

[REPUBLIC ACT NO. 9014, February 28, 2001]

**AN ACT CONVERTING THE MUNICIPALITY OF ESCALANTE,
PROVINCE OF NEGROS OCCIDENTAL INTO A COMPONENT CITY
TO BE KNOWN AS THE CITY OF ESCALANTE**

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 Escalante."

SEC. 2. *The City of Escalante.* — The Municipality of Escalante shall be converted into a component city to be known as the City of Escalante, hereinafter referred to as the City, which shall comprise the present territory of the Municipality of Escalante, Province of Negros Occidental. The territorial jurisdiction of the City shall be within the present metes and bounds of the Municipality of Escalante, as follows:

Bounded on the North-West along lines 1 to 7 by the Municipality of Sagay; on the East along lines 7 to 110 by the Tanon Strait; on the South along lines 110 to 111 by Salamanca River adjoining the Municipality of Toboso; along lines 111 to 118 by the Municipality of Toboso; on the North-West along lines 118 to 120 to the point of beginning by the Municipality of Sagay.

Beginning at a point marked "1" on plan being S.81- 47W., 15078. 34 m. from BLLM No.1 of Cad-128, Escalante Cadastre; thence

LINE	BEARING	DISTANCE
1-2	N44 51E	3,641.21 M.
2-3	N44 54E	2,553.70 M.
3-4	N44 52E	904.29 M.
4-5	N71 26E	2,618.88 M.
5-6	N71 30E	4,051.88 M.
6-7	N71 30E	130.01 M.
7-8	S02 02W	115.78 M.
8-9	S02 07W	118.764 M.
9-10	S21 33W	134.02 M.
10-11	S49 20W	275.26 M.
11-12	S16 42W	407.06 M.
12-13	S41 15E	175.76 M.
13-14	S24 30E	236.11 M.
14-15	S07 22W	547.37 M.
15-16	S56 31E	113.22 M.

16-17	S01 27E	265.38 M.
17-18	S56 40W	126.07 M.
18-19	S47 56E	552.27 M.
19-20	S32 21E	710.21 M.
20-21	S65 06E	693.95 M.
21-22	S04 01W	373.43 M.
22-23	S12 23W	422.63 M.
23-24	S32 33W	255.25 M.
24-25	S13 05W	220.77 M.
25-26	S06 31W	292.51 M.
26-27	S54 40E	376.19 M.
27-28	S75 10E	301.72 M.
28-29	S75 14E	340.64 M.
29-30	N62 41E	233.09 M.
30-31	N77 05E	341.28 M.
31-32	N72 48E	79.54 M.
32-33	N61 22E	110.54 M.
33-34	N46 00E	99.99 M.
34-35	N86 56E	117.57 M.
35-36	N42 26E	182.21 M.
36-37	N81 47E	186.45 M.
37-38	S73 00E	286.08 M.
38-39	N86 46E	302.36 M.
39-40	N33 20E	227.43 M.
40-41	N09 28W	212.90 M.
41-42	N36 52E	125.00 M.
42-43	N74 29E	186.82 M.
43-44	N16 42E	208.81 M.
44-45	N70 01E	234.09 M.
45-46	S80 32E	91.24 M.
46-47	S55 11E	140.09 M.
47-48	S13 00E	66.71 M.
48-49	S21 15W	193.13M.
49-50	S10 32E	169.74 M.
50-51	S15 43W	253.44 M.
51-52	S05 04E	596.48 M.
52-53	S22 03E	426.17M.
53-54	S34 05W	330.80 M.
54-55	N87 12W	245.29 M.
55-56	N52 26W	82.01 M.
56-57	S51 46W	210.06 M.
57-58	N84 48W	55.23 M.
58-59	S38 40W	416.20 M.
59-60	S42 15W	148.66 M.
60-61	S14 02W	206.16 M.
61-62	S13 00E	133.42 M.
62-63	S60 31W	321.25 M.
63-64	N84 49W	189.43 M.
64-65	S52 47W	196.77 M.
65-66	S07 49W	223.52 M.
66-67	S86 14E	205.82 M.
67-68	S46 28E	137.93 M.

