

[REPUBLIC ACT NO. 8797, July 15, 2000]

AN ACT CONVERTING THE MUNICIPALITY OF SAN JOSE DEL MONTE, BULACAN INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF SAN JOSE DEL MONTE

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title.* —This Act shall be known as the "Charter of the City of San Jose Del Monte."

SEC. 2. *The City of San Jose Del Monte.* — The Municipality of San Jose Del Monte shall be converted into a component city to be known as the City of San Jose Del Monte, hereinafter referred to as the City, which shall comprise the present territory of the Municipality of San Jose Del Monte, Bulacan Province. The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of San Jose Del Monte, as follows:

1-2	N32 47W	437.04
2-3	N18 39W	561.29
3-4	N43 59W	591.48
4-5	N32 01E	560.00
5-6	N43 37W	760.00
6-7	N80 05W	435.51
7-8	N20 55W	400.00
8-9	N48 34E	650.01
9-10	N65 47E	302.01
10-11	N31 46E	1298.51
11-12	N06 55E	1802.91
12-13	N29 07E	83.08
13-14	N36 13E	518.08
14-15	N34 18W	560.00
15-16	N18 39E	400.01
16-17	N85 21E	103.52
17-18	N70 11E	1404.53
18-19	S8242E	239.03
19-20	N38 35E	784.44
20-21	N34 52E	583.14
21-22	N87 31E	844.40
22-23	N86 38E	1058.13

23-24	S04 13E	639.53
24-25	S3854E	843.87
25-26	S6109E	839.11
26-27	S6622E	366.30
27-28	N29 33E	179.72
28-29	N72 41E	209.40
29-30	N62 34E	145.15
30-31	S82 33E	383.67
31-32	N15 26W	147.97
32-33	N58 35E	585.12
33-34	S3547E	130.42
34-35	N2112E	189.90
35-36	N42 29E	122.80
36-37	N05 53W	99.16
37-38	N62 12E	306.90
38-39	S3914E	208.85
39-40	S88 03E	108.06
40-41	S1925E	121.31
41-42	S06 22W	190.90
42-43	S37 09E	371.86
43-44	N33 50E	65.08
44-45	S8414E	73.84
45-46	N17 18E	64.94
46-47	S86 06E	108.12
47-48	S01 57W	115.43
48-49	N4022E	136.35
49-50	S2428E	411.32
50-51	S62 58E	277.96
51-52	S76 06E	402.92
52-53	S3816E	395.58
53-54	N35 24E	559.22
54-55	S8642E	415.17
55-56	S35 07E	150.80
56-57	S8444E	849.94
57-58	S7429E	408.03
58-59	S24 17W	313.32
59-60	S03 00W	334.07
60-61	S17 20W	453.41
61-62	S01 20W	115.43
62-63	N85 11E	552.74
63-64	N70 35E	539.30
64-65	S5312E	167.60
65-66	S15 11W	107.22
66-67	S7525E	134.66
67-68	N39 33E	134.84
68-69	S5312E	83.80
69-70	S0023E	60.22
70-71	N53 15E	253.33
71-72	N15 00E	413.44
72-73	N05 59W	195.90
73-74	S6056E	626.13
74-75	S38 02E	1664.08

75-76	S19 42W	337.56
76-77	S89 32W	1217.06
77-78	S87 19W	137.53
78-79	S88 53W	134.80
79-80	S1403E	130.22
80-81	N55 10W	297.18
81-82	S6048W	251.18
82-83	S45 59W	327.18
83-84	S66 36W	166.95
84-85	S65 26W	176.99
85-86	S01 43W	133.06
86-87	S1023E	133.18
87-88	S0146E	130.06
88-89	S19 51E	179.67
89-90	N32 43W	133.06
90-91	S26 13W	424.33
91-92	S2154W	136.17
92-93	S13 43 W	536.74
93-94	S43 39W	1652.76

94-95 following the course of Marilao River up to the point 28 = CBM 23, Cad. 267, Kalookan Cadastre = BM #23, Tala Estate (Lat. = 14 deg. 46 min. 7.79 sec. N and Long. = 121 deg. 5 min. 42.32 sec. E)

95-1 following the course of the Marilao River to the point of beginning.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of existing boundary disputes or cases involving questions of territorial jurisdiction between the City of San Jose Del Monte and the adjoining local government units.

