

[REPUBLIC ACT NO. 429, June 07, 1950]

AN ACT CREATING THE POSITIONS OF VICE-MAYOR AND ASSISTANT CITY ATTORNEY IN ORMOC CITY, AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED ONE HUNDRED AND SEVENTY-NINE.

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

SECTION 1. A new section, to be known as section seven-A, is hereby inserted between sections seven and eight of Republic Act Numbered One hundred seventy-nine to read as follows:

"SEC. 7-A. *The Vice-Mayor.*—There shall be a Vice-Mayor who shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments, and who shall hold office at the pleasure of the President. He shall act as Mayor and perform the duties and exercise the powers of the Mayor in the event of sickness, absence, or other permanent or temporary incapacity of the Mayor, and he shall, when acting as Mayor, be entitled to the salary and allowances of the Mayor.

"The Vice-Mayor, when not acting as Mayor, shall be *ex officio* member of the Municipal Board and shall receive twenty pesos for each day of attendance of the session of the board."

SEC. 2. Section eight of Republic Act Numbered One hundred and seventy-nine is hereby amended to read as follows:

"SEC. 8. *The Acting Mayor.*—In the event of sickness, absence, or other temporary incapacity of the Mayor and Vice-Mayor, or in the event of a vacancy in the positions of Mayor and Vice-Mayor, the City Treasurer shall perform the duties of the Mayor until said office shall be filled in accordance with law. If, for any reason, the duties of the office of the Mayor cannot be performed by the City Treasurer, said duties shall be performed by the City Engineer. In case of the incapacity of the officials mentioned above to perform the duties of the Mayor, the President shall appoint or designate one. The Acting Mayor shall have the same powers and duties as the Mayor, and, if one appointed or designated is other than a government official, he shall receive the same compensation."

SEC. 3. The first paragraph of section eleven of Republic Act Numbered One hundred seventy-nine is hereby amended to read as follows:

"SEC. 11. *Constitution and organization of the Municipal Board-Compensation of members thereof.*—The Municipal Board shall be the

legislative body of the city and shall be composed of the Mayor, who shall be its presiding officer, the Vice-Mayor, as *ex officio* member, and eight councilors elected at large by popular vote during every election for provincial and municipal officials in conformity with the provisions of the Election Code. In case of sickness, absence, suspension or other temporary disability of any member of the Board, 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 Board until the return to duty of the regular incumbent.

"If any member of the Municipal Board should be candidate for office in any election, he shall be incompetent to act with the Board in the discharge of the duties conferred upon it relative to election matters, and in such case the other members of the Board shall discharge said duties without his assistance, or they may choose some disinterested elector of the city to act with the Board in such matters in his stead.

"The members of the Municipal Board, who are not officers or employees of the Government receiving a fixed compensation or salary from public funds, shall receive ten pesos for each day of attendance of the session of the Board."

SEC. 4. Section fourteen of Republic Act Numbered One hundred seventy-nine is hereby amended to read as follows:

"SEC. 14. *Method of transacting business by the Board-Veto-Authentication and publication of ordinances.*—Unless the Secretary of the Interior orders otherwise, the Board shall hold one ordinary session for the transaction of business during each week on a day which it shall fix by resolution, and such extraordinary sessions, not exceeding thirty during any one year, as may be called by the Mayor. It shall sit with open doors, unless otherwise ordered by an affirmative vote of six members. It shall keep a record of its proceedings and determine its rules of procedure not herein set forth. Six 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 immediate attendance of any member 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 been previously prescribed by ordinance. Six affirmative votes 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 votes of the members present at any meeting 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 Board, signed by the presiding officer and the secretary of the Board and recorded in a book for the purpose and shall, on the day following its passage, be posted by the secretary at the main entrance to the City Hall, and shall take effect and be in force on and the tenth day following