

[REPUBLIC ACT NO. 5269, June 15, 1968]

**AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT
NUMBERED FORTY-THREE HUNDRED AND EIGHTY-TWO,
OTHERWISE KNOWN AS THE CHARTER OF BAGO.**

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

SECTION 1. The second paragraph of Section seven, the first paragraph of Section ten, the third paragraph of Section eleven, the first paragraph of Section thirteen, the first paragraph of Section fourteen, subparagraphs (c) and (d) of Section fifteen with the insertions of new subparagraphs in said section, the first paragraph of Section twenty-two, the first paragraph of Section twenty-three, the first paragraph of Section twenty-four, and subparagraph (m) of the same section, Section twenty-five, the first paragraph of Section twenty-six, the first paragraph of Section twenty-seven, the second paragraph of Section twenty-eight, Section thirty-nine, Section forty, Section forty-one, Section seventy-three, the fourth paragraph of Section seventy-six, the first sentence of Section seventy-seven, and Section eighty-six of Republic Act Numbered Forty-three hundred eighty-two, otherwise known as the Charter of Bago, are hereby amended to read as follows:

"SEC. 7. The Mayor—He shall receive a salary in accordance with the scales Provided for in Republic Act Numbered Forty-four hundred seventy-seven and such other laws of general application. The mayor may receive, in addition to his salary, a computable allowance of at least two thousand pesos per annum or such higher amount as may be fixed by the municipal board.

"SEC. 10. Secretary to the Mayor.—The mayor shall appoint one secretary who shall hold office at the pleasure of the mayor and who shall receive a compensation, to be fixed by ordinance at not less than three thousand three hundred pesos per annum.

"SEC. 11. *Constitution and organization of the municipal board.*—Compensation of members thereof.—

"The vice-mayor and the members of the board shall receive the salary in accordance with the scales provided for in Republic Act Numbered Forty-four hundred seventy-seven and such other laws of general application.

"SEC. 13. *Appointment, salary and duties of secretary of the board.*—The board shall have a secretary who shall be chosen by the board and who shall serve during the term of office of the members thereof. The compensation of the secretary shall be fixed by ordinance. A vacancy in the office of the secretary shall be filled temporarily for the unexpired term in like manner.

"SEC. 14. *Method of transacting business by the board.*— Veto; authentication and

publication of ordinances.—Unless the president of the Philippines orders otherwise, the board shall hold one ordinary session for the transaction of business during each week on a day which shall be fixed by resolution, and such extraordinary sessions as may be called by the mayor. It shall sit with open doors, unless otherwise ordered by an affirmative vote of five members. It shall keep a record of its proceedings and determine its rule of procedure not herein set forth. Five members of the board shall constitute a quorum for the transaction of business. But a smaller number may adjourn from day to day and may compel the immediate attendance of any member absent without good cause by issuing to the police of the city an order for his arrest and production at the session under such penalties as shall have been previously prescribed by ordinances. Five affirmative votes shall be necessary for the passage of any ordinance, or of any resolution or motion directing the payment of money or creating liability, but any other measure shall prevail upon the majority votes of the members present at any meeting duly called and held. The ayes and nays shall be taken and recorded upon the passage of all ordinances, upon all resolutions or motions directing the payment of money or creating liability, and at the request of any member, upon any other resolution or motion. Each approved ordinance, resolution or motion shall be sealed with the seal of the board, signed by the presiding officer and the secretary of the board and recorded in a book kept for the purpose and shall, on the day following its passage, be posted by the secretary at the main entrance of the city hall, and shall take effect and be in force on and after the tenth day following its passage unless otherwise stated in said ordinance, resolution or motion or vetoed by the Mayor as hereinafter provided. A vetoed ordinance if repassed, shall take effect ten days after the veto is overridden by the required votes unless otherwise stated in the ordinance or again disapproved by the Mayor within the said time,

"SEC. 15. *General powers and duties of the board.*— Except as otherwise provided by law, and subject to the conditions and limitations thereof, the municipal board shall have the following legislative powers:

"(c) To fix the number and salaries of officials and employees of the city not otherwise provided for in this Act;

"(d) To authorize the free distribution of medicines to the employees and laborers of the city whose salary or wage does not exceed sixty pesos per month or two pesos and fifty centavos per day; and of fresh or evaporated native milk to indigent mothers residing in the city and of bread and light meals to indigent children of ten years or less of age residing in the city, the distribution to be made under the direct supervision and control of the mayor;

"nn. To float bonds, subject to existing laws and regulations, for the purpose of financing public works projects;

"oo. To tax motor and other vehicles operating within the City of Bago, the provisions of any existing laws to the contrary notwithstanding, and draft animals not paying any national taxes: Provided, That all automobiles and trucks belonging to the National Government or to any provincial and municipal government shall be exempt from such tax;

"pp. To establish and regulate the size, speed, and operation of motor

and other vehicles within the city; to establish bus stops and terminals; and prohibit or regulate the entrance of provincial public utility vehicles into the city, except those passing through the city.

"qq. To tax, license and regulate any business, trade or occupation being conducted or practiced within the City of Bago, not otherwise enumerated in the preceding subsections, including percentage taxes based on gross production, sales or receipts;

"rr. To enact an ordinance or pass a resolution providing for the automatic retention of the expected allotments of one-tenth of the annual allotments of the city. Such allotments of the city are to be remitted to the city treasurer within ten days. However, if collections are less than the allotments, the Bureau of Internal Revenue has to release the balance to the city every quarter;

"ss. To enact an ordinance fixing and providing bonuses and allowances to officials and employees of the city; and

"tt. To make provisions for the care or hospitalization of the poor, the sick or persons of unsound mind.

"SEC. 22. *The City Treasurer*—His powers, duties, and compensation.—There shall be a city treasurer, who shall have charge of the department of finance and shall act as chief fiscal officer and financial adviser of the city and custodian of its funds. He shall receive a salary in accordance with the scales provided for in Republic Act Numbered Forty-four hundred seventy-seven and such other laws of general application. He shall have the following powers and duties:

"SEC. 23. *The City Attorney and, Register of Deeds ex-officio*—His compensation, powers and duties.—The law department shall consist of the city attorney and one assistant, who shall discharge their duties under the general supervision of the Secretary of Justice. The city attorney shall be the chief legal adviser of the city and all offices and departments thereof. The city attorney and his assistant shall receive the salary as provided for in Republic Act Numbered Forty-one hundred forty-two or such other laws of general application. He shall act as city register of deedsex-officio with an additional compensation of at least six hundred pesos per annum or such amount which may be fixed by the municipal board. In case of vacancy, absence or disability, the duties of the register of deeds shall be performed by the assistant city attorney, or when the needs of the service require it, the Secretary of Justice may designate any other officer of the government. The city attorney shall have the following powers and duties:

"SEC. 24. *The City Engineer and District Engineer ex-officio*—His powers and duties.—There shall be a city engineer, who shall be in charge of the department of engineering and public works, and who shall be the *ex-officio* district engineer for the Second District of Negros Occidental. He shall receive a salary in accordance with the scales provided for in Republic Act Numbered Forty-four hundred seventy-seven and such other laws of general application. As an *ex-officio* second district engineer, he shall receive an additional compensation of three thousand pesos per annum to be paid by the Department of Public Works and Communications. He shall