

A Simple Reference Guide to Action



Tasks and Responsibilities
Checklist
2nd Edition

THE MUNICIPAL MAYOR

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Tasks and Responsibilities Checklist

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Message from the DILG

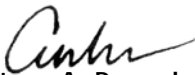
The pursuit of excellence in local governance starts with a clear vision among our local leaders for a governance of truth, development and service. It is of utmost importance that our local chief executives nurture in them the dedication and commitment in carrying out their responsibilities and be of service to the people.

Alongside with this is the need for them to be knowledgeable of their defined tasks and be capacitated in their managerial skills to help them become effective leaders as well as catalysts for change towards peace and progress.

We in the Department of the Interior and Local Government are pleased to offer this tool on the tasks and responsibilities checklist to our local officials. The DILG recognizes the crucial role of our leaders. It is our aim that this guidebook will be of support to our local officials as they engage themselves in the early stage of their work in managing the affairs of the LGUs.

The manual provides the readers with practical steps and insights on various processes in local governance. It is a handy guide and reference material for our local officials as they craft their local development agenda.

We congratulate our new local leaders for the opportunity provided to them to serve our country and we hope that this study handbook will be genuinely useful to them, as they map out their plans and actions to attain the vision and aspirations they so desire for their LGUs.



Austere A. Panadero
Undersecretary for Local Government

Message from the Executive Director

Congratulations! You have been given that privilege to serve our country, and in your possession is the learning material on “The Tasks and Responsibilities of Local Government Officials”.

The essence of effective leadership stems from the fact that leaders have the capacity to translate visions into actions. Central to this is their ability to make sound decisions and manage with efficiency the work of a civil servant as they partner with various stakeholders. It is the kind of leadership that builds and cultivates on learnings, good governance, partnership and service. They value the participation of institutions and communities to link together for the common good of the people and country.

The Local Government Academy is always motivated to seek the best among the local officials as we provide them with capacity development interventions for their growth and advancement. The Academy sees the crucial role our leaders have to perform to attain the desired vision of the LGUs. With that, the LGA is therefore pleased to hand over this handbook to you as a gift and as our contribution to help empower our local governments.

This manual offers in practical terms the needed governance actions, as well as key processes that provide directions to our local officials in executing their duties and tasks. It is user-friendly and at the same time a good source of information on various facets of local governance.

It is our hope that this guidebook will motivate you to strive forward as you fulfill your leadership role in the LGUs, thus obtaining the desired goal of a better life for the constituents.

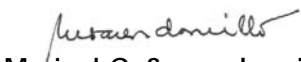

Marivel C. Sacendoncillo
Executive Director

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1 SETTLING IN THE FIRST 100 DAYS

Upon Assumption to Office

The Municipal Mayor shall:

- *Subscribe to an **Oath or Affirmation of Office** together with other elective and appointive municipal officials and employees [Section 92 (a), LGC]*
- *File a sworn **Statement of Assets and Liabilities and Networth**, lists of relatives within the fourth degree of consanguinity or affinity in government service, financial and business interests and personnel data sheets [Section 91 (a), LGC]*

General Administrative Concerns

- Exercise general supervision and control over all programs, projects, services and activities of the municipal government [Section 444 (b) (1), LGC]
- Present the program of government and propose policies and projects for the consideration of the Sangguniang Bayan [Section 444 (b) (1) (iii), LGC]
- Call upon any national official or employee stationed in or assigned to the municipality to advise him on matters affecting the municipality and to make recommendations thereon [Section 444 (b) (xvi), LGC]

Organization of Committees, Boards and Councils

The Municipal Mayor is to organize, if none is still in place, or to re-organize, if already in existence, the following bodies:

- Municipal Development Council [Section 106, LGC]
- Municipal Bids and Awards Committee [RA 9184]
- Municipal School Board [Section 98, LGC]
- Municipal Health Board [Section 102, LGC]
- Municipal Peace and Order Council [Section 116, LGC; EO No. 309, s. 1988, as amended]
- Municipal Disaster and Coordinating Council [PD No. 1566, s. 1978]
- Municipal Board of Assessment Appeals [Section 227, LGC]
- Municipal Finance Committee [Section 316, LGC]
- Municipal Fisheries and Aquatic Resources Management Council [DILG MC No. 99-142, s. 1999]
- Municipal People's Law Enforcement Board [Article 187, IRR, LGC; DILG MC No. 06-59, s. 2006]
- Municipal Ecological Solid Waste Management Board [RA No. 9003; DILG MC No. 01-19, s. 2001; DILG MC No. 01-38, s. 2001]
- Municipal Council for Women [DILG MC No. 01-163, s. 2001]
- Municipal Tourism Council [MC No. 95-162, s. 1995]
- Municipal Council for the Protection of Children [DILG MC No. 02-121, s. 2002]
- Municipal Price Coordinating Council [DILG MC No. 05-130, s. 2005; DILG MC No. 04-75, s. 2004; DILG MC No. 98-81, s. 1998]
- Municipal Small and Medium Enterprise Development Council [DILG MC No. 02-107, s. 2002]
- Municipal Council for the Culture and the Arts [DILG MC No. 02-81, s. 2002]
- Municipal Anti-Drug Abuse Council [DILG MC No. 01-90, s. 2001]

- ❑ Municipal Physical Fitness and Sports Development Council
[DILG MC No. 96-97, s. 1996; EO No. 63;EO No. 64]
- ❑ Municipal Public Safety and Emergency Office
[DILG MC No. 06-20, s. 2006]

Formulation of the Executive and Legislative Agenda

- ❑ Cause the formulation of a term-based Executive and Legislative Agenda (ELA) [DILG MC No. 04-64, s. 2004]
 - Organize a team that will take the lead in facilitating multi-stakeholder consultations, and in the preparation of the ELA
 - Cause the provision of funds for the formulation and implementation of the ELA
 - Utilize in the formulation of ELA, as reference documents, the following:
 - 📖 Local Governance Performance Management System's State of Local Governance Report
 - 📖 Comprehensive Development Plan
 - 📖 Comprehensive Land Use Plan
 - 📖 Local Poverty Reduction Action Plan
 - 📖 ELA Manual and Facilitators' Guide
 - 📖 Annual Investment Plan

NOTES:

- Involve the civil society and the business community in the formulation of the ELA [DILG MC No. 02-91, s. 2002]
- Avail of technical support from the DILG Regional or Provincial Coaching Teams in the preparation of the ELA

Preparation of Plans and Budget

- ❑ Cause the formulation or the updating of the Comprehensive Land Use Plan (CLUP) and strictly enforce the zoning ordinance to ensure efficient allocation, utilization, management and development of the municipality's land [DILG MC No. 04-133, s. 2004]
- ❑ Cause the formulation of the Municipal Development Plan [Section 444 (b) (1) (ii), LGC]

At - A - Glance

The ELA is structured as follows:

- Governance – financial accountability; transparency; citizen participation; equity; and local legislation;
- Administration – development planning; revenue generation; revenue allocation and utilization; human resources management and development; and customer services;
- Social Services – health and nutrition; education; housing and basic utilities; and peace, security and disaster preparedness;
- Economic Development – agriculture and fisheries development; and business, enterprise and industry promotion; and
- Environmental management – natural resources management; and waste management and pollution control.

- ❑ Cause the formulation of the Annual Investment Program and the Municipal Development Investment Program [DBM, DOF, DILG, NEDA Joint Memorandum Circular No. 1 s. 2007]

NOTE:

In the formulation of the CLUP, the Municipal Mayor may seek assistance from the HLURB or may directly contract the services of private technical experts or consultants, to ensure transparency and to fast track the updating of the CLUP [*DILG MC No. 01-76, s. 2001*]

AT - A - Glance

**Characteristics of a Quality
Comprehensive Land Use Plan**

- ☑ Participatory in its formulation
- ☑ Defines land utilization based on best use
- ☑ Consistent with the Physical Framework Plan
- ☑ Financing scheme is an integral component of the plan
- ☑ Monitoring and evaluation is an integral component of the plan

AT - A - Glance

Characteristics of a Quality Municipal Development Plan

- Participatory in its formulation
 - Sets socio-economic development thrusts to achieve the vision of the local government
 - Supportive of overall provincial, regional and national development thrusts
 - Development targets and strategies are clearly stated
 - Financing scheme is an integral component of the plan
 - Monitoring and evaluation is an integral component of the plan
-
- Cause the establishment of a local revenue management information system [*DILG MC No. 98-51, s. 1998*]
 - Cause the preparation of the executive budget for the ensuing fiscal year and its submission to the Sangguniang Bayan not later than the 16th day of October of the current fiscal year [*Section 318, LGC*]