SEC. 3. *Corporate Powers of the City.* — The City constitutes a political body corporate and as such is endowed with the attributes of perpetual succession and possessed of the powers which pertains to a municipal corporation to be exercised in conformity with the provision of this Charter. The City shall have the following corporate powers:

- a. To have a continuous succession in its corporate name;
- b. To sue and be sued;
- c. To have and use a corporate seal;
- d. To acquire, hold and convey real or personal property;
- e. To enter into any contracts and/or agreements; and
- f. To exercise such other powers, prerogatives or authority subject to the limitations provided in this Act or laws.

SEC. 4. *General Powers.* — The City shall have a common seal and may alter the same at pleasure. It shall exercise the powers to levy taxes; to close and open roads, streets, alleys, parks or squares; to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interests of the City; to expropriate or condemn private property for public use; to contract and be contracted with, to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the City is involved or interested in and to exercise all the

powers as are granted to corporations or as hereinafter granted.

SEC. 5. *Liability for Damages.* — The City and its officials shall not be exempt from liability for death or injury to persons or damage to property.

SEC. 6. *Jurisdiction of the City.* — The jurisdiction of the City of San Jose Del Monte, for police purposes only, shall be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the purity of the water supply of the City, such police jurisdiction shall also extend over all the territory within the drainage area of such water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the city water service.

The regional trial courts and the city courts of the City of San Jose Del Monte shall have concurrent jurisdiction with the regional trial courts and the metropolitan trial courts or city or municipal trial courts of the adjoining municipalities to try crimes and misdemeanor committed within the said drainage area, or within said space of one hundred meters (100 m.). The court first taking jurisdiction of such offense shall thereafter retain exclusive jurisdiction thereof. But any license that may be issued within said zone, area or spaces shall be granted by the proper authorities of the city or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said city or municipality.

ARTICLE II

CITY OFFICIALS IN GENERAL

SEC. 7. *The Officials of the City of San Jose Del Monte.* —

- a. There shall be in the City: a city mayor, a city vice mayor, sangguniang panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer and an assistant city treasurer, a city assessor and an assistant city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city social welfare and development officer, a city veterinarian, a city general services officer, a city agriculturist, a city cooperatives officer, and an environment and natural resources officer;
- b. In addition thereto, the city mayor may appoint a city architect, a city information officer and a city population officer;
- c. The City shall establish a city fire station to be headed by a city fire marshal, a city jail to be headed by a city jail warden, a city school division to be headed by a city school division superintendent and a city prosecution service to be headed by a city prosecutor; and
- d. The City may:
 1. Maintain existing offices not mentioned in subsections (a) and (b) hereof;
 2. Create such other offices as may be necessary to carry out the purposes of the city government; or
 3. Consolidate the functions of any office with those of another in the interest of efficiency and economy.

Unless otherwise provided herein, heads of departments and offices shall be appointed by the city mayor with the concurrence of the majority of all the sangguniang panlungsod members, subject to civil service law, rules and regulations. The sangguniang panlungsod shall act on the appointment within fifteen (15) days from the day of its submission, otherwise the same shall be deemed confirmed.

ARTICLE III

THE CITY MAYOR AND VICE MAYOR

SEC. 8. *The City Mayor.* —

- A. The city mayor shall be the chief executive of the City. He shall be elected at large by the qualified voters of the City.

No person shall be eligible for the position of city mayor unless at the time of the election:

1. He is at least twenty-one (21) years of age;
2. An actual resident of the City for at least one (1) year prior to his election; and
3. A qualified voter therein.

He shall hold office for three (3) years, unless sooner removed, and shall receive a minimum monthly compensation corresponding to salary grade thirty (30) as prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

- B. The city mayor, as the chief executive of the city government shall exercise such powers and perform such duties and functions as provided by the Local Government Code of 1991 and other laws:.

1. Exercise those powers expressly granted to him by law, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for the efficient and effective governance of the City and those which are essential to the promotion of general welfare:
 - a. Determine the guidelines of city policies and be responsible to the sangguniang panlungsod for the program of government;
 - b. Direct the formulation of the city development plan with the assistance of the city development council and upon approval thereof by the sangguniang panlungsod, implement the same;
 - c. Present the program of government and propose policies and projects for the consideration of the sangguniang panlungsod at the opening of the regular session of the sangguniang panlungsod every calendar year and as often as may be deemed necessary as the general welfare of the inhabitants and the needs of the city government may require;
 - d. Initiate and propose legislative measures to the sangguniang panlungsod and as often as may be deemed necessary, provide such information and data needed or requested by said sanggunian in the performance of its legislative functions;