

[REPUBLIC ACT NO. 4993, June 17, 1967]

**AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT
NUMBERED THIRTY-EIGHT HUNDRED AND ELEVEN, ENTITLED
"AN ACT CREATING THE CITY OF DAPITAN."**

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

SECTION 1. Section two of Republic Act Numbered Thirty-eight hundred and eleven is hereby amended to read as follows:

"SEC. 2. *Territory of the City of Dapitan.*—The City of Dapitan, which is hereby created, shall also be known as the Shrine City, and shall comprise the present territorial jurisdiction of the Municipality of Dapitan, Province of Zamboanga del Norte."

SEC. 2. Section seven of the same Act is hereby amended to read as follows:

"SEC. 7. *The City Mayor.*—The City Mayor shall be the chief executive of the city. He shall be elected by the qualified voters of the city and shall hold office for a term of four years, the first elected mayor to begin serving upon the expiration of the term of office of the incumbent municipal mayor. He shall receive a compensation in accordance with the provisions of existing laws, and shall be entitled, in addition to his salary, to an allowance of not exceeding two thousand four hundred pesos per annum. No person shall be eligible for election as City Mayor unless, he is not less than thirty, years of age, a resident of the city or that of the former Municipality of Dapitan for at least two years prior to his election, and a qualified voter therein."

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

SEC. 8. *The City Vice-Mayor.*—There shall be a City Vice-Mayor who shall be chosen in the same manner, as the City Mayor, and shall possess, the same qualifications as that of the City Mayor. He shall, perform the duties and exercise the powers of the City Mayor in the event of the death, sickness, absence or other temporary incapacity of the incumbent, or in the event of a permanent vacancy in the position of City Mayor. If, for any reason, the City Vice-Mayor is temporarily incapacitated, for the performance of the duties of the City Mayor, or said office of the City Vice-Mayor is vacant, the duties and powers of the City Mayor shall be performed and exercised by the councilor who obtained the highest number of votes during the election for members of the City Council. The City Vice-Mayor shall be the presiding officer of the City Council, with no right to vote except in case of tie, and shall perform such other duties as may be assigned to him by the City Mayor or

prescribed by law or ordinance. He shall receive a compensation in accordance with the provisions of existing laws."

SEC. 4. Section nine of the same Act is hereby amended by amending subparagraph (i) thereof and adding thereto a new sub paragraph to read as follows:

"(i) To submit to the City Council at least two weeks before the beginning of each fiscal year a budget of receipts and expenditures of the city.

"(p) To exercise supervision of the shrine and relics of Dr. Jose Rizal, namely, Rizal Park at Talisay, the Rizal relief map of Mindanao including the whole town plaza where the same is located, subject to the jurisdiction of the existing committee or agency under the Office of the President of the Philippines."

SEC. 5. Section ten of the same Act is hereby amended to read as follows:

"SEC. 10. *Secretary of the City Mayor.*—The City Mayor shall appoint one secretary who shall hold office at the pleasure of the City Mayor and whose compensation shall be the same as that by the councilors in accordance with the provisions of existing laws."

SEC. 6. Section eleven of the same Act is hereby amended to read as follows:

"SEC. 11. *Composition and compensation.*—The City Council shall be the legislative body of the city and shall be composed of the City Vice-Mayor, who shall be its presiding officer, and eight councilors who shall be elected at large by the qualified voters of the city during every election for provincial, city and municipal officials in conformity with the provisions of the Revised Election Code. In case of sickness, absence, suspension or other temporary disability of any member of the Council, or if necessary to maintain a *quorum*, the President of the Philippines may appoint a temporary substitute who shall possess all the rights and perform all the duties of a member of the council until the return to duty of the regular incumbent.

"If the City Vice-Mayor or any member of the City Council shall be a candidate for office in any election, he shall be disqualified to act with said body in the performance of the duties thereof relative to such election, and if, for such reason, the number of members should be unduly reduced, the President shall appoint any disinterested voter of the City, belonging to the political party of the disqualified member, to act in his place in such matters.

"The members of the City Council shall receive a salary in accordance with the provisions of existing laws."

SEC. 7. Section thirteen of the same Act is hereby amended to read as follows:

"SEC. 13. *Secretary of the Council.*—The Council shall have a secretary who shall be appointed by it to serve during the term of office of the members thereof. The compensation of the secretary shall be the same as that received by the city councilors in accordance with the provisions

of existing laws, or any latest statute fixing the rates of salaries of city officials. A vacancy in the office of the secretary shall be filled temporarily for the unexpired term in like manner."

SEC. 8. Sub-paragraph (uu) of Section fifteen of the same Act is hereby deleted and transferred to the powers and duties of the City Mayor under sub-paragraph (j) of Section nine.

SEC. 9. Section seventeen of the same Act is hereby amended to read as follows:

"SEC. 17. *City Departments*.—There shall be the following city departments over which the City Mayor shall have direct control and supervision, any existing law to the contrary notwithstanding: (a) Finance and Assessment Department; (b) Engineering and Public Works Department; (c) Law Department; (d) Health Department; and (e) Police and Fire Department.

"The City Council may from time to time make such readjustments of the duties of the different departments as the public interest may demand and, with the approval of the President, may consolidate any department, division or office with any other department, division or office of the city, or may divide big departments into separate offices."

SEC. 10. Section twenty-one of the same Act is hereby amended to read as follows:

"SEC. 21. *The General Auditing Office*.—The Auditor General shall appoint a city auditor who shall have the rank of a chief of a city department and shall receive a compensation in accordance with the provisions of existing laws on city officials, one half of which shall be payable from the national government funds. The city auditor shall receive and audit all accounts of the city in accordance with the provisions of law relating to government accounts and accounting. The personnel in the office of the city auditor shall be paid out of national government funds."

SEC. 11. Section twenty-two of the same Act is hereby amended to read as follows:

"SEC. 22. *The Bureau of Public Schools*.—The Director of Public Schools shall exercise the same jurisdiction and powers in the city as elsewhere in the Philippines, and a city superintendent of schools shall be appointed with 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: *Provided*, That salaries of the city superintendent of schools, supervisors, principals, teachers and other operational expenses of the primary, intermediate, high school, and other public schools in the city as well as other personnel shall be borne by the National Government. The city superintendent of schools shall make a quarterly report of the condition of the schools and school buildings of the city to the City Mayor."

SEC. 12 Section twenty-three of the same Act is hereby amended to read as follows: