

**[ REPUBLIC ACT NO. 8489, February 11, 1998 ]**

**AN ACT CONVERTING THE MUNICIPALITY OF TALISAY, NEGROS  
OCCIDENTAL, INTO A COMPONENT CITY TO BE KNOWN AS THE  
CITY OF TALISAY**

*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 Talisay in  
the Province of Negros Occidental.

SEC. 2. The City of Talisay. – The Municipality of Talisay is hereby converted into a  
component city to be known as the City of Talisay, hereinafter referred to as the  
City, which shall comprise of the present territory of the Municipality of Talisay,  
Negros Occidental. The territorial jurisdiction of the City shall be within the present  
metes and bounds of the Municipality of Talisay with the technical description as  
follows:

Bounds:

North - Cad 49, Silay City along MBM 10, 11, 12 and 13 to MBM 14, 15 and 16  
following the Bagacay River or creek to MBM 17 following Hinalinan River or creek to  
MBM 18 to point A, thence;

East - Cad 127, Municipality of Sagay from point A to point B, C of Cad 149,  
Municipality of Calatrava, thence;

South - Cad 43, Municipality of Murcia from point C of Cad 149 going to point D, E  
and to MBM 1 of Cad 48, Talisay Cadastre; along MBM 1, 2, 3, 4, 5, 6 of Cad 48  
following the Loygoy River to MBM 7 then going to MBM 8, 9 of Cad 48, thence;

West - Guimaras Strait from MBM 9 of Cad 48 going to points F, G, H along the  
Guimaras Strait.

Metes: Beginning from point

POINT	LATITUDE	LONGITUDE
MBM-1 Cad 48, from Barangay Cabatangan	10°40'08.72"N	123 06'45.65"

Thence to MBM-2 Cad	48 10°40'18.77"	123 05'42.00"
Thence to MBM-3 Cad	48 10°40'22.31"	123 04'09.86"
Thence to MBM-4 Cad	48 10°40'43.64"	123 03'31.47"
Thence to MBM-5 Cad		
48 following Loygoy River	10°41'15.37"	123 02'34.96"
Thence MBM-7 Cad 48	10°42'09.82"	123 59'34.29"
Thence MBM-8 Cad 48	10°42'55.06"	123 57'21.24"
Thence MBM-9 Cad 48 following Guimaras Strait	10°43'05.42"	123 56'39.42"
Thence to F following Guimaras Strait	10°43'23.64"	123 56'34.48"

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 pertain to a municipal corporation, to be exercised in conformity with the provisions of this Charter. The City shall have the following corporate powers:

- (1) To have a continuous succession in its corporate name;
- (2) To sue and be sued;
- (3) To have and use a corporate seal;
- (4) To acquire and convey real or personal property;
- (5) To enter into contracts; and
- (6) To exercise such other powers as are granted to corporations, subject to the limitations provided in this Act and other laws.

SEC. 4. *General Powers of the City.* – The City shall have a common seal and may alter the same at pleasure. It shall exercise the powers to levy taxes, close and open roads, streets, alleys, parks or squares subject to the provisions of the Constitution and existing laws. It may take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interest of the City, condemn private property for public use, contract and be contracted with, sue and be sued, prosecute and defend to final judgment and execution suits wherein said City is a party, and exercise all the powers as are granted to corporations and/or hereinafter conferred.

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 Talisay, for police purposes only, shall be coextensive with its territorial jurisdiction, and for the purpose of protecting and insuring the purity of the water supply of the City, such police jurisdiction shall also extend over all 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 or municipal courts of the adjoining municipalities or cities, to try crimes and misdemeanors committed within said drainage area, or within said spaces of one hundred meters (100 m.). The court first taking cognizance of such an offense shall have jurisdiction to try said cases to the exclusion of others. 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 that 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 Talisay.* – (a) There shall be in the City of Talisay a city mayor, a city vice mayor, sangguniang panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city zoning administrator, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, a city general services officer and a city agriculturist.

(b) In addition thereto, the city mayor may appoint a city architect, a city information officer, a city population officer, a city environment and natural resources officer, a city cooperatives officer, an assistant city treasurer, and an assistant city assessor.

(c) The City of Talisay 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; or

(3) Consolidate the functions of any office with those of another in the interest of efficiency and economy.

(d) Unless otherwise provided herein, all appointive city officials of the City 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 appointments within fifteen (15) days from the date of their submission otherwise the same shall be deemed confirmed.

(e) Elective and appointive city officials shall receive such compensation, allowances and other emoluments as may be determined by law or ordinance, subject to budgetary limitation on personal services prescribed under Title Five, Book II of Republic Act No. 7160: Provided, That no increase in compensation of the mayor, vice mayor and sangguniang panlungsod members shall take effect until after the expiration of their term, unless otherwise superseded by legal orders.

## **ARTICLE III**

### **THE CITY MAYOR AND THE CITY 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 the 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, including all emoluments and allowances as may be allowed by law.

(b) The city mayor, as the chief executive of the city government, shall exercise such powers and perform such duties and functions as provided herein:

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 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;
  - e. Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of city funds and whose appointments are not otherwise provided for in this Act as well as those he may be authorized

by law to appoint;

- f. Represent the City in all its business transactions and sign in its behalf all bonds, contracts and obligations, and such other documents upon authority of the sangguniang panlungsod or pursuant to existing laws or ordinances;
- g. Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;
- h. Determine the time, manner and place of payment of salaries or wages of the officials and employees of the City, in accordance with law or ordinances;
- i. Allocate and assign office space to the City and other officials and employees who, by law or ordinance, are entitled to such space in the city hall and other buildings owned or leased by the city government;
- j. Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided by law and this Act, and cause to be instituted administrative or judicial proceedings against any official or employee of the City who may have committed an offense in the performance of his official duties;
- k. Examine the books, records and other documents of all offices, officials, agents or employees of the City and, in aid of his executive powers and authority, require all national officials and employees stationed in or assigned to the City to make available to him such books, records and other documents in their custody, except those classified by laws as confidential;
- l. Furnish copies of executive orders issued by him to the respective council chairmen within seventy-two (72) hours after their issuance;
- m. Visit component barangays of the City at least once every six (6) months to deepen his understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants of general laws and ordinances which especially concern them, and otherwise conduct visits and inspections to ensure that the governance of the City will improve the quality of life of the inhabitants;
- n. Act on leave applications of officials and employees appointed by him and the commutation of the monetary value of their leave credits in accordance with law;
- o. Authorize official trips of city officials and employees outside of the City for a period not exceeding thirty (30) days;
- p. Call upon any national official or employee stationed in or assigned to the City to advise him on matters affecting the City and to make recommendations thereon; coordinate with said officials or employees in the formulation and implementation of plans, programs and projects;