number of votes during the election for members of the City Council. The City Vice-Mayor shall be the presiding officer of the City Council, with no right to vote except in case of tie, and shall perform such other duties as may be assigned to him by the City Mayor or prescribed by law or ordinance. He shall receive a compensation in accordance with the provisions of existing laws."

SEC. 4. Section nine of the same Act is hereby amended by amending subparagraph (i) thereof and adding thereto a new sub paragraph to read as follows:

"(i) To submit to the City Council at least two weeks before the beginning of each fiscal year a budget of receipts and expenditures of the city.

"(p) To exercise supervision of the shrine and relics of Dr. Jose Rizal, namely, Rizal Park at Talisay, the Rizal

relief map of Mindanao including the whole town plaza where the same is located, subject to the jurisdiction of the existing committee or agency under the Office of the President of the Philippines.”

**SEC. 5. Section ten of the same Act is hereby amended to read as follows:**

"SEC. 10. Secretary of the City Mayor.—The City Mayor shall appoint one secretary who shall hold office at the pleasure of the City Mayor and whose compensation shall be the same as that by the councilors in accordance with the provisions of existing laws."

**SEC. 6. Section eleven of the same Act is hereby amended to read as follows:**

"SEC. 11. Composition and compensation.—The City Council shall be the legislative body of the city and shall be composed of the City Vice-Mayor, who shall be its presiding officer, and eight councilors who shall be elected at large by the qualified voters of the city during every election for provincial, city and municipal officials in conformity with the provisions of the Revised Election Code. In case of sickness, absence, suspension or other temporary disability of any member of the Council, or if necessary to maintain a quorum, the President of the Philippines may appoint a temporary substitute who shall possess all the rights and perform all the duties of a member of the council until the return to duty of the regular incumbent.

"If the City Vice-Mayor or any member of the City Council shall be a candidate for office in any election, he shall be disqualified to act with said body in the performance of the duties thereof relative to such election, and if, for such reason, the number of members should be unduly reduced, the President shall appoint any disinterested voter of the City, belonging to the political party of the disqualified member, to act in his place in such matters.

"The members of the City Council shall receive a salary in accordance with the provisions of existing laws."

**SEC. 7. Section thirteen of the same Act is hereby amended to read as follows:**

"SEC. 13. Secretary of the Council.—The Council shall have a secretary who shall be appointed by it to serve during the term of office of the members thereof. The compensation of the secretary shall be the same as that received by the city councilors in accordance with the provisions of existing laws, or any latest statute fixing the rates of salaries of city officials. A vacancy in the office of the secretary shall be filled temporarily for the unexpired term in like manner."

**SEC. 8. Sub-paragraph (uu) of Section fifteen of the same Act is hereby deleted and transferred to the powers and duties of the City Mayor under sub-paragraph (j) of Section nine.**

**SEC. 9. Section seventeen of the same Act is hereby amended to read as follows:**

"SEC. 17. City Departments.—There shall be the following city departments over which the City Mayor shall have direct control and supervision, any existing law to the contrary notwithstanding: (a) Finance and Assessment Department; (b) Engineering and Public Works Department; (c) Law Department; (d) Health Department; and (e) Police and Fire Department.

"The City Council may from time to time make such readjustments of the duties of the different departments as the public interest may demand and, with the approval of the President, may consolidate any department, division or office with any other department, division or office of the city, or may divide big departments into separate offices."

**SEC. 10. Section twenty-one of the same Act is hereby amended to read as follows:**

"SEC. 21. The General Auditing Office.—The Auditor General shall appoint a city auditor who shall have the rank of a chief of a city department and shall receive a compensation in accordance with the provisions of existing laws on city officials, one half of which shall be payable from the national government funds. The city

auditor shall receive and audit all accounts of the city in accordance with the provisions of law relating to government accounts and accounting. The personnel in the office of the city auditor shall be paid out of national government funds."

**SEC. 11. Section twenty-two of the same Act is hereby amended to read as follows:**

"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 a city superintendent of schools shall be appointed with all the powers and duties in respect to the schools of the city as are vested in division superintendents in respect to schools of their division: Provided, That salaries of the city superintendent of schools, supervisors, principals, teachers and other operational expenses of the primary, intermediate, high school, and other public schools in the city as well as other personnel shall be borne by the National Government. The city superintendent of schools shall make a quarterly report of the condition of the schools and school buildings of the city to the City Mayor."

**SEC. 12 Section twenty-three of the .same Act is hereby amended to read as follows:**

"SEC. 23. The Land Registration Commission.—The Commissioner of the Land Registration Commission shall exercise the same jurisdiction and powers in the city as elsewhere in the Philippines, and an office of the Register of Deeds shall be established in the city."

