

# [ REPUBLIC ACT NO. 11544, May 26, 2021 ]

## **AN ACT CONVERTING THE MUNICIPALITY OF CALACA IN THE PROVINCE OF BATANGAS INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CALACA**

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

### ARTICLE I

#### GENERAL PROVISIONS

SECTION 1. *Title.* – This Act shall be known as the “Charter of the City of Calaca.”

SEC. 2. *The City of Calaca.* – The Municipality of Calaca shall be converted into a component city to be known as the City of Calaca, hereinafter referred to as the City, which shall comprise the present jurisdiction of the Municipality of Calaca, Province of Batangas.

The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of Calaca.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of existing boundary disputes or cases involving questions of territorial jurisdiction between the City of Calaca and the adjoining local government units (LGUs): *Provided, That,* the territorial jurisdiction of the disputed area or areas shall remain with the local government unit, which has existing administrative supervision over said area or areas until the final resolution of the case.

SEC. 3. *Corporate Powers of the City.* – The City constitutes a political body corporate and as such is endowed with the attributes of perpetual succession and possessed of the powers which pertains to a municipal corporation to be exercised in conformity with the provision of this Charter. The City shall have the following corporate powers:

- (a) To have a continuous succession in its corporate name;
- (b) To sue and be sued;
- (c) To have and use a corporate seal;
- (d) To acquire, hold and convey real or personal property;
- (e) To enter into any contract and/or agreement; ad

(f) To exercise such other powers, prerogatives or authority subject to the limitations provided under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, this Act or laws.

SEC. 4. *General Powers.* – The City shall have a common seal and may alter the same at pleasure: *Provided*, That any change of corporate seal shall be registered with the Department of the Interior and Local Government (DILG). It shall exercise the powers to levy taxes, fees and charges; to close and open roads, streets, alleys, parks or squares; to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interests of the City; to expropriate or condemn private property for public use; to contract and be contracted with; to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the City is involved or interested in; and to exercise all the powers as are granted to corporations or as hereinafter granted.

SEC. 5. *General Welfare Clause of the City.* – The City shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare.

Within its territorial jurisdiction, the City shall ensure and support the preservation and enrichment of its culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

SEC. 6. *Liability for Damages.* – The City and its officials shall not be exempt from liability for death or injury to persons or damage to property.

SEC. 7. *Jurisdiction of the City.* – The jurisdiction of the City, for police purposes only, shall be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the purity of the water supply in the City, such police jurisdiction shall also extend over all the territory within the drainage area of such water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the City water service.

The city court of the City of Calaca and the city or municipal courts of the adjoining cities and municipalities shall have concurrent jurisdiction to try crimes and misdemeanors committed within the said drainage area or areas within said spaces of one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the City water service delivery.

The court first taking jurisdiction of such offense shall have jurisdiction to try cases to the exclusion of others. The police force of the municipalities and cities concerned shall have concurrent jurisdiction with the police forces of the City for the maintenance of good order and the enforcement of ordinances throughout said zone, area or space. Any license that may issued within said zone, area or space shall be granted by the proper authorities of the city or municipality concerned, and

the fees arising therefrom shall accrue to the treasury of the said city or municipality concerned and not to the City.

## ARTICLE II

### CITY OFFICIALS IN GENERAL

SEC. 8. *The Officials of the City of Calaca.* – (a) There shall be in the City of Calaca: a City Mayor, a City Vice Mayor, *Sangguniang Panlungsod* members, a secretary to the *Sangguniang Panlungsod*, a city treasurer and an assistant city treasurer, a city assessor and an assistant city assessor, a city accountant, a city budget officer, a city planning and development officer, a city engineer, a city health officer, a city social worker and development officer, a city veterinarian and a city general services officer.

(b) In addition thereto, the City Mayor may appoint a city environment and natural resources officer, a city architect, a city information officer, a city cooperatives officer, a city population officer and a city agriculturist.

(c) The *Sangguniang Panlungsod* may:

(1) Maintain existing offices not mentioned in subsections (a) and (b) hereof;

(2) Create such other offices as may be necessary to carry out the purposes of the city government; or

(3) Consolidate the functions of any office with those of another in the interest of efficiency and economy.

(d) Unless otherwise provided herein, heads of department and offices shall be appointed by the City Mayor with the concurrence of the majority of all the *Sangguniang Panlungsod* members, subject to civil service law, rules and regulations. The *Sungguniang Panlungsod* shall act on the appointment within fifteen (15) days from the day of its submission, otherwise the same shall be deemed confirmed.

