

[REPUBLIC ACT NO. 8475, February 02, 1998]

AN ACT CONVERTING THE MUNICIPALITY OF CALAPAN IN THE PROVINCE OF ORIENTAL MINDORO INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CALAPAN

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 Calapan.

SEC. 2. *The City of Calapan.* — The Municipality of Calapan is hereby converted into a component city to be known as the City of Calapan, hereinafter referred to as the City, which shall comprise of the present territory of the Municipality of Calapan in Oriental Mindoro. The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of Calapan, to wit:

Bounded on the North by the Calapan Bay along line 1 thru 25;

Bounded on the South by the Municipality of Naujan along line 25 thru 36;

Bounded on the West by the Municipality of Baco along line 36 thru 2.

Notes: Beginning from point

POINT	BEARING	DISTANCE
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1	= N 42° 14' W,	513.28 m. latitude = 13° 24' 29.87" N; longitude = 121° 08' 30.09" E;
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Thence 2 = N 81° 01' E, 820.09 m., along Calapan Bay

Thence 3 = N 88° 11' E, 690.36 m., along Calapan Bay

Thence 4 = N 16° 40' W, 523.06 m., along Calapan Bay

Thence 5 = N 61° 18' E, 455.94 m., along Calapan Bay

Thence 6 = S 83° 10' E, 1410.02 m., along Calapan Bay

Thence 7 = N 79° 21' E, 1068.27 m., along Calapan Bay

Thence 8 = N 59° 14' E, 977.55 m., along Calapan Bay

Thence 9 = N 42° 20' E, 608.77 m., along Calapan Bay

Thence 10 = N 03° 31' E, 651.23 m., along Calapan Bay

Thence 11 = N 34° 21' E, 726.70 m., along Calapan Bay

Thence 12 = N 63° 26' E, 223.61 m., along Calapan Bay

Thence 13 = S 73° 08' E, 344.82 m., along Calapan Bay

Thence 14 = S 37° 11' E, 364.01 m., along Calapan Bay

Thence 15 = S 14° 33' E, 955.63 m., along Calapan Bay

Thence 16 = S 39° 21' E, 2696.54 m., along Calapan Bay

Thence 17 = S 42° 07' E, 3504.64 m., along Calapan Bay

Thence 18 = S 42° 31' E, 1627.88 m., along Calapan Bay

Thence 19 = S 51° 35' E, 1850.68 m., along Calapan Bay

Thence 20 = S 52° 51' E, 414.00 m., along Calapan Bay

Thence 21 = N 41° 38' E, 361.25 m., along Calapan Bay

Thence 22 = N 86° 40' E, 430.73 m., along Calapan Bay

Thence 23 = S 42° 21' E, 534.44 m., along Calapan Bay

Thence 24 = S 20° 08' E, 319.53 m., along Calapan Bay

Thence 25 = S 30° 58' W, 699.71 m.

Thence 26 = S 12° 32' E, 921.95 m.

Thence 27 = S 22° 06' W, 1063.12 m.

Thence 28 = S 57° 42' W, 3620.47 m.

Thence 29 = S 42° 58' W, 2992.94 m.

Thence 30 = N 07° 13' W, 357.84 m.

Thence 31 = S 87° 18' W, 956.06 m.

Thence 32 = N 25° 01' W, 496.59 m.

Thence 33 = S 55° 24' W, 704.56 m.

Thence 34 = N 21° 48' W, 592.37 m.

Thence 35 = S 59° 50' W, 16391.94 m.

Thence 36 = N 20° 27' E, 20,659.42 m., to the point of beginning containing an area of 25,006 hectares or 250.06 sq. km. as per approved cadastral survey, Cad-104: the islets of Pulong Malaki, Gitna, Munti, Orca Piloto, and Suqui Islands are included.

SEC. 3. *Corporate Powers of the City.* — The City constitutes a political body corporate and as such is endowed with the attribute 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:

- a. To have continuous succession in its corporate name;
- b. To sue and be sued;
- c. To have and use a corporate seal;
- d. To acquire and convey real or personal property;
- e. To enter into contracts; and
- f. 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 of Damage.* — The City and its officials shall not be liable for death or injury to persons or damage to property done or caused as a consequence or result of the discharge or performance of official functions within the scope of their duties.

SEC. 6. *Jurisdiction of the City.* — The jurisdiction of the City of Calapan, for police purposes only, shall be co-extensive 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 water service. The city court of the City shall have concurrent jurisdiction with the city or municipal

courts of 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. The police forces of the several municipalities and cities concerned shall have concurrent jurisdiction with the police force of the City for the maintenance of good order and the enforcement of ordinances throughout said zone, area or spaces. 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. *Officials of the City of Calapan.* —

- a. There shall be in the City of Calapan 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 officer, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city agriculturist, a city social welfare and development officer, a city general services officer, a city trade and industry officer, and a city education officer.
- 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 Calapan shall maintain a city fire station to be headed by a city fire marshall and a city jail to be headed by a city jail warden.
- d. The City of Calapan through the city mayor, 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.
- e. 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 appointment within fifteen (15) days from the date of its submission otherwise the same shall be deemed confirmed.

ARTICLE III

THE CITY MAYOR AND VICE MAYOR

SEC. 8. *The City Mayor.* — 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 he is at least twenty-one (21) years of age, an actual resident of the City for at least one (1) year prior to his election, and 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.

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

- a. 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:
 1. Determine the guidelines of city policies and be responsible to the sangguniang panlungsod for the program of government;
 2. 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;
 3. 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;
 4. 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;
 5. 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;
 6. 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 law or ordinance;
 7. Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;
 8. 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 ordinance;
 9. 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