

[REPUBLIC ACT NO. 8535, February 23, 1998]

AN ACT CREATING THE CITY OF NOVALICHES

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 Novaliches.

SEC. 2. *The City of Novaliches.* - The proposed City of Novaliches as herein organized shall have the following boundaries:

Beginning at Point 1 (equivalent to CBM No. 4) of Sketch Plan with geographic position, longitude 121 deg. 00 min. 48.91 sec.; latitude 14 deg. 40 min. 54.69 sec., in Barangay Talipapa and Piedad Estate;

Thence, NE direction until it intersects the common boundary of Barangay Talipapa and Piedad Estate at point 2 (equivalent to CBM No. 5), longitude 121 deg. 01 min. 14.62 sec., latitude 14 deg. 41 min. 31.70 sec.;

Thence, NW direction to the common point of Piedad Estate, Malinta Estate and Barangay Talipapa at Point 3 (equivalent to CBM No. 6) longitude 121 deg. 01 min. 14.62 sec., latitude 14 deg. 41 min. 31.70 sec.;

Thence, NW direction until Point 4 (equivalent to CBM No. 7) longitude 121 deg. 01 min. 04.67 sec., latitude 14 deg. 42 min. 01.53 sec.;

Thence, NW direction until the intersection of the boundary of Malinta Estate, Tala Estate and Caloocan boundary at Point 5 (equivalent to CBM No. 8) longitude 121 deg. 00 min. 53.29 sec., latitude 14 deg. 42 min. 35.67 sec.;

Thence, NW direction until the intersection of the boundary of Caloocan City and Barangay Nagkaisang Nayon at Point 6 (equivalent to CBM No. 9) longitude 121 deg. 00 min. 44.24 sec., latitude 14 deg. 43 min. 02.81 sec.;

Thence, NE direction until Point 7 (equivalent to CBM No. 10) longitude 121 deg. 01 min. 01.43 sec., latitude 14 deg. 43 min. 19.56 sec.;

Thence, NE direction until Point 8 (equivalent to CBM No. 11) longitude 121 deg. 01 min. 24.08 sec., latitude 14 deg. 43 min. 41.64 sec.;

Thence, NE direction until the common point of Caloocan City Boundary and

Barangay San Agustin at Point 9 (equivalent to CBM No. 12) longitude 121 deg. 01 min. 55.27 sec., latitude 14 deg. 44 min. 11.98 sec.;

Thence, NE direction until the common point of Caloocan City Boundary and Barangay Kaligayahan at Point 10 (equivalent to CBM No. 13) longitude 121 deg. 02 min. 21.16 sec., latitude 14 deg. 44 min. 37.14 sec.;

Thence, Eastward direction to Point 11 (equivalent to CBM No. 14) longitude 121 deg. 02 min. 54.60 sec., latitude 14 deg. 44 min. 37.15 sec.; Thence, Eastward direction, to Point 12 (equivalent to CBM No. 15) longitude 121 deg. 03 min. 13.23 sec., latitude 14 deg. 44 min. 37.14 sec.;

Thence, Eastward direction to Point 13 (equivalent to CBM No. 16) longitude 121 deg. 03 min. 46.76 sec., latitude 14 deg. 44 min. 37.15 sec.;

Thence, Eastward direction until Point 14 (equivalent to CBM No. 17) on the west side of Quirino Highway, longitude 121 deg. 04 min. 29.92 sec., latitude 14 deg. 44 min. 37.77 sec.;

Thence, Eastward direction until the intersection of the boundary of La Mesa Dam and Barangay Pasong Putik at Point 15 (equivalent to CBM No. 18) longitude 121 deg. 04 min. 34.48 sec., latitude 14 deg. 44 min. 37.16 sec.;

Thence, SW direction following the direction of Quirino Highway until the junction of La Mesa Dam Road at Point 16, longitude 121 deg. 04 min. 10 sec., latitude 14 deg. 44 min. 20 sec.;

Thence, Southward direction along La Mesa Road until the common point of Barangay Pasong Putik and La Mesa Dam Road at Point 17, longitude 121 deg. 04 min. 10 sec., latitude 14 deg. 43 min. 10 sec.;

Thence, Westward direction until the common point of Brgy. Pasong Putik and La Mesa Dam at Point 18, longitude 121 deg. 03 min. 50 sec., latitude 14 deg. 43 min. 10 sec.;

Thence, Southeast direction until the common point of Barangay Pasong Putik and La Mesa Creek to Point 19, longitude 121 deg. 03 min. 50 sec., latitude 14 deg. 42 min. 40 sec.;

Thence, following the SW direction of La Mesa Creek and Tullahan River until the common point of Barangay Fairview, Pasong Putik and Barangay Sta. Lucia to Point 20, longitude 121 deg. 03 min. 30 sec., latitude 14 deg. 42 min. 30 sec.;

Thence, SW direction until the common point of Barangay Sta. Lucia, Sauyo and Barangay Fairview at Point 21, longitude 121 deg. 03 min. 20 sec., latitude 14 deg. 42 min. 20 sec.;

Thence, Southward direction until the common point of Barangay Sauyo and Fairview at Point 22, longitude 121 deg. 03 min. 20 sec., latitude 14 deg. 41 min. 50 sec.;

Thence, Eastward direction until Point 23, longitude 121 deg. 03 min. 30 sec.,

latitude 14 deg. 41 min. 50 sec.;

