

[REPUBLIC ACT NO. 5525, June 21, 1969]

**AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT
NUMBERED TWENTY-TWO HUNDRED THIRTY-FOUR, KNOWN AS
THE CHARTER OF THE CITY OF LEGAZPI.**

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

SECTION 1. Subparagraph (e) of Section nine of Republic Act Numbered Twenty-two hundred thirty-four is amended to read as follows:

"(e) To see that the executive officers and employees of the city properly discharge their respective duties. The Mayor, may, in the interest of the service transfer officers and employees not appointed by the President of the Philippines from one section, division, or service to another section, division, or service and make the corresponding change in title within the same department without changing the compensation they receive."

SEC. 2. The same Act is amended by adding after subparagraph (o) of Section nine thereof the following new subparagraph, to be known as subparagraph (p), to read as follows:

"(p) To create the positions of a City Legal Officer, Executive Assistant and City Information Editor for which there shall be appointed by the Mayor, subject to the Civil Service Law, rules and regulations, a Legal Officer, Executive Assistant and City Information Editor. Any existing provisions of law and executive orders to the contrary notwithstanding, such Legal Officer, Executive Assistant and City Information Editor shall have the rank, salary, emolument, and privileges of a city department head.

"The functions hitherto performed by the City Fiscal in serving as legal adviser and legal officer for civil cases of the city shall be transferred to the City Legal Officer.

"The duly appointed City Legal Officer, Executive Assistant, and City Information Editor shall remain and continue as such City Legal Officer, Executive Assistant, and City Information Editor without the necessity of a new appointment."

SEC. 3. Section ten of the same Act is amended to read as follows:

"SEC. 10. *Secretary to the Mayor.*—The Mayor shall appoint one secretary who shall have the rank of a department head and who shall have charge and custody of all records and documents of the city and of any office or department thereof for which provision is not otherwise

made; shall keep the corporate seal and affix the same with his signature to all ordinances and resolutions signed by the Mayor and 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, proclamation, ordinances and resolutions signed by the Mayor and shall perform such other duties as the Mayor may require of him; shall, upon request, furnish certified copies of all city records and documents in his charge which are not of a confidential nature, ,and collect and receive such fees as may be prescribed by law or resolution of the Municipal Board. He shall also perform such duties as are required by the heads of departments of the city government by Section twenty-one hereof. 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 employee, except that he hold office only during the term of the appointing Mayor and until a successor in the office of the secretary is appointed and qualified, unless sooner separated. He shall receive an annual salary to be determined by the Municipal Board and in no case, however, shall it be less than six thousand six hundred pesos per annum nor shall it exceed that of a city department head."

SEC. 4. Section twenty of the same Act is amended to read as follows:

"Sec. 20. *City Departments.*—There shall be the following city departments over which the Mayor shall have direct control and supervision, any existing law to the contrary notwithstanding:

- "1. Department of Finance.
- "2. Department of Engineering and Public Works.
- "3. Law Department.
- "4. Department of Health.
- "5. Police Department.
- "6. Fire Department.
- "7. Department of Assessment.
- "8. Department of Public Services and Social Welfare.

"The Municipal Board may from time to time, by ordinance, make such readjustment of the duties of the several departments as the public interest may demand and, with the approval of the President, may consolidate any department, division or office of the city with any other department, division or office."

SEC. 5. Section twenty-five of the same Act, is amended to read as follows:

"SEC. 25. *The Bureau of Public Schools.*—*Superintendent of City Schools.*—The Director of the Bureau of Public Schools shall exercise the same jurisdiction and powers in the city as elsewhere in the Philippines, and the city superintendent of schools shall have all the powers and duties in respect to the schools of the city as are vested in division superintendents in respect to schools of their division.

"Any provision of law to the contrary notwithstanding, the city is hereby

constituted as a separate school division.

The city superintendent of schools shall receive a salary fixed by law: *Provided*, That the salaries of the city superintendent, supervisors, principals, teachers and other operational expenses of the primary, intermediate, secondary and other public schools in the city shall be borne by the National Government. The clerical force and assistants and laborers in the office of the city superintendent of schools shall be appointed by the City Mayor in accordance with the Civil Service Law, and their salaries shall be paid by the city as well as the office expenses for supplies and materials incident to the operation of said office.