REMINDERS:

- 👉 Direct the Municipal Accountant and barangay officials on the submission of the Monthly Financial Statements to the Sangguniang Bayan 30 days after the close of each month and the Year-End Statement of Accounts 60 days after December 31

- 👉 Direct the Municipal Accountant and the Barangay Treasurer to submit monthly accounts to the Municipal Auditor [*DILG MC No. 96-161, s. 1996*]

AT-A-GLANCE

POINTERS IN THE PREPARATION OF THE EXECUTIVE BUDGET

- ☑ **Total Appropriations** - shall not exceed the estimates of income *[Section 324 (a), LGC]*
- ☑ **Full Provision** - shall be made for all statutory and contractual obligations of the municipality *[Section 324 (b), LGC]*
- ☑ **Debt Servicing** - shall not exceed 20% of the regular income of the municipality *[Section 324 (b), LGC]*
- ☑ **Aid to Component Barangays** - shall not be less than One Thousand Pesos (PhP 1,000.00) per barangay *[Section 324 (c), LGC]*
- ☑ **Calamity Fund** - shall be 5% of the estimated revenue from regular sources *[Sec 324 (d), LGC; RA 8185]*
- ☑ **Development Fund** - at least 20% of the annual IRA shall be appropriated for development projects *[Section 287, LGC; EO No. 189 s. 1999; DILG; and DBM JMC No. 1, s. 2005]*
- ☑ **Personal Services** - shall not exceed 45% for 1st – 3rd class, and 55% 4th to 6th class municipalities *[Sec 325 (a), LGC]*
- ☑ **Intelligence or Confidential Undertakings** - shall not exceed 30% of the total annual amount allocated for peace and order efforts or 3% of the annual appropriations, whichever is lower *[DILG MC No. 99-65, s. 1999, as amended]*
- ☑ **Discretionary Purposes** - shall not exceed 2% of the actual receipts derived from basic real property tax in the next preceding calendar year *[Sec 325 (h), LGC]*
- ☑ **1% of the Internal Revenue Allotment** of the municipal government shall be allocated for the strengthening of the Local Council for the protection of children *[RA 9344, April 23, 2006, Juvenile Justice and Welfare Act]*

Personnel Actions

- Ensure that all personnel actions are in accordance with the civil service law, rules and regulations [Section 77, LGC]

- Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of the municipal funds and whose appointments are not otherwise provided for in the Local Government Code, as well as those the Municipal Mayor may be authorized by law to appoint [Section 444 (b) (1) (v), LGC]



NOTES:

- Determine, according to law or ordinance, the time, manner and place of payment of salaries or wages of the officials and employees [Section 444 (b) (1) (viii), LGC]

- Allocate and assign office space to officials and employees [Section 444 (b) (1) (ix), LGC]

2 GEARING UP FOR THE CONTINUING TASKS

LOCAL ADMINISTRATIVE GOVERNANCE

- ❑ Enforce all laws and ordinances relative to the governance of the municipality and, in the exercise of its corporate powers, implement all approved policies, programs, projects, services and activities of the municipality [Section 444 (b) (2), LGC]
- ❑ Call conventions, conferences, seminars or meetings of any elective and appointive official of the municipality, including provincial and national officials and employees stationed in or assigned in the municipality, whenever necessary [Section 444 (b) (2) (ii), LGC]
- ❑ Provide appropriate authorities with copies of executive orders, within seventy-two hours after their issuance [Section 444 (b) (1) (xii), LGC]
- ❑ Cause the municipality to be defended against all suits to ensure that its interests, resources and rights shall be adequately protected [Section 444 (b) (3) (ix), LGC]
- ❑ Apply and secure written permission from proper authorities before going on official travel outside of the municipality [Section 96, LGC]

On Barangay Supervision

- Exercise general supervision over barangays [Section 32, LGC]
- Visit component barangays at least once every six months to deepen understanding of problems and conditions, to listen and give appropriate counsel to local officials and inhabitants and to inform the component barangays officials and inhabitants of general laws and ordinances [Section 444 (b) (1) (xiii), LGC]
- Ensure that the acts of the component barangays and of its officials and employees are within the scope of their prescribed powers, functions, duties and responsibilities [Section 444 (b) (2) (i), LGC]
- Cause the maintenance and updating of records of all inhabitants of the barangay [DILG MC No. 06-134, s. 2006; DILG MC No. 05-69, s. 2005]

