

[REPUBLIC ACT NO. 4776, June 18, 1966]

**AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT
NUMBERED THIRTY HUNDRED SIXTY-EIGHT, KNOWN AS THE
REVISED CHARTER OF THE CITY OF TACLOBAN, AND FOR OTHER
PURPOSES.**

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

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

"SEC. 5. *Territory of the City of Tacloban.*—The City of Tacloban shall comprise the territorial jurisdiction of the former Municipality of Tacloban in the Province of Leyte, and shall be divided, for all administrative and other municipal purposes, into the city proper which shall be divided, for all administrative and other municipal purposes, into the city proper which shall be divided by ordinance into districts, and the rest of the territory of the city into barrios in accordance with Article IV hereof."

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

"SEC. 6. *Jurisdiction of the City.*—The jurisdiction of the City of Tacloban for police purposes only shall be co-extensive with its territorial jurisdiction; and shall extend to the mid-channel of the San Juanico Strait and three miles from the shore into San Pedro Bay; however, the purpose of effecting the arrest of a person who has committed an offense within the jurisdiction of the city, the police authorities of the city shall exercise concurrent jurisdiction with police forces of other municipalities said offender may have fled or escaped; 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 of the respective municipalities 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 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 space shall be granted by the proper authorities of the municipalities concerned and the fees arising

therefrom shall accrue to the treasury of the said municipality concerned and not to that of the city."

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

"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 his election, he is at least twenty-five years of age, a resident of the city for at least two years prior to his election, a qualified voter therein. He shall hold office for four years unless sooner removed for just cause and with due process of law, and shall receive a salary of not less than fifteen thousand pesos per annum. The Municipal Board may appropriate such sum of money as may be necessary for the housing and representation allowance of the Mayor not to exceed six thousand pesos annually or commute the same in addition to his salary."

SEC. 4. Paragraphs one and three, Section eight of the same Act are amended to read as follows:

"SEC. 8. *The Vice-Mayor*.—There shall be elected a Vice-Mayor who shall perform the duties and exercise the powers of the Mayor, in the event of sickness, absence or other temporary incapacity of the Mayor. In the event of death, resignation or definite and permanent vacancy in the position of Mayor, the Vice-Mayor shall become the Mayor, the Vice-Mayor shall become the Mayor. 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. "The Vice-Mayor shall perform such other duties as may be assigned to him by the Mayor or prescribed by law or ordinance. He shall receive a salary of not less than ten thousand two hundred pesos *per annum*."

SEC. 5. Sub-paragraph (e), Section nine, of the same Act 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 without changing the compensation they receive."

SEC. 6. 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 on 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, proclamations, 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 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 of the heads of departments of the city government under 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 employees, except that he shall 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 a salary of not less than nine thousand six hundred pesos *per annum*."

SEC. 7. The same Act is amended by inserting between Sections ten and eleven thereof a new section to be Known as Section ten-A, to read as follows:

"SEC. 10-A. *Assistant Secretary*.—There shall be an assistant secretary to the Mayor who shall assist u secretary to the Mayor in the discharge of his official duties and perform such other duties as the Major may require of him.

"The position of the assistant 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 shall hold office only during the term of the appointing Mayor and until a successor in the office of assistant secretary is appointed and qualified, unless sooner separated.

"In the absence of the secretary, or in cases of illness or inability of the secretary to discharge his duties, the assistant secretary shall assume the powers and duties of the former. He shall receive a salary of not less than six thousand six hundred pesos per annum."

SEC. 8. The third paragraph, Section eleven of the same Act is amended to read as follows:

"The members of the Municipal Board shall receive a salary of not less than seven thousand eight hundred pesos each per annum."

SEC. 9. The last paragraph, Section thirteen of the same Act is amended to read as follows:

"The Secretary shall be in charge of the records of the Municipal Board. He shall keep a full record of the proceedings of the Board, and file all documents relating thereto; shall record in a book kept for that purpose; all ordinances, and all resolutions and motions directing the payment of money or creating liability, enacted or adopted by the Board, with the dates of passage of the same, and of the publication of ordinances; shall keep a seal, circular in form, with the inscription 'Municipal Board—City of Tacloban' in the center of which .shall be placed the arms of the city, and affix the same, with his signature to all ordinances and other official acts of the Board, and shall present the same for signature to the Presiding Officer; shall cause each ordinance passed to be published as herein provided; shall, upon request, furnish certified copies of all records of public character in his charge under the seal of his office; and collect and receive therefor such fees as may be prescribed by resolution of the Board; and shall keep his office and all records

therein which are not of a Evidential nature, open to public inspection during usual business hours. The compensation of the Secretary shall not less than nine thousand six hundred pesos *per "annum."*