"The Municipal Board shall have the same powers in respect to the establishment of schools as are conferred by law on municipal councils."

SEC. 6. Section twenty-six of the same Act is amended to read as follows:

"SEC. 26. *The City Register of Deeds.*—The city shall have a Register of Deeds who shall take charge of the registration of real properties situated within the city and such related activities connected therewith. In addition, he shall exercise and perform such powers and duties as provided by law or ordinance. He shall receive a salary fixed by existing law.

"The Commissioner of the Land Registration Commission shall exercise the same jurisdiction and powers in the city as elsewhere in the Philippines.

"The Register of Deeds of the Province of Albay shall act as city register of deeds *ex-officio* of the City of Legazpi until such time when a regular register of deeds shall have been appointed and duly qualified."

SEC. 7. The same Act is amended by adding a new section after Section twenty-eight thereof to be known as Section twenty-eight-A, to read as follows:

"SEC 28-A. The Albay Provincial Hospital shall continue to provide such hospital facilities and medical services to the City of Legazpi as it does until such time that the city shall have established its own city hospital: *Provided, however*, That any existing provisions of law to the contrary notwithstanding, the City of Legazpi shall contribute annually for the support of the Albay Provincial Hospital, such amount which shall be determined by the Secretary of Health, which in no case however shall exceed five per centum of its annual general income.

"The City of Legazpi shall be exempt from annual contribution for the support of the Albay Provincial Hospital immediately upon establishment of a city hospital."

SEC. 8. The first paragraph of Section thirty is amended to read as follows:

"SEC. 30 *The City Engineer.—His powers and duties.*— There shall be a city engineer who shall have charge of the Department of Engineering and Public Works. He shall concurrently be the ex officio district engineer

of the Highway Engineering District comprising the Municipalities of Rapurapu, Manito, Daraga and Camalig. He shall receive a salary of not less than five thousand one hundred pesos *per annum*. He shall have the following duties:"

SEC. 9. Section thirty-two of the same Act is amended to read as follows:

"SEC. 32. *Execution of authorized public works and improvements*—All repair or construction of any work or public improvements involving an estimated cost of twenty-five thousand pesos or more shall¹ be awarded by the Mayor upon the recommendation of the city engineer to the lowest responsible bidder after public advertisement by posting notices of the call for bids in conspicuous places in the City Hall and other public places, which shall not be less than ten, and by publication in any newspaper of local circulation both for not less than ten days: *Provided, however,* That the city engineer may, with the approval of the President of the Philippines, upon the recommendation of the Secretary of Public Works and Communications, execute by administration any such public work costing twenty-five thousand pesos or more: *Provided, finally,* That for all projects financed by city funds, the Drifted city engineer may, with the approval of the Mayor, upon the recommendation of the Municipal Board, execute by administration any such public works costing twenty-five thousand pesos or more.

"In case of public works involving an expenditure of less than twenty-five thousand pesos, it shall be discretionary with the city engineer with the approval of the Mayor either to proceed with the work himself or to let the contract to the lowest bidder after such publication and notice as shall be deemed appropriate or as may be, by regulation, prescribed.

"Pending the creation of the position of city public works supervisor and appointment of such official as provided under Republic Act Numbered Fifty-one hundred eighty-five, the functions of said position shall be handled by the city engineer."

SEC. 10. Section thirty-three of the same Act is amended to read as follows:

"SEC. 33. *The City Fiscal and Assistant City Fiscals*.— The law department of the city shall consist of a City Fiscal and Assistant City Fiscals who shall discharge their duties under the general supervision of the Secretary of Justice. The City Fiscal shall receive a salary of five thousand one hundred pesos *per annum*. The first assistant city fiscal shall receive a salary of four thousand pesos *per annum*; the second assistant city fiscal, three thousand nine hundred pesos *per annum*; the third assistant city fiscal, three thousand six hundred pesos *per annum*; the fourth assistant city fiscal three thousand three hundred pesos *per annum* and the fifth assistant city fiscal three, thousand pesos *per annum*.

"The salary herein fixed shall be paid by the City of Legazpi: *Provided, however,* That no incumbent fiscal shall suffer by virtue of the provision of this Act any diminution in the salary actually received by him under existing laws; nor shall any person who may hereafter be appointed city