

AN ACT TO AMEND CERTAIN SECTIONS OF COMMONWEALTH ACT NUMBERED THIRTY-NINE, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF ZAMBOANGA, SO AS TO MAKE ELECTIVE THE POSITIONS OF MAYOR...

REPUBLIC ACT NO. 1210, April 29, 1955

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

SECTION 1. Section seven of Commonwealth Act Numbered Thirty-nine, otherwise known as the Charter of the City of Zamboanga, as amended by Commonwealth Act Numbered Two hundred eight, is further amended to read as follows:

"SEC. 7. Election and compensation.—The Mayor shall be the chief executive of the city.

"The Mayor shall be elected by the qualified voters of the city during every election for provincial and municipal officials in accordance with the provisions of the Revised Election Code. No person shall be eligible for the position of Mayor unless he is at least twenty-five years of age, a qualified voter and a resident of the city for not less than one year immediately prior to his election.

"He shall receive the salary provided for in Republic Act Numbered Eight hundred forty. With the approval of the proper head of department the Mayor may receive, in addition to his salary, a non-commutable allowance of two thousand pesos per annum."

SEC. 2. Sections eight and twelve of the same Act are amended to read as follows:

"SEC. 8. The Vice-Mayor.—There shall be a Vice-Mayor who shall perform the duties of the Mayor, in the event of the sickness, absence or other temporary incapacity of the Mayor, or in the event of a definitive vacancy in the position of Mayor, until said office shall be filled in accordance with law. 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. The acting mayor shall have the same powers and duties as the Mayor.

"The Vice-Mayor shall be the presiding officer of the City Council and shall perform such other duties as may be assigned to him by the Mayor or prescribed by law or ordinance. He shall be elected in the same manner and shall possess the same qualifications as the Mayor, and shall receive a salary which shall not exceed four thousand eight hundred pesos, the amount thereof to be fixed by the Council on the basis of the income of the city."

"SEC. 12. Constitution and organization of the City Council.—The City Council shall be the legislative body of the city, and shall be composed of the Vice-Mayor, who shall be its presiding officer, and eight councilors who shall be elected by the qualified voters of the city during every election for provincial and municipal officers in accordance with the provisions of the Revised Election Code. When the Vice-Mayor acts as Mayor or in case of his absence, the member who received the highest number of votes in the last election among those present, shall preside.

"If any member of the City Council should be a candidate for office in any election, he shall be incompetent to act with the City Council in the discharge of the duties herein conferred upon it, and in such case the other members of the council shall discharge said duties without his assistant, or they may choose some disinterested elector of the city to act in the Council in such matters in his stead.

"The councilors shall receive for each day of attendance at the sessions of the Council the per diem provided for in Republic Act Numbered Eight hundred forty.

"The Council shall fix the times and places for its regular meetings, which shall be held once a week, and shall hold special meetings not exceeding ten during any one year 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. Meetings shall be open to the public, unless otherwise ordered by an affirmative vote of a majority of the members. The Council 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, or any resolution or motion directing the payment of money or creating liability, but other measures shall prevail upon the majority vote of the members present at any meeting duly called and held. Any ordinance enacted by the Council and every resolution or motion directing the payment of money or creating a wy shall be forwarded to the Mayor for his approval. Within ten days after the receipt of the ordinance, resolution or motion, the Mayor shall return it with his approval or veto. If he does not return it within that time, it shall be deemed to be approved. If he returns it with his veto, his reason therefor in writing shall accompany it. Then it may again be enacted by the affirmative vote of two-thirds of the members of the Council. Each ordinance shall be sealed with the city seal, signed by the Mayor and the secretary of the Council, and recorded in a book kept for that purpose. Every ordinance shall, on the day followm its passage, be posted by the secretary at the main entrance of the municipal building, and shall take effect and be in force on and after the tenth day following it passage, unless otherwise stated in said ordinance resolution or vetoed by the Mayor before the expiration of said ten-day period. A vetoed ordinance, if repassed shall take effect ten days after the veto is overridden by two-thirds vote of all the members of the City Council unless another date is fixed in such resolution or ordinance."

SEC. 3. Pending the next general election for provincial and municipal officers to be held following the approval of this Act, the position of Vice-Mayor and the five additional elective councilors shall be filled by appointment by the President of the Philippines.

SEC. 4. This Act shall take effect upon its approval.

Approved, April 29, 1955.

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