Local Legislation

On Ordinances in Support of Social Development

- Cause the enactment and enforcement of ordinances, if none has been passed thus far, in support of the following:
 - elimination, prevention or control of human trafficking [DILG MC 05-26, s. 2005; DILG MC No. 06-172, s. 2006]
 - promotion of food safety [DILG MC No. 99-194, s. 1999]
 - disaster management [DILG MC No. 98-94, s. 1998]

- intent and provisions of RA 8050, otherwise known as the Revised Optometry Law of 1995 [*DILG MC No. 04-148, s. 2004*]
- HIV/AIDS prevention and control efforts [*DILG MC No. 99-233, s. 1999*]
- prohibition on the selling of cigarettes and other tobacco products to persons below 18 years of age [*DILG MC No. 02-71, s. 2002*]
- regulation of smoking in public places in accordance with the provisions of RA 9211, otherwise known as the Tobacco Regulatory Act of 2003 [*DILG MC No. 04-85, s. 2004; DILG MC No. 02-27, s. 2002*]
- campaign against commercial and sexual exploitation of children [*DILG MC No. 99-164, s. 1999*]

On Ordinances in Support of Economic Development

- Cause the codification of revenue ordinances with the aim of improving local revenue administration [*DILG MC No. 98-51, s. 1998*]
- Cause the enactment and enforcement of ordinances, if none has been passed thus far, in support of the following:
 - Philippine Agricultural Engineering Act of 1998 [*DILG MC No. 01-25, s. 2001*]
 - registration of fishing vessels 3 gross tonnage and below and imposing penalties for non-registration of the same [*EO No. 305 s. 2004*]

- Cause the enactment or amendment of a tricycle franchise and regulatory ordinance in consideration of the following:
 - Physical Requirements – no tricycle shall be issued a franchise unless applicable physical requirements are complied with and certified by duly authorized authority;
 - Fares – should be established at a level that provide the operator a reasonable return of profit, and affordable to the general public;
 - Load or Capacity Limit – no tricycle should be allowed to carry more passengers and goods than what it is designed for;
 - For safety reasons, no tricycle should operate on national highways;
 - Zones must be established within the municipality; and
 - A common color may be imposed on tricycles operating in the same zone [DILG MC No. 07-01, s. 2007]

AT-A-GLANCE

Physical Requirements for Tricycles

- Clean windshield
- Garbage receptacle
- Functional horn that does not emit exceptionally loud or startling sound
- Functional two signal lights, front and back for turning right or left or for emergency purposes
- Functional tail light, including license plate light
- Top chain extending to the rear wheel
- Functional white head light in front and functional red tail light at the rear, visible at least 50 meters from the front and rear of the tricycle and functioning under all weather conditions
- Functional light installed inside the sidecar and kept lighted while plying a designated route
- Functional anti-noise equipment
- Sticker containing the body number of the vehicle and placed prominently and identifiable from a distance
- Fully-operational mufflers
- Roadworthiness of the tricycle unit

On Ordinances in Support of Environmental Management

- Cause the formulation, or updating, and enforcement of a Municipal Environmental Code [DILG MC No.97-267, s. 1997]
- Cause the enactment and enforcement of ordinances, if none has been passed thus far, in support of the following:
 - prohibition on the use of compressor as breathing apparatus of all fishing activities [DILG MC No. 02-129, s. 2002]

- protection and promotion of animal welfare [DILG MC No. 00-91, s. 2000 and RA No. 8485]
- implementation of a Comprehensive Solid Waste Management System highlighting waste segregation and storage, waste processing and resource recovery, collection, transportation, and disposal of solid waste [DILG MC No. 98-119, s. 1998]
- prescription of safety measures in all gasoline stations [DILG MC No. 06-66, s. 2006]

Transparency

Carry out an Open-Door-Policy type of governance to bring the government closer to the people by way of:

- Designating a Citizens' Desk at the lobby of the municipal hall, properly identified and completely manned at least eight hours a day to provide information and other forms of assistance;
- Causing the establishment of a performance billboard or semi-permanent bulletin board containing information such as duties and functions of municipal offices, programs and services, and regular LGU reports, among others; and
- Conducting regular informative tour for the youth to municipal offices to familiarize them on the workings of the municipal government [DILG MC No. 96-45, s. 1996, as amended]