68-69	S77 07E	179.51 M.
69-70	S47 17E	88.46 M.
70-71	S88 05E	150.08 M.
71-72	N27 24E	152.07 M.
72-73	N80 32E	152.07 M.
73-74	S06 01E	191.05 M.
74-75	S72 39E	83.82 M.
75-76	S35 22E	380.13 M.
76-77	S11 00E	366.74 M.
77-78	S37 45E	392.05 M.
78-79	S16 56E;	240.42 M.
79-80	S15 04W	269.26 M.
80-81	S17 49E	147.05 M.
81-82	N52 42E	132.00 M.
82-83	N84 48E	110.45 M.
83-84	S19 39W	148.66 M.
84-85	S17 56E	357.35 M.
85-86	S40 44W	572.76 M.
86-87	S46 47W	571.07 M.
87-88	S00 17E	415.00 M.
88-89	S22 40W	368.46 M.
89-90	S09 21W	341.85 M.
90-91	S13 06E	261.43 M.
91-92	S42 34W	404.70 M.
92-93	N78 41W	356.93 M.
93-94	S71 34W	158.11M.
94-95	S00 00W	245.00 M.
95-96	S74 13W	239.01 M.
96-97	N38 40W	128.06 M.
97-98	S79 53W	284.43 M.
98-99	S53 08W	250.00 M.
99-100	S22 04W	399.25 M.
100-101	N00 00E	180.00 M.
101-102	S19 32E	657.88 M.
102 -103	S07 17W	236.91 M.
103-104	S36 52W	650.00 M.
104-105	S67 14W	508.21 M.
105 -106	N57 04W	352.61 M.
106 -107	N14 10E	306.29 M.
107-108	S75 38W	310.15 M.
108 -109	N82 34W	345.48 M.
109-110	N05 50E	404.94 M.
110-111	N72 18W	3,881.98 M.
111-112	S52 56W	2,573.93 M.
112-113	S36 48W	836.95 M.
113-114	S00 00W	3,260.27 M.
114-115	S00 00W	3,963.18 M.
115-116	S89 59W	2,596.81 M.
116-117	N89 59W	2,684.77 M.
117-118	S81 49W	1,056.21 M.
118-119	N44 51E	1,983.67 M.
119-120	N44 52E	4,291.69 M.

containing an area of nineteen thousand two hundred seventy-six hectares (19,276 has.), more or less.

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 Escalante and the adjoining local government units.

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 pertain 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 contracts and/or agreements; and
- f. To exercise such other powers, prerogatives or authority subject to the limitations provided in this Act or laws.

SEC. 4. *General Powers.* — The City shall have a common seal and may alter the same at pleasure. It shall exercise the powers to levy taxes; 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. *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. 6. *Jurisdiction of the City.* — The jurisdiction of the City of Escalante, 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 of 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 regional trial courts and the city courts of the City of Escalante shall have concurrent jurisdiction with the regional trial courts and the metropolitan trial courts or city or municipal trial courts of the adjoining municipalities to try crimes and misdemeanor committed within the said drainage area, or within said space of one hundred meters (100 m.). The court first taking jurisdiction of such offense shall thereafter retain exclusive jurisdiction thereof. But any license that may be issued within said zone, area or spaces 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.

ARTICLE II

CITY OFFICIALS IN GENERAL

SEC. 7. *The Officials of the City of Escalante.* -

- a. There shall be in the City: 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 coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city social welfare and development officer, a city veterinarian, a city general services officer, a city agriculturist, a city cooperatives officer, and an environment and natural resources officer;
- b. In addition thereto, the city mayor may appoint a city architect, a city information officer, and a city population officer;
- c. The City shall establish a city fire station to be headed by a city fire marshal, a city jail to be headed by a city jail warden, a city school division to be headed by a city school division superintendent, and a city prosecution service to be headed by a city prosecutor; and
- d. The City 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.

Unless otherwise provided herein, heads of departments 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 sangguniang panlungsod shall act on the appointment within fifteen (15) days from the day of its submission, otherwise the same shall be deemed confirmed.

ARTICLE III

THE CITY MAYOR AND VICE MAYOR

SEC. 8. *The City Mayor.* —

- A. The city 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 city mayor unless at the time of the election:

1. He is at least twenty-one (21) years of age;
2. An actual resident of the City for at least one (1) year prior to his election; and