

[REPUBLIC ACT NO. 7854, January 02, 1995]

**AN ACT CONVERTING THE MUNICIPALITY OF MAKATI INTO A
HIGHLY URBANIZED CITY TO BE KNOWN AS THE CITY OF
MAKATI**

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 Makati.

SEC. 2. *The City of Makati.* - The Municipality of Makati shall be converted into a highly urbanized city to be known as the City of Makati, hereinafter referred to as the City, which shall comprise the present territory of the Municipality of Makati in Metropolitan Manila Area over which it has jurisdiction bounded on the northeast by Pasig River and beyond by the City of Mandaluyong and the Municipality of Pasig; on the southeast by the municipalities of Pateros and Tagig; on the southwest by the City of Pasay and the Municipality of Tagig; and, on the northwest, by the City of Manila.

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 Makati 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 attribute of perpetual succession and possessed of the powers which pertain to a municipal 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 and close or open public roads, streets, alleys, parks or squares. 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 corporations and/or hereinafter conferred.

Sec. 5. Liability for Damages. - The City and its officials shall not be liable for death or injury to persons or damage to property done or caused as a consequence or result of discharge or performance of official functions within the scope of their duties.

Sec. 6. Jurisdiction of the City. - The jurisdiction of the City of Makati, for police purposes only, shall be coextensive with its territorial jurisdiction, and for the purpose of protecting and insuring the purity of the water supply of the City, such police jurisdiction shall also extend over all 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 shall have concurrent jurisdiction with the city or municipal court of the adjoining municipalities or cities, to try crimes and misdemeanors committed within said drainage area, or within said spaces of one hundred meters (100 m.). The court first taking cognizance of such an offense shall have jurisdiction to try said cases to the exclusion of others. The police force of the several municipalities and cities concerned shall have concurrent jurisdiction with the police force of the City for the maintenance of good order and the enforcement of ordinances throughout said zone, area, and spaces. 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 concerned and not to the City.

Article II

CITY OFFICIALS IN GENERAL

SEC. 7. The Officials of the City of Makati. -

- a. There shall be in the City of Makati a city mayor, a 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 urban development officer, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city social welfare and social development officer, and a city general services officer.
- b. In addition thereto, the city mayor may appoint a city architect, a city information and community relations officer, a city population officer, a city environment and natural resources officer, a city public safety officer, a city international relations officer, a city education officer, a city youth and sports development officer, a city veterinarian, and a city cooperatives officer.
- c. The City of Makati shall maintain a city fire station to be headed by a city fire mar shall and a city jail to be headed by a city jail warden.
- d. The City of Makati 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; or

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 VICE-MAYOR**

SEC. 8. *The City Mayor.* - 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 the city mayor unless at the time of the election he is at least twenty-three (23) 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 the 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 on its behalf 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. (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 of 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;
12. Furnish copies of executive orders issued by him to the Office of the President and the Metropolitan Authority Council chairman within seventy-two (72) hours after their issuance;
13. 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 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;
14. Act on leave applications of officials and employees appointed by him and the commutation of the monetary value of their leave credits in accordance with law;
15. Authorize official trips of city officials and employees outside of the City for a period not exceeding thirty (30) days: *Provided*, That the trips abroad or for a longer period may be authorized in accordance with the Local Government Code;
16. Call upon any national official or employee stationed in or assigned to the City to advise him on matters affecting the City and to make recommendations thereon; coordinate with said officials or employees in the formulation and implementation of plans, programs and projects; and, when appropriate, initiate any administrative or judicial action against a national government official or employee who may have committed an offense in the performance of his official duties while stationed in or assigned to the City;
17. 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;
18. Solemnize marriages, any provision of law to the contrary notwithstanding;
19. Conduct an annual palaring panlungsod, which shall feature traditional sports and disciplines included in national and international games, in coordination with the Department of Education, Culture and Sports; and

20. Submit to the respective Metropolitan Authority Council chairmen and to the Office of the President the following reports: (i) an annual report containing a summary of all matters pertinent to the management, administration, and development of the City and all information and data relative to its political, social and economic conditions; and (ii) supplemental reports when unexpected events and situations arise at any time during the year, particularly when man-made or natural disasters or calamities affect the general welfare of the City;
- b. Enforce all laws and ordinances relative to the governance of the City and in the exercise of its appropriate corporate powers, as well as implement all approved policies, programs, projects, services, and activities of the City:
1. Ensure that the acts of the City's component barangays and of its officials and employees are within the scope of their prescribed powers, duties, and functions;
 2. Call conventions, conferences, seminars, or meetings of elective and appointive officials of the City, including national officials and employees stationed in or assigned to the City, at such time and place and on such subject as he may deem important for the promotion of the general welfare of the local government unit and its inhabitants;
 3. Issue such executive orders for the faithful and appropriate enforcement and execution of laws and ordinances;
 4. Be entitled to carry necessary firearm within his territorial jurisdiction;
 5. Act as the deputized representative of the National Police Commission, formulate the peace and order plan of the City and upon its approval, implement the same; and as such, exercise general and operational control and supervision over the local police forces in the City, in accordance with Republic Act No. 6975; and
 6. Call upon the appropriate law enforcement agencies to suppress disorder, riot, lawless violence, rebellion or sedition, or to apprehend violators of the law when public interest so requires and the city police forces are inadequate to cope with the situation or the violators;
- c. Initiate and maximize the generation of resources and revenues, and apply the same to the implementation of development plans, programs objectives and priorities, particularly those resources and revenues programmed for agro-industrial development and countryside growth and progress:
1. Require each head of an office or department to prepare and submit an estimate of appropriations for the ensuing calendar year, in accordance with the budget preparation process in accordance with the provisions of the Local Government Code;
 2. Prepare and submit to the sanggunian for approval the executive and supplemental budgets of the City for the ensuing calendar year in the manner provided for under the Local Government Code;
 3. Ensure that all taxes and other revenues of the City are collected, and that city funds are applied to the payment of expenses and settlement of obligations of the City in accordance with law or ordinance;
 4. Issue licenses and permits and suspend or revoke the same for any violation of the conditions upon which said licenses or permits had been issued, pursuant to law or ordinance;