

[REPUBLIC ACT NO. 981, May 24, 1954]

**AN ACT ESTABLISHING THE NEW CAPITAL OF THE PROVINCE OF
CAVITE, AND PROVIDING A CHARTER THEREFOR, AND FOR
OTHER PURPOSES.**

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

GENERAL PROVISIONS

SECTION 1. *Incorporation, powers.*—The territory not exceeding one thousand hectares, located at or near the intersection of the Tanza-Indang Road and the proposed Naic-Dasmarinas Road, in the Province of Cavite, the exact boundaries and limits of which to be defined as herein provided, shall be a political subdivision to be known as the City of Trece Martires, and by that name shall have perpetual succession; have and use a common seal which it may alter at pleasure; sue and be sued, and prosecute and defend to final judgment and execution; take, purchase, receive, hold, lease, convey, and dispose of real and personal property, for the benefit of the city, within or without its corporate limits; contract and be contracted with; and execute all the powers hereinafter conferred, as well as those generally and ordinarily conferred upon chartered cities.

SEC. 2. *Territory.*—The District Engineer of the Province of Cavite shall, within three months after the approval of this Act, survey and, by proper metes and bounds, determine the territory of the City of Trece Martires, indicating in the plan, among others, avenues, streets, plazas, parks, and lots for public use. Upon the completion of such survey, the Director of Public Works shall certify the same to the President of the Philippines, who shall by executive order define the boundaries and limits of the territory of the city.

The Provincial Board of Cavite shall have power to purchase, accept gifts or donations of, or institute expropriation proceedings concerning, such lands as may be within the territory of the city for the general interests of the city or for public use.

SEC. 3. *Jurisdiction of city for police purposes.*—The jurisdiction of the City of Trece Martires for police purposes shall extend within the territorial limits of the said city; and for the purpose of protecting and insuring the purity and quantity of 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 of any reservoir, conduit, canal, aqueduct, pumping station or watershed, used in connection with the city water service. The municipal court of the city shall have concurrent jurisdiction with the justice of the peace courts of the municipalities within which the said territory within the drainage area and the said space of one hundred meters are situated to try crimes or offenses committed therein. The court

first taking jurisdiction of such an offense shall thereafter retain exclusive jurisdiction thereof. All fines, forfeitures, fees and costs, imposed by reason of offenses committed within the said space of one hundred meters and territory within the said drainage area shall accrue, not to the treasury of the City of Trece Martires but to the treasury of the municipality in which the said space or territory in which the offense committed is located.

SEC. 4. *City not liable for damages.*—The city shall not be liable or held for damages or injuries to persons or property arising from the failure of the City Council, the City Mayor, or any other city officer or employee, to enforce the provisions of this Charter, or any other law or ordinance, or from negligence of said City Council, Mayor or other city officers or employees while enforcing or attempting to enforce said provisions.

CITY OFFICES AND OFFICERS IN GENERAL

SEC. 5. *Chief officials of city government.*—The chief officials of the government of the city are the City Mayor, members of the City Council, city engineer, city treasurer-assessor, city fiscal, city health officer, chief of police, judge of the municipal court and secretary of the City Mayor.

The Provincial Governor, the members of the provincial board, the district engineer, the provincial treasurer, the provincial fiscal, and the district health officer of the Province of Cavite, shall be *ex officio* City Mayor, members of the City Council, city engineer, city treasurer-assessor, city fiscal, and city health officer of the city, respectively.

The secretary of the Provincial Board of Cavite shall act as secretary to the City Mayor and of the City Council.

SEC. 6. *General powers and duties of the City Mayor.*— Unless otherwise provided by law, the City Mayor shall have immediate control over the executive and administrative functions of the different offices of the city, subject to the authority and supervision of the Department Head. He shall have the following general powers and duties:

- a. To comply with and enforce and give the necessary orders for the faithful enforcement and execution of the laws and ordinances in effect within the jurisdiction of the city.
- b. To safeguard all the lands, buildings, records, moneys, credits, and other property and rights of the city, and subject to the provisions of this Charter, have control of all its property.
- c. To see that all taxes and other revenues of the city are collected and applied in accordance with appropriations to the payment of the municipal expenses.
- d. To cause to be instituted judicial proceedings to recover property and funds of the city wherever found, to cause to be defended all suits against the city, and otherwise to protect the interests of the city.
- e. To see that the executive officers and employees of the city properly discharge their respective duties.

- f. To examine and inspect the books, records and papers of all officers, agents, and employees of the city over whom he has executive supervision and control at least once a year, and whenever occasion arises. For this purpose he shall be provided by the City Council with such clerical or other assistance as may be necessary.
- g. To give such information and recommend such measures to the City Council as he shall deem advantageous to the city.
- h. To represent the city in all its business matters and sign on its behalf all its bonds, contracts, and obligations made in accordance with law or ordinance.
- i. To submit to the City Council at least two months before the beginning of each fiscal year a budget of receipts and expenditures of the city.
- j. To receive, hear, and decide as he may deem proper the petitions, complaints, and claims concerning all classes of municipal matters of an administrative or executive character.
- k. To grant or refuse municipal licenses or permits of all classes and to revoke the same for violation of the conditions upon which they were granted, or if acts prohibited by law or municipal ordinance are being committed under the protection of such licenses or in the premises in which the business for which the same have been granted is carried on, or for any other good reason of general interest.
- l. To exempt, with the concurrence of the division superintendent of schools, deserving poor pupils from the payment of school fees or of any part thereof.
- m. To take such emergency measures as may be necessary to avoid fires and floods, and mitigate the effects of storms and other public calamities.
- n. To submit an annual report to the Department Head.
- o. To perform such other duties and exercise such other executive powers as may be prescribed by law or ordinance.

