

[REPUBLIC ACT NO. 5502, June 21, 1969]

AN ACT REVISING REPUBLIC ACT NUMBERED THIRTY-TWO HUNDRED AND SEVENTY-EIGHT, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF CALOOCAN.

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

SECTION 1. This Act shall be known as the Revised Charter of the City of Caloocan.

Article I.— General Provisions

SEC. 2. *Territory of the City of Caloocan.*—The City of Caloocan, as created by Republic Act Numbered Thirty-two hundred and seventy-eight, shall comprise the present territorial jurisdiction of the Municipality of Caloocan, in the Province of Rizal. For all administrative and municipal purposes, the provisions of Republic Act Numbered Thirty-five hundred and ninety shall not apply to the City of Caloocan, and for this purpose section twenty-six of the said Act is hereby modified accordingly.

SEC. 3. *Corporate character of the City.*—The City of Caloocan 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.

SEC. 4. *Seal and general powers of the City.*—The City have a common seal and may alter the same at Pleasure. 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 hereinafter conferred.

SEC. 5. *The City not liable for damages.*—The City shall not be liable or held for damages or injuries to persons or property arising from the failure of the Municipal Board, the Mayor or any other city officer or employee to enforce the provisions of this Charter, or of any other law or ordinance, or from the negligence of said Municipal Board, Mayor or other city officers or employees while enforcing or attempting to enforce the provisions thereof.

SEC. 6. *Jurisdiction of the City.*—The jurisdiction of the City of Caloocan 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 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 municipal court or city court of the respective municipalities or cities, to try crimes and misdemeanors committed within said drainage area, or within said spaces of one hundred meters. The court first taking jurisdiction of such an offense shall thereafter retain exclusive jurisdiction thereof. The police force 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 and 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 concerned and not to the City of Caloocan.

Article II.—*The Mayor and the Vice-Mayor*

SEC. 7. *The Mayor.*—The 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 Mayor unless at the time of the election he is at least twenty-five years of age, a resident of the city for at least two years prior to his election, and a qualified voter therein. He shall hold office for four years, unless sooner removed, and shall receive a salary of twenty thousand pesos *per annum*. The Municipal Board may appropriate such sum of money as may be reasonably necessary for the house allowance of the Mayor, or commute the same in addition to his salary.

SEC. 8. *The Vice-Mayor.*—There shall be elected a Vice-Mayor who shall be the presiding officer of the Municipal Board. The Vice-Mayor shall be elected in the same manner as the Mayor and shall at the time of his election possess the same qualifications as the Mayor. He shall receive a salary of sixteen thousand pesos *per annum*.

The Vice-Mayor shall perform the duties and exercise the powers of the mayor in the event of the latter's sickness, absence or other temporary incapacity to discharge the powers and duties of his office. In the event of a permanent vacancy in the Office of the Mayor, the Vice-Mayor shall become Mayor for the completion of the unexpired term. If the Vice-Mayor is temporarily incapacitated for the performance of his official duties, or is serving as Acting- Mayor, the member of the Municipal Board who received the highest number of votes in the last election shall serve as Acting Vice-Mayor; and in the event of such inability of the elected Mayor, the Vice-Mayor, is, for any reason, temporarily incapacitated for the performance of the duties of the Mayor, or the office of the Vice-Mayor is vacant, the member of the Board who deceived the highest number of votes in the last election, shall serve as Acting Mayor and while so serving shall not perform any duty as a member of the Board. In such event, the remaining members of the Board shall elect from among themselves the presiding officer. Whenever the Vice-Mayor performs the duties and exercises the powers of the Mayor, he automatically ceases to be the presiding officer of the Municipal Board. Where a member of the Municipal Board exercises the functions Of the Vice-Mayor, said member ceases to take part in the deliberations of the Board except to preside. For service as Acting Mayor or Acting Vice-Mayor, the Vice-Mayor or member of the Board shall receive a total compensation equivalent to the salary of the Mayor or Vice-Mayor as the case may be, during the period of such service.

The Vice-Mayor shall perform such other duties as may be assigned to him by the

Mayor or prescribed by law or ordinance.

SEC. 9. *General Powers and duties of the Mayor.*—The Mayor shall have immediate control over the executive and administrative functions of the different departments of the city. He shall have the following general powers and duties:

(a) To comply with and enforce and give the necessary orders for the faithful enforcement and execution of the provisions of this Charter and other Laws and ordinances in effect within the jurisdiction of the city;

(b) To safeguard all the lands, buildings, records, moneys, credits, and other properties and rights of the city, and, subject to the provisions of this Charter, have control over all its property;

(c) To see that all taxes and other revenues of the city are collected, and applied in accordance with appropriations to the payment of the municipal expenses;

(d) To cause to be instituted judicial proceedings to recover property and funds of the city wherever found, to cause to be defended all suits against the city, and otherwise to protect the interests of the city;

(e) To see that the executive officers and of the city properly discharge their respective duties;

(f) To examine and inspect the books, records, and of all officers, agents, and employees of the city over whom he has executive supervision and control whenever occasion arises;

