

[Commonwealth Act No. 561, June 07, 1940]

AN ACT TO CREATE A DEPARTMENT OF HEALTH AND WELFARE IN THE CITY OF MANILA, TO DEFINE ITS POWERS AND DUTIES AMENDING FOR THIS PURPOSE. CERTAIN SECTIONS OF CHAPTER SIXTY OF THE ADMINISTRATIVE CODE.

Be it enacted by the National Assembly of the Philippines:

SECTION. 1. Section two thousand four hundred and forty-five of the Administrative Code is amended to read as follows:

"SEC. 2445. *City departments.* - There shall be the following city departments over which the mayor shall have general supervisory control:

- "1. Department of engineering and public works.
- "2. Police department.
- "3. Law department.
- "4. Fire department.
- "5. Department of finance.
- "6. Department of assessment.
- "7. Department of Health and welfare.

"The Board may from time to time make such readjustment of the duties of the several departments as the public interest may demand. The Secretary of the Interior shall have the power to consolidate any department, division or office of the city with any other department, division or office, upon the recommendation of the mayor."

SEC. 2. Chapter sixty of the Administrative Code is amended by inserting a new article and a new section between articles eleven and twelve, which shall be known as article eleven-A and section two thousand five, hundred and six-A, respectively, and shall read as follows:

"ARTICLE XI-A. - DEPARTMENT OF HEALTH AND WELFARE

"SEC. 2506-A. Powers and duties of the city health officer. - There shall be a city health officer, with compensation at the rate of six thousand pesos per annum, who shall have charge of the Department of Health and Welfare, and shall be appointed by the President of the Philippines with the consent of the Commission on Appointments of the National Assembly. He shall have the following general powers and duties:

"(a) He shall have general supervision and control over the health and sanitary condition of the city, including the cleaning of all public buildings, buildings rented for city purposes, crematories, cemeteries, stockyards, slaughterhouses, public toilets, markets, collection and disposal of garbage, refuse the contents of toilets, cesspools, and all other offensive and dangerous substances within the city;

"(b) He shall have authority to charge, at rates to be fixed by the

Municipal Board with the approval of the Department Head, fees for sanitation services and supplies furnished by his department to private parties;

"(c) He shall have control and supervision over puericulture centers and social services of the city;

"(d) He shall have authority to declare that any lot or ground within the City of Manila belonging to any person or corporation or to the National Government or any branch or political subdivision thereof, is so low, excavated or walled, diked or damned as to admit or cause the formation on the surface thereof stagnant or foul water, or that it is a nuisance or a menace to public health, unless filled in, or its sanitary condition otherwise improved, and shall so communicate the same to the Mayor;

"(e) He shall execute and enforce all laws, ordinances, and regulations relating to public health;

"(f) He shall, upon the approval of the Director of Health, recommend to the Municipal Board the passage of ordinances as he may deem necessary for the preservation of public health;

"(g) He shall cause to be prosecuted all violations of sanitary laws, ordinances, or regulations;

"(h) He shall make sanitary inspections and may be aided therein by such members of the police force of the city as shall be designated as sanitary police by the chief of police and by such sanitary inspectors as may be authorized by law.

"(i) He shall perform such other duties reference to the health and sanitation of the city as the Director of Health shall direct: Provided, That the appointment of technical persons shall be made only with consultation of the Director of Health, and nothing in this law shall be interpreted as to curtail the power and duties conferred by existing laws to the Director of Health over the City of Manila as a part of the Philippines, and that the Director of Health shall continue to have technical supervision and control over the health work of the city.

"(j) In case of epidemic or when the inhabitants of the City of Manila are menaced by any other infectious or contagious disease, the Director of Health shall assume full control of the health and sanitation services of the city until such condition shall have ceased to exist."

SEC. 3. Section two thousand four hundred and fifty-six of the Administrative Code is hereby repealed.

SEC. 4. The first paragraph of section two hundred four hundred and fifty-eight of the Administrative Code is amended to read as follows:

"SEC. 2458. *Powers and duties of city engineer.* - There shall be a city engineer, who shall be in charge of the department of engineering and