Thence, Southward direction until the common point of Barangay Fairview, Pasong Tamo and Barangay Sauyo at Point 24, longitude 121 deg. 03 min. 30 sec., latitude 14 deg. 41 min. 40 sec.;

Thence, Westward direction until the common point of Barangay Sauyo and Barangay Tandang Sora at Point 25, longitude 121 deg. 02 min. 40 sec., latitude 14 deg. 42 min. 40 sec.;

Thence, Southward direction until Point 26, on the bank of Dario River, longitude 121 deg. 02 min. 40 sec., latitude 14 deg. 41 min. 30 sec.;

Thence, following the SW direction of Dario River until the intersection of Tandang Sora Road and Dario River at Point 27, longitude 121 deg. 01 min. 30 sec., latitude 14 deg. 40 min. 50 sec.;

Thence, following the NW direction of Tandang Sora Road along Brgy. Talipapa to the point of beginning (CBM No. 4) at Brgy. Talipapa and Piedad Estate.

The City of Novaliches shall comprise the following barangays: Talipapa, Sauyo, Bagbag, San Bartolome, Nagkaisang Nayon, Gulod, Novaliches Proper, San Agustin, Kaligayahan, Sta. Monica, Capri, Sta. Lucia, Pasong Putik Proper, Greater Lagro and North Fairview, excluding the La Mesa Dam Watershed.

SEC. 3. *Corporate Powers of the City of Novaliches.* - The City constitutes a political body corporate and as such is endowed with the attribute of perpetual succession and possessed of the powers which pertain to a city corporation, to be exercised in conformity with the provisions 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 and convey real or personal property;
- e. To enter into contracts; and
- f. To exercise such other powers as are granted to corporations subject to the limitations provided in this Act and other laws.

SEC. 4. *General Powers of the City.* - The City shall have a common seal and may alter the same at pleasure. It shall exercise the powers to levy taxes, close and open roads, streets, alleys, parks or squares subject to the provisions of the Constitution and existing laws. It may take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interest of the City, condemn private property for public use, contract and be contracted with, sue and be sued, prosecute and defend to final judgment and execution suits wherein said City is a party, and exercise all the powers as are granted to a corporation and/or hereinafter conferred.

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 done or caused as a consequence or result of the discharge or performance of official functions within the

scope of their duties.

SEC. 6. *Jurisdiction of the City.* - The jurisdiction of the City of Novaliches for any purpose shall be coextensive with its territorial jurisdiction. The city court of the City shall have concurrent jurisdiction with the city courts of adjoining cities, to try crimes and misdemeanors committed within its territorial jurisdiction. The court first taking cognizance of such an offense shall have jurisdiction to try said cases to the exclusion of others. Any license that may be issued within said zone, area or spaces shall be granted by the proper authorities of the City of Novaliches or city concerned, and the fees arising there from shall accrue to the treasury of the said city.

ARTICLE II

CITY OFFICIALS IN GENERAL

SEC. 7. *Officials of the City of Novaliches.* -

- a. There shall be in the City of Novaliches a city mayor, 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 civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, and a city general services officer.
- b. In addition thereto, the city mayor may appoint a city architect, a city information officer, a city population officer, a city environment and natural resources officer, and a city cooperatives officer.
- c. The City of Novaliches shall maintain a city fire station to be headed by a city fire marshal and a city jail to be headed by a city jail warden.
- d. The City of Novaliches 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 purpose of the City;
 3. Consolidate the functions of any office with those of another in the interest of efficiency and economy.
- e. Unless otherwise provided herein, all appointive city officials of the City 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 date of its submission otherwise the same shall be deemed confirmed.

ARTICLE III

THE CITY MAYOR AND CITY VICE MAYOR

SEC. 8. *City Mayor.* - The city mayor shall be the chief executive of the City. The qualified voters of the City shall elect him at large. No person shall be eligible for the position of the city mayor unless at the time of the election he is at least twenty-five (25) years of age, an actual resident of the City for at least one (1) year prior to his election, and a qualified voter therein. He shall hold office for three (3) years unless

sooner removed and shall receive a minimum monthly compensation corresponding to Salary Grade Thirty (30) as prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

The city mayor, as chief executive of the city government, shall exercise such powers and perform such duties and functions as provided herein:

a. Exercise those powers expressly granted to him by law, those necessarily implied therefrom as well as powers necessary, appropriate, or incidental for the efficient and effective governance of the City, and those which are essential to the promotion of general welfare:

1. Determine the guidelines of city policies and be responsible to the sangguniang panlungsod for the program of government;
2. 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;
3. 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;
4. Initiate and propose legislative measures to the sangguniang panlungsod and, as often as may be deemed necessary, provide such information and data needed or requested by said sanggunian in the performance of its legislative functions;
5. 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 for in this Act, as well as those he may be authorized by law to appoint;
6. Represent the City in all its business transactions and sign in its behalf of all bonds, contracts and obligations, and such other documents upon authority of the sangguniang panlungsod or pursuant to law or ordinance;
7. Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;
8. 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;
9. Allocate and assign office space to the City and other officials and employees who, by law or ordinance, are entitled to such space in the city hall and other buildings owned or leased by the city government;
10. Ensure that all executive officials and employees of the City faithfully discharge their duties and functions as provided by law and this Act, 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 his official duties;
11. Examine the books, records and other documents for all offices, officials, agents or employees of the City and, in aid of his executive powers and authority, require all national officials and employees stationed in or assigned to the City to make available to him such books, records and other documents in their custody, except those classified by law as confidential;