Participation

- ❑ Call upon any national official or employee stationed in or assigned to the municipality to advise him on matters affecting the municipality and to make recommendations thereon [Section 444 (b) (1) (xvi), LGC]
- ❑ Cause the establishment of cooperative undertakings with other local government units [Section 33, LGC]

On People's and Non-Governmental Organizations

- ❑ Promote the establishment and operation of people's and non-governmental organizations to become active partners in the pursuit of local autonomy [Section 34, LGC]
- ❑ Enter into joint ventures and other cooperative arrangements with people's and non-governmental organizations to engage in the delivery of certain basic services, capability-building and livelihood projects in the municipality [Section 35, LGC]
- ❑ Cause the provision of assistance, financial or otherwise, to accredited municipal-based people's and nongovernmental organizations for economic, socially-oriented, environmental, or cultural projects to be implemented in the municipality [Section 36, LGC]
- ❑ Ensure the participation of NGOs and the community in the planning and implementation of programs, projects and activities for the eradication of illiteracy [DILG MC No. 00-120, s. 2000]

- ❑ Enforce the guidelines in the accreditation and membership of POs and NGOs in the Municipal Development Council, Municipal School Board, Municipal Health Board, Municipal Peace and Order Council and Municipal Bids and Awards Committee [DILG MC No. 01-89, s. 2001]
- ❑ Strengthen citizens' support and participation in Peace and Order programs, projects and activities [DILG MC No. 02-162, s. 2002]
- ❑ Enhance involvement of all religious, civil and other non-government organizations in the Anti-Crime Campaign to complement peace and order efforts [DILG MC No. 02-162, s. 2002]

On Indigenous Cultural Communities

- ❑ Uphold and ensure the free exercise of the rights of the Indigenous and Cultural Communities, or the Indigenous People, if any, in the municipality [DILG MC No. 02-89, s. 2002; R.A. No. 8371]
- ❑ Cause the integration of Indigenous People's rights and related concerns within the framework of gender and development [DILG MC No. 05-34, s. 2005]

Development Planning

On the Annual Report

- ❑ Cause the preparation of an Annual Report containing a summary of all matters pertinent to governance, administration, social services, economic development and environmental management including supplemental reports when unexpected events and situations arise at any time during the year *[Section 444 (b) (1) (xx), LGC; DILG MC No. 04-64, s. 2004]*
- ❑ Cause the submission of an annual report to the Sangguniang Bayan, on or before March 31 of each year, on the socio-economic, political and peace and order conditions, and other matters affecting the municipality *[Section 97, LGC; DILG MC No. 07-24, s. 2007]*
- ❑ See to it that the Annual Report, also referred to as State of Local Governance Report, is optimally utilized as a principal source document in the formulation and implementation of programs or projects, or administrative reforms which are within the competence and authority of local authorities to undertake, in support of good local governance and meaningful development *[DILG MC No. 07-24, s. 2007]*
- ❑ Ensure the full implementation of the Local Governance Performance Management System (LGPMS) and cause the preparation of the State of Local Governance Report, utilizing LGPMS results *[DILG MC No. 04-141, s. 2004]*

On the Municipal Development Plan

- Ensure the full implementation of the Municipal Development Plan [Section 444 (b) (1) (ii), LGC]

REMINDER:

Support the institutionalization of integrated rural accessibility planning procedure in local planning [DILG MC No. 01-8, s. 20015]

- Incorporate development projects on culture and arts in the short and long-term municipal development plans [DILG MC No. 95-117, s. 1995]
- Ensure that appropriate access, improvement interventions based on IRAP analysis, findings, and recommendations are integrated in the Municipal Development Plan, particularly in the Annual Investment Plan [DILG MC No. 02-06, s. 2002]

On the Comprehensive Land Use Plan

- Implement guidelines prescribing time periods on the adoption, review and approval of the CLUP or Zoning Ordinance [DILG MC No. 02-30, s. 2002]

REMINDERS:

If the CLUP was not acted upon by the Sangguniang Bayan within the prescribed three-month period:

- ✓ Issue a corresponding certification that the CLUP was not acted upon by the Sangguniang Bayan; and
- ✓ Submit to DILG Central Office, through the DILG Regional Office, the CLUP together with such certification on the inaction by the Sangguniang Bayan [DILG MC No. 00-145, s. 2000; DILG MC No. 00-59, s. 2000]