**SEC. 13. Section seventy of the same Act is hereby amended to read as follows:**

"SEC. 70. The City Engineer.—There shall be a City Engineer who shall have charge of the engineering and public works department. He shall receive a salary in accordance with the provisions of existing laws and shall be taken from Special Highway Fund."

**SEC. 14. Section seventy-one of the same Act is hereby amended to read as follows:**

"SEC. 71. Execution of authorized 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 twenty-five thousand pesos or more shall be awarded by the City Mayor upon the recommendation of the city engineer to the lowest responsible bidder after public advertisement by posting notices of the call for bids in conspicuous places in the City Hall and by publication in the Official Gazette, both for not less than ten days: Provided, however, That the city engineer may, with the approval of the President of the Philippines, upon the recommendation of the Secretary of Public Works and Communications, execute by administration any such public work costing twenty thousand pesos or more.

"In case of public works involving an expenditure of less than twenty 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 regulations, prescribed."

**SEC. 15. That portion of the first paragraph of Section seventy-two of the same Act preceding the enumeration of powers and duties, is hereby amended to read as follows:**

"SEC. 72. The City Fiscal—There shall be a City Fiscal who shall discharge his duties under the general supervision of the Secretary of Justice. The City Fiscal shall receive a salary in accordance with the provisions of existing laws, one half of which shall be payable from the national government funds. The City Fiscal shall be the legal adviser of the city and all offices and departments thereof. He shall have the following powers and duties:

**SEC. 16. Section seventy-three of the same Act is hereby amended to read as follows:**

"SEC. 73. The City Health Officer—There shall be a City Health Officer who shall have charge of the City Health Department and shall receive a salary in accordance with the provisions of existing laws, one half of

which shall be paid by the National Government.

"He shall have the following powers and duties:

"(a) He shall exercise general supervision over the health and sanitary conditions of the city, including the cleaning of crematories, cemeteries, stockyards, slaughterhouses, and markets.

"(b) He shall execute and enforce all laws, ordinances and regulations relating to the public health.

"(c) He shall recommend to the City Council the passage of such ordinance as he may deem necessary for the preservation of the public health.

"(d) He shall cause to be prosecuted all violations of sanitary laws, ordinances, or regulations.

"(e) He shall make sanitary inspections and may be aided therein by such members of the police force of the city or the national police as shall be designated as sanitary police by the chief of police or proper national police officer and such sanitary inspectors as may be authorized by law.

"(f) He shall as ex-officio local civil registrar, keep a civil register for the city and shall record therein all births, marriages, deaths and other registrable certificates as provided in the Civil Registry Law; and shall receive the additional compensation to which ex-officio officials are entitled.

"(g) He shall have control and supervision over puericulture centers and social services of the city.

"(h) He shall perform such other duties, not repugnant to law or ordinance, with reference to the health and sanitation of the city as the Secretary of Health shall direct. In case of epidemic or when the inhabitants of the city are menaced by any infectious or contagious diseases, the Secretary of Health shall assume full control of the health and sanitation services of the city until such condition shall have ceased to exist.

"There shall be assigned to the city health office of Dapitan two rural health physicians, two public health dentists, two rural health nurses, three public health midwives and two rural sanitation inspectors dispersed in strategically located barrios in the City of Dapitan whose salaries shall be paid out of national funds. All health personnel in the city shall be under the immediate control and supervision of the City Health Officer.

"There shall be allocated annually out of the savings of the Department of Health the amount of twenty-five thousand pesos for the maintenance and operation of the City Health Department, and shall be used for the following purposes:

"(a) Payment of salaries, per diems and traveling expenses of health personnel not fully paid out of national funds.

"(b) Purchase of medicines, medical supplies, vaccines, disinfectants, instruments, equipment and gasoline.

"(c) Other incidental and operational expenses for carrying out the purpose of law relating to the preservation and maintenance of public health.

"(d) If at the close of the fiscal year, there shall remain any balance in said fund, such balances shall accumulate from year to year for the purpose of establishing or repairing health centers, purchase of land or water transportation and carrying out other permanent sanitary improvements"

SEC. 17. That portion of the first paragraph of Section seventy-four of the same Act preceding the enumeration of powers and duties is hereby amended to read as follows:

"SEC. 74. The Chief of Police.—There shall be a chief of police who shall have charge of the police department and shall receive a salary in accordance with the provisions of existing laws. No person shall be appointed as Chief of Police unless he is or has been a regular or reserve officer of the Armed Forces of the Philippines with a

minimum rank of captain, or possessing the corresponding civil service eligibility for said position. He shall at the same time be the ex-officio chief of the Fire Department and shall receive the additional compensation to which ex-officio officials are entitled. He shall have the following powers and duties."

SEC. 18. This Act shall take effect upon its approval.

Enacted without Executive approval, June 17, 1967.

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