(e) Elective and appointive city officials shall receive compensation, allowances and other emoluments as may be determined by law or ordinances subject to the budgetary limitations on personal services prescribed under Title Five, Book II of Local Government Code of 1991, as amended: *Provided*, That no increase in the compensation of the City Mayor, City Vice Mayor and the *Sangguniang Panlungsod* member shall take effect until after the expiration of the full term of the local officials approving the increase.

## ARTICLE III

### THE CITY MAYOR AND CITY VICE MAYOR

SEC. 9. *The City Mayor.* – (a) The City Mayor shall be the chief executive of the City and shall be elected at large by the qualified voters of the City.

The City Mayor shall, at the time of the election, be at least twenty-one (21) years ago, a resident of the City for at least one (1) year immediately preceding the day of the election, a qualified registered voter therein and is able to read and write Filipino or any local language or dialect.

The City Mayor, who shall hold office for three (3) years, unless sooner removed, and shall not serve for more than three (3) consecutive terms in the same policies, shall receive a minimum monthly compensation to Salary Grade Thirty (30) as prescribed under Republic Act No. 6758, as amended, otherwise known as the "Compensation and Position Classification Act of 1989", and the implementing guideline issued pursuant thereto and such other compensation, emoluments and allowances as may be determined by law.

(b) The City Mayor, as the Chief Executive of the City Government, shall exercise such powers and perform such duties and functions as provided under the Local Government Code of 1991, as amended, this Act and other laws.

(c) For efficient, effective and economical governance the purpose of which is the general welfare of the City and its inhabitants, the City Mayor shall:

(1) Exercise general supervision and control over all programs, projects, services, and activities of the city government and, in this connection, shall:

(i) Determine the guidelines of city policies and be responsible to the *Sangguniang Panlungsod* for the program of government;

(ii) Direct the formulation of the city development plan with the assistance of the city development council and upon approval thereof by the *Sangguniang Panlungsod*, implement the same;

(iii) Present the program of government and propose policies and projects for the consideration of the *Sangguniang Panlungsod* at the opening of the regular session of the *Sangguniang Panlungsod* every calendar year and as often as may be deemed necessary as the general welfare of the inhabitants and the needs of the city government may require;

(iv) Initiate and propose legislative measures to the *Sangguniang Panlungsod* and as often as may be deemed necessary, provide such information and data needed for requested by said *Sanggunian* in the performance of its legislative functions;

(v) Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of city funds and whose appointments are not otherwise provided under the Local Government Code of 1991, as amended, and this Act, and those whose appointment the City Mayor may be authorized by law to appoint:

(vi) Represent the City in all its business transactions and sign in its behalf if all bonds, contracts, obligations, and such other documents upon the authority of the *Sangguniang Panlungsod* or pursuant to law or ordinance;

(vii) Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities

(viii) Determine the time, manner and place of payment of salaries or wages of the officials and employees of the City, in accordance with law or ordinance;

(ix) Allocate and assign office space of the City and other officials and employees who, by law or ordinance, are entitled to such space in the city hall and their buildings owned or leased by the city government;

(x) Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided as by law and the Local Government Code of 1991, as amended, and cause to be instituted administrative or judicial proceedings against any official or employee of the City who may have committed an offense in the performance of official duties;

(xi) Examine books, records and other documents of all offices, officials, agents or employees of the City and, in aid of the executive powers and authority of the City Mayor, require all national officials and employees stationed in or assigned to the City to make available such books, records and other documents in their custody except those classified by law as confidential;

(xii) Furnish copies of executive orders issued by the City Mayor to the office of the provincial governor within seventy-two (2) hours after their issuance;

(xiii) Visit component barangays of the City at least once every six (6) months to deepen his understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants, inform component barangay officials and inhabitants of general laws and ordinances which especially concern them, and otherwise conduct visits and inspections to ensure that the governance of the City will improve the quality of life of the inhabitants;

(xiv) Act on leave applications officials and employees on the commutation of the monetary value of their leave credits in accordance with law;

(xv) Authorize official trips of city officials and employees outside of the City for a period not exceeding thirty (30) days: *Provided*, That trips abroad for a longer period may be authorized in accordance with the Local Government Code of 1991, as amended;

(xvi) Call upon any national office or employee stationed in or assigned to the City for advice on matters affecting the City and to make recommendations thereon; coordinate with said officials and employees in the formulation and the implementation of plans, programs and projects; and when appropriate, initiate an administrative or judicial action against a national government official or employee who may have committed an offense in the performance of the official duties while stationed in or assigned to the City;

(xvii) Authorize payment for medical care, necessary transportation, subsistence, hospital or medical fees of city officials and employees who are injured while in the performance of their official duties and functions, subject to availability of funds;

(xviii) Solemnize marriages, any provision of law to the contrary notwithstanding;