SEC. 10. The first paragraph, Section fourteen of the same Act is amended to read as follows:

"SEC. 14. *Legislative Procedure.*—The Board shall hold two ordinary sessions for the transaction of business during each week on days which it shall fix by resolutions, and such extraordinary sessions, as may be called by the Mayor. It shall sit with open doors unless otherwise ordered by the affirmative vote of a majority of all the members shall keep a record of all its proceedings and determine its rules of procedure not herein set forth, as well as determine its officers except the presiding officer, the number thereof and the method of their election and their terms of office. A majority of all the members of the Board shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day and may compel the immediate attendance of any member who is absent without good cause by issuing to the police of the city an order for his arrest and production at the session under such penalties as shall have previously prescribed by ordinance. The affirmative vote of a majority of all the members shall be necessary for the passage of any ordinance, or of any resolution or motion directing the payment of money or creating liability, but other measures shall prevail upon the majority vote of the members present at any session duly called and held. The *ayes* and *nays* shall be taken and recorded upon the passage of all ordinances, upon all resolutions or motions directing the payment of money or creating liability, and, at the request of any member, upon any other resolution or motion. Each approved ordinance, resolution or motion shall be sealed with the seal of the Municipal Board, and recorded in a book kept for the purpose and shall, on the day following its passage, be posted by the secretary at the main entrance of the city hall and in at least two other public places, and shall take effect and be in force on and after the tenth day following its passage, unless otherwise stated in said ordinance, resolution or motion or vetoed by the Mayor as hereinafter provided. A vetoed ordinance, if re-passed, shall take effect ten days after the veto is overridden by the required votes, unless otherwise stated in the ordinance, resolution or motion or again disapproved by the Mayor."

SEC. 11. Sub-paragraphs (b), (s), and (u), Section fifteen of the same Act are amended to read as follows:

"(b) To fix the number and salaries of officials and employees of the city not otherwise provided for in this Act or other laws.

"(s) To permit, regulate and tax motor and other vehicles operating within the City of Tacloban, the provisions of any existing law to the contrary notwithstanding, and draft animals not paying any national tax: Provided, That all automobiles and trucks belonging to the National Government or to any provincial or municipal government shall be exempt from such tax.

"(u) To impose a sales tax of not exceeding two per centum of the gross value in money of all articles sold, bartered, exchanged, transferred,

delivered or consigned within the City, regardless of the origin of said articles or goods."

SEC. 12. The same Act is amended by adding sub-paragraph (uu) to Section fifteen hereof:

(uu) The provisions of existing law to the contrary notwithstanding, to undertake the reclamation of any foreshore lands within the jurisdiction of the city, either by ad of a majority of all the members shall be necessary for the passage of any ordinance, or of any resolution or motion directing the payment of money or creating liability, but other measures shall prevail upon the majority vote of the members present at any session duly called and held. The ayes and nays shall be taken and recorded upon the passage of all ordinances, upon all resolutions or motions directing the payment of money or creating liability, and, at the request of any member, upon any other resolution or motion. Each approved ordinance, resolution or motion shall be sealed with the seal of the Municipal Board, and recorded in a book kept for the purpose and shall, on the day following its passage, be posted by the secretary at the main entrance of the city hall and in at least two other public places, and shall take effect and be in force on and after the tenth day following its passage, unless otherwise stated in said ordinance, resolution or motion or vetoed by the Mayor as hereinafter provided. A vetoed ordinance, if repassed, shall take effect ten days after the veto is overridden by the required votes, unless otherwise stated in the ordinance, resolution or motion or again disapproved by the Mayor."

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"(u) To impose a sales tax of not exceeding two per centum of the gross value in money of all articles sold, bartered, exchanged, transferred, delivered or consigned within the City, regardless of the origin of said articles or goods."

Sec. 12. The same Act is amended by adding sub-paragraph (uu) to Section fifteen hereof:

(uu) The provisions of existing law to the contrary notwithstanding, to undertake the reclamation of any foreshore lands within the jurisdiction of the city, either by administration or by contract, and which reclaimed area may be leased, sold or bartered by the city subject to the provisions of existing laws and regulations on contracts."