On Information Management

- Cause the establishment of a municipal archival system [Section 374, LGC]

AT-A-GLANCE

Characteristics of a Good Municipal Archival System

- ✓ Presence of both quantitative and qualitative information
- ✓ Presence of complete and updated information
- ✓ Presence of sex and age-disaggregated data
- ✓ Information is easy to retrieve and available to users upon request
- ✓ Data is accessible through electronic means

Revenue Generation

- ❑ Ensure that all taxes and other revenues are collected in accordance with law or ordinance [*Section 444 (b) (3) (iii), LGC; DILG MC No. 99-111, s. 1999*]
- ❑ Cause the generation of resources and revenues for the implementation of development plans, program objectives and priorities [*Section 444 (b) (3), LGC*]

REMINDER:

Strictly implement withholding tax laws and regulations, and advise all concerned officers in-charge of withholding taxes that failure to comply with the said requirements is subject to administrative and penal liabilities [*DILG MC No. 95-164, s. 1995; DILG MC No. 99-151, s. 1999; Revenue Memo Orders 14-98 and 70-98*]

- ❑ Impose terminal, parking and other similar fees and issue regulations on routing of private utility vehicles in strict conformity with the approved route mandated by the LTFRB [*DILG MC No. 02-17, s. 2002*]
- ❑ Upgrade and modernize tax information and collection services through the use of computer hardware and software, and other means [*Section 17 (B) 3-x, LGC*]

AT-A-GLANCE

Ways to Enhance Tax Enforcement and Collection Efforts

- ☑ Provide the Bureau of Internal Revenue (BIR) with an alphabetical list of taxpayers
- ☑ Require the presentation of proper documents prior to the renewal of business permit
- ☑ Provide the Revenue District Office (RDO) with the list of contractors who are engaged in government contracts and the list of professionals who are issued with profession or occupation tax
- ☑ Include the TIN in all application for government permits, CTC and other official papers and documents
- ☑ Ensure the withholding of correct taxes and remit the same to competent bodies
- ☑ Submit updates on the current and fair market value of a property
- ☑ Assist in the dissemination of tax reminders, promotion of BIR programs and other reminders or campaigns on the issuance of official receipts for every purchase made by the taxpayers
- ☑ Submit requirements useful in the computation of certificates to BIR
- ☑ Assist RDO in locating unregistered taxpayers and delinquent taxpayers
- ☑ Allowing the BIR authorized personnel access to assessment, collection and remittance of records, subject to pertinent provisions applicable to laws, rules and regulations [*DILG MC No. 01-33, s. 2001*]

Resource Allocation and Utilization

- Cause the preparation and submission of an executive budget for the ensuing year to the Sangguniang Bayan not later than the 16th day of October of the current fiscal year [Section 318, LGC]



NOTE:

Require each head of office or department to prepare and submit an estimate of appropriations for the ensuing year on or before the 15th of July [Section 444 (b) (3) (i), LGC]

- Cause the provision of funds for the implementation of the Executive and Legislative Agenda [DILG MC No. 04-64, s. 2004]
- Prioritize funding or resource allocation to devolved projects, services and facilities particularly those that affect health, agriculture, social welfare and environmental concerns [DILG MC No. 95-14, s. 1995]
- Ensure that appropriations for social welfare services are optimally utilized and supportive of the poverty alleviation thrust of the government [DILG MC No. 02-19, s. 2002]
- Cause the preparation of an annual procurement program for the ensuing fiscal year [Section 373, LGC]
- Appropriate funds for the operational and logistical support to the Peace and Order Program of PNP units in the municipality [EO No. 546 s. 2006]

- Appropriate funds for Rights-Based Approach programs
[DILG MC No. 05-138, s. 2005]
- Ensure that revenues of the municipality are spent in accordance with law or ordinance *[Section 444 (b) (3) (iii), LGC]*

AT-A-GLANCE

Ensure that the **Executive Budget** is of quality, as characterized by the following elements:

- ☑ Participatory in its formulation
- ☑ Responsive to the budgetary requirements of the provincial government plans
- ☑ Satisfies statutory and mandatory obligations
- ☑ Total appropriations covering the operating expenditures and capital outlays do not exceed the estimated
- ☑ Approved within the prescribed period