SEC. 7. *Secretary to City Mayor; his duties.*—The secretary shall have charge and custody of all records and documents of the city and of any office or department thereof for which provision is not otherwise made; shall keep the corporate seal and affix the same with his signature to all ordinances and resolutions signed by the City Mayor and to all other official documents and papers of the government of the city as may be required by law or ordinance; shall attest all executive orders, proclamations, ordinances, and resolutions signed by the City Mayor; shall, upon request, furnish certified copies of all city records and documents in his charge which are not of a confidential character and shall charge fifty centavos for each one hundred words including the certificate, such fees to be paid directly to the city treasurer-assessor; and shall perform such other duties as the City Mayor may require of him.

SEC. 8. *Secretary of the City Council; his duties.*—The secretary shall be in charge of the records of the City Council. He shall keep a full record of the proceedings of the City Council, and file all documents relating thereto; shall record, in a book kept for that purpose, all ordinances, and all resolutions and motions directing the payment of money or creating liability, enacted or adopted by the City Council, with

the dates of passage of the same and of the publication of ordinances; shall keep a seal, circular in form, with the inscription "City Council—City of Trece Martires", and affix the same, with his signature, to all ordinances and other official acts of the City Council, and shall present the same for signature to the presiding officer of the City Council; shall cause each ordinance passed to be published as herein provided; shall, upon request, furnish certified copies of all records of the City Council of public character in his charge under the seal of his office and charge fifty centavos for each one hundred words including the certificate, such fees to be paid directly to the city treasurer; and shall keep his office and air records therein which are not of a confidential character open to public inspection during usual business hours.

SEC. 9. *Methods of transacting business by City Council.*— The City Mayor, as chief executive of the city, shall be a member and presiding officer of the City Council. Unless the Department Head orders otherwise, the City Council shall hold one ordinary session for the transaction of business during each week on days which it shall fix by resolution, and such extraordinary sessions, as may be called by the City Mayor. It shall sit with open doors, unless otherwise ordered by an affirmative vote of all the members. It shall keep a record of its proceedings and determine its rules of procedure not herein set forth. Two members of the City Council 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 ordinance. Two 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 other measures 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 City Council, signed by the presiding officer and the secretary of the City Council 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 to 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.

The Department Head shall have full power to disapprove directly, in whole or in part, any ordinance, resolution or motion of the City Council if he finds said ordinance, resolution or motion or parts thereof, beyond the powers conferred upon the City Council.

SEC. 10. *General powers and duties of the City Council.*— Except as otherwise provided by law, and subject to the conditions and limitations thereof, the City Council shall have the following legislative powers:

- a To provide for the levy and collection of taxes for general and special purposes in accordance with law.
- b To make all appropriations for the expenses of the government of the city: *Provided*, That without the express authorization of the President of the Philippines, the appropriation for the payment of salaries and wages of

officers and employees of the city government for any fiscal year shall not be more than sixty per cent of the expected revenue of the city for such fiscal year.

- c To fix with the approval of the Department Head the number and salaries of officials and employees of the city, subject to the limitations of this Act.
- d To authorize with the approval of the Department Head the free distribution of medicines to the employees and laborers of the city whose salary or wage does not exceed one hundred and twenty pesos per month or four pesos per day, and of evaporated or fresh native milk to indigent mothers residing in the city and of bread and light meals to indigent children ten years or less of age residing in the city, the distribution to be made under the direct supervision and control of the City Mayor.
- e To fix the tariff of fees and charges for all services rendered by the city or any of its offices, branches or officials.
- f To provide for the erection and maintenance or the rental of the necessary buildings for the use of the city.
- g To provide for the establishment and maintenance of public schools; and, except as otherwise provided by law, to fix, with the approval of the Director of Public Schools, reasonable matriculation and/or tuition fees for instruction therein.
- h To establish and maintain or aid in the establishment and maintenance of vocational schools and institutions of higher learning conducted by the National Government or any of its subdivisions and agencies; and, with the approval of the Director of Public Schools, to fix reasonable tuition fees for instruction in the vocational schools and in the institutions of higher learning supported by the city.
- i To provide for and maintain an efficient police force for the maintenance of law and order in the city, and make all necessary police ordinances, with a view to the confinement and reformation of vagrants, disorderly persons, mendicants, prostitutes, and persons convicted of violating any of the ordinances of the city.
- j To provide for and maintain an official fire force and provide engine houses, fire engines, hose carts or trucks, hooks and ladders, and other equipment for the prevention and extinguishment of fires, and to regulate the management and use of the same.
- k To establish fire zones, determine the kinds of buildings or structures that may be erected within their limits, regulate the manner of constructing and repairing the same, and fix the fees for permits for the construction, repair, or demolition of buildings and other structures.
- l To regulate the use of lights in stables, shops, and other buildings and places and to regulate and restrict the issuance of permits for the building of bonfires and the use of firecrackers, fireworks, torpedoes, candles, skyrockets, and