(g) To give such information and recommend such measures to the Board as he shall deem advantageous to the city;

(h) To attend, if he wishes to do so, either in person or by a duly authorized representative, the sessions of the Board and participate in its discussions, but not to vote;

(i) To represent the city in all its business matters, and sign in its behalf all its bonds, contracts, and obligations made in accordance with laws and ordinances;

(j) To submit to the Municipal Board at least two months before the beginning of the ensuing fiscal year a budget of receipts and expenditures of the city;

(k) To receive, hear, and decide as he may deem proper the petitions, complaints, and claims of the residents concerning all classes of municipal matters of an administrative and executive character;

(l) To grant or refuse municipal licenses or permits of all classes and to revoke the same for violation of the conditions upon which they were granted, or if acts prohibited by law or municipal ordinance are being committed, under the protection of such licenses or in the premises in

which the business for which the same has been granted is carried on, or for any other good reason of general interest;

(m) To exempt, with the concurrence of the Superintendent of city schools, deserving poor pupils from the payment of school fees or of any part thereof;

(n) To take such emergency measures as may be necessary to avoid fires and floods and to mitigate the effects of storms and other public calamities;

(o) To request, if public interest and safety so require the assistance of the Philippine Constabulary and other police agencies in maintaining peace and order in the city, and only in such cases of specific request made can the Philippine Constabulary or other police agencies intervene in the preservation of peace and order; and

(p) To perform such other duties and exercise such other executive powers as may be prescribed by law or ordinance.

SEC. 9-A. *City Administrator*.—The mayor shall appoint a city administrator who shall hold office during the term of office of the appointing mayor, and until his successor is appointed and qualified, unless sooner removed for cause. His position shall be within the unclassified service and he shall receive a salary of fifteen thousand pesos *per annum*. He shall have the following powers, duties and responsibilities to be exercised under the direction, control and supervision of the mayor:

(a) To serve as budget officer of the City;

(b) To be responsible for the development and administration of a sound personnel system for the city consistent with the governing provisions of the Civil Service Law and rules, and to establish and maintain a roster of all employees of the city, in which there shall be set forth, as to each employee, the class, title of the position held, the salary or pay, any change in class, title, pay or status, and other pertinent data;

(c) Subject to applicable Civil Service Law, rules or regulations, to prepare and recommend for adoption of the municipal board, with the approval of the mayor first had, a comprehensive, pay plan for the appointive officers and employees of the City, whose salaries are not otherwise fixed in this act, which shall be based on the duties, authority and responsibility of the various positions; and to recommend changes in the revisions to such plan from time to time as he may deem necessary or desirable;

(d) To conduct a continuous study of the work and the internal organization and procedures of all offices, departments, and agencies under the jurisdiction of the mayor, and to develop and prescribe accepted administrative procedures, and establish management and work standards therefor;

(e) To analyze and report to the mayor impending policy decision affecting the management of the city and its agencies;

(f) To conduct research and prepare reports which give continuing attention to problems involving the effective and economical organization and administration of the city services, and to prepare annual and such other reports as the mayor or the city council may require;

(g) To require, provide for, and arrange to install and maintain by departments and agencies under the jurisdiction of the mayor, such management records and statistical techniques related to the collection and analysis of performance data as may from time to time become necessary for desirable;

(h) To develop and prepare materials on management for use in service training programs and to provide technical assistance and guidance in the conduct of such programs ;

(i) To maintain liaison with civic and community groups on matters of governmental management;

(j) To act as the executive director of the city development council; and

(k) To perform such other duties required of him by ordinance or assigned to him in writing by the mayor.

The city administrator shall have two assistants, who shall each receive a compensation of eleven thousand pesos *per annum*, one to take charge of personnel matters and the other to take charge of fiscal matters, whose positions shall be within the classified service, and such other personnel to assist him in his duties.

SEC. 10. *Secretary to the Mayor.*—The Mayor shall appoint one secretary who shall hold office at the pleasure of the Mayor and who shall receive a compensation of eleven thousand pesos *per annum*.

The Secretary shall have the rank of a department head and shall have charge and custody of all records and documents of the Office of the Mayor; shall keep the corporate seal and affix the same with his signature to all ordinances and resolutions signed by the Mayor ,and to all other official documents and papers of the government of the city as may be required by law or ordinance; shall attest all executive orders, proclamations, ordinances, and resolutions signed by the Mayor; shall upon request, furnish certified copies of all city records and documents in his charge which are not of a confidential nature and charge until otherwise fixed by the municipal board twenty centavos for each one hundred words including the certificate, the fees to be paid directly to the city treasurer. He shall also perform such duties as are required by the heads of departments of the city government by Section eighteen hereof, and such other duties as the Mayor may require of him. The position of the secretary shall be regarded as within the unclassified civil service but may be filled in the manner in which classified positions are filled, and if so filled, the appointee shall be entitled to all the benefits and privileges of classified employees, except that he holds office only during the term of the appointing Mayor