GUIDELINES IN THE UTILIZATION OF THE 20% DEVELOPMENT FUND

Ensure that the 20% of the Internal Revenue Allotment is optimally utilized for development projects, such as the following:

Social Development

- o Establishment or rehabilitation of Productivity Enhancement Center for out-of-school youths, women, minors, displaced families, indigenous people, differently-abled persons and older persons
- o Establishment or rehabilitation of health centers, rural health unit or hospital, and purchase of medical equipment
- o Construction or rehabilitation of a local government-owned potable water supply system
- o Installation of street lighting system
- o Preservation of cultural/historical sites
- o Other programs or projects of similar nature

Economic Development

- o Implementation of a livelihood/ entrepreneurship development program or project
- o Construction/rehabilitation of a communal irrigation or water impounding system and purchase of post harvest facilities such as farm or hand tractor with trailer, thresher, mechanical drier and the like
- o Construction/rehabilitation of farm-to-market roads, local roads or bridges
- o Other programs or projects of similar nature

Environmental Management

- o Construction/rehabilitation of sanitary landfill or controlled dumpsite and purchase of a garbage truck or related equipment
- o Community reforestation or urban greening projects
- o Flood control programs or projects such as de-clogging of canals or de-silting of rivers
- o Other environmental management programs or projects that promote air and water quality, as well as productivity of coastal or freshwater habitat, agricultural land and forest land [Section 287, LGC; EO No. 189 s. 1999; DILG and DBM JMC No. 1 s. 2005]

Financial Accountability

- Cause the provision of efficient and effective property and supply management, and protect the funds, credits, rights and other properties of the municipality [Section 444 (b) (3) (viii), LGC]

REMINDERS:

- √ Exert all efforts to determine that the private contracting party is free and clear of all tax liabilities to the government, before entering into a contract
- √ Furnish the BIR regularly with the names of private contracting parties that the municipality have contracted with, as well as the amount of payments made to these private contracting parties [Section 4, EO No. 398 s. 2005]

- ❑ Represent the municipality in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and other documents , upon authority of the Sangguniang Bayan or pursuant to law or ordinance [Section 444 (b) (1) (vi), LGC]
- ❑ Direct all out-going Punong Barangays, as the primary accountable officers for all government property assigned or issued to his office (Section 375, (a), LGC), to conduct property, financial, and records inventories, and turn-over the same to the incoming Punong Barangay on or before his assumption to office [DILG MC No. 02-122, s. 2002]
- ❑ Cause the appointment of a bookkeeper for every 15 barangays subject to the approval of the Sangguniang Bayan and availability of funds [DILG MC No. 96-161, s. 1996]

NOTE:

Require all out-going barangay officials to secure property clearance from the Barangay Treasurer

AT-A-GLANCE

Ensure compliance of the municipal government and component barangays concerning financial transactions, by way of:

- ☑ Directing the Municipal Accountant and barangay officials on the submission of the Monthly Financial Statements to the Sangguniang Bayan 30 days after the close of each month and the Year-End Statement of Accounts 60 days after December 31
- ☑ Directing the Municipal Accountant and the Barangay Treasurer to submit monthly accounts to the Municipal Auditor
- ☑ Directing the conduct of annual physical inventory to all barangays every year-end and the submission of reports to the Municipal Auditor
- ☑ Directing the submission of Monthly Bank Reconciliation Statement by the Municipal Accountant on Barangay Depository Account to the Municipal Auditor for verification and review
- ☑ Directing the posting of itemized revenues and expenditures by the Punong Barangays or the Barangay Treasurers within thirty (30) days after the end of each year in at least three (3) conspicuous places in the barangay [*DILG MC No. 96-161, s. 1996*]

Customer Service

- Cause the implementation of the Anti Red-Tape Program for Local Governments, now called **Simplification of Civil Application Systems**, focusing on the Simplification of Internal Regulatory Systems, by:
 - Simplifying and rationalizing local rules and procedure concerning the processing of business, permits, building permits, certificates of occupancy and such other application areas as civil registry and real property documents;
 - Working for the eventual computerization of internal regulatory systems, as in the case of manual-based rules and procedure;
 - Displaying step-by-step application procedure in the form of flowcharts in publicly accessible and conspicuous places within the municipal hall premises; and
 - Developing primers or flyers on the simplified rules and procedure, for distribution to the general public [DILG MC No. 01-120, s. 2001; DILG MC No. 04-50, s. 2004 and DILG MC No. 04-65, s. 2004]

- Cause the organization of One-Stop-Shop or One-Stop Processing Center [DILG MC No. 01-120, s. 2001]

- Cause the operation of the One-Stop Shop beyond the usual office hours to extend up to 9:00 in the evening, as may be necessary, within the months of January through March [DILG MC No. 03-10, s. 2003]

AT - A - GLANCE

ONE-STOP-SHOPS SHOULD BE ABLE TO:

1. Facilitate the processing and issuance of business permits, building permits, certificates of occupancy and civil registry and real property documents;
2. Act on problems relative to the delivery of basic services or to refer such problems to competent local authorities for resolution;
3. Maintain a record of permits and other documents acted upon; and
4. Recommend measures to the Municipal Mayor improving the workings of the One-Stop Shop.

- ❑ Cause the installation of Customer Complaint Desk [DILG MC No. 01-120, s. 2001]

AT - A - GLANCE

THE CUSTOMER COMPLAINT DESK SHOULD:

1. Act on red-tape related queries or complaints that are within its authority and competence to address;
2. Refer to the Municipal Mayor all red-tape related complaints against any local government personnel, for appropriate action;
3. Maintain a database on queries or complaints and actions taken;
4. Provide a regular update to the Municipal Mayor on customer feedback relative to the implementation of the internal regulatory system and One-Stop Shop.

On the Issuance of a Business Permit

- ❑ Require the submission of certificate of SSS coverage prior to issuance of any annual business license or permit [*MC No. 00-164, S. 2000; Section 24 (g), Social Security Act of 1997*]
- ❑ Require any person who intends to engage in the importation, exportation, production, reproduction, exhibition, showing, sale, lease or disposition of video gram to secure license from the Videogram Regulatory Board prior to the issuance of business permit [*DILG MC No. 03-17 ,s.2003*]

REMINDER FOR MUNICIPAL MAYORS IN THE NATIONAL CAPITAL REGION

Require business establishments to present a Certificate of Employer Registration (COER) for newly-registered employers or contractors, or a Certificate of PAG-IBIG Active Membership (CPAM) for actively paying and remitting employers or contractors issued by the PAG-IBIG Fund, prior to the issuance or renewal of a business permit [*DILG MC No. 04-29, s. 2004*]

- ❑ Extend preferential treatment to seaweed farming cooperatives in the granting of permits and licenses to operate within municipal waters [*DILG MC No. 98-68, s. 1998*]

WARNING!

Refrain from issuing a business permit or license to any pest control operator, pesticide dealer or distributor, as well as individuals or entities who would like to engage in similar business enterprise, unless duly registered with the Fertilizer and Pesticide Authority, or covered by a numbered provisional permit issued by the said Authority [DILG MC No. 95-147, s. 1995]

On the Issuance of a Building Permit

- ❑ Require owners of illegally constructed houses, buildings or other structures to obtain the necessary permits, or to make the necessary changes in the construction of the same when said construction violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance [Section 444 (b) (3) (vi), LGC]

- ❑ Require contractors for a development permit issued by the HLURB, prior to the issuance of building permits for condominium projects [EO No. 71 s. 93; DILG MC No. 97-106, s. 1997]

NOTE:

Direct the Municipal Engineer to issue a building permit only to a hospital project with a Permit to Construct Certificate issued by the DOH [DILG MC No. 96-26, s. 1996]

- ❑ Expedite the issuance of locational clearance for proposed ecozones, provided that the application for such clearance is consistent with the approved Land Use Plan and Zoning Ordinance [*DILG MC No. 97-220, s. 1997*]
- ❑ Enforce a 30-day time standard prescribed under EO No. 258 for the issuance of a development permit for a housing project, consistent with the CLUP and Investment Program of the municipality [*DILG MC No. 2000-136, s. 2000*]

WARNING!

For municipalities within the airport zones, refrain from issuing building permits unless a permit is first secured from the Air Transportation Office [*DILG MC No. 00-118, s. 2000*]

On the Issuance of Other Permits and Licenses

- ❑ Cause the prompt issuance of a barangay clearance and municipal permit or license in accordance with the LG Code and its implementing rules and regulations [*DILG MC No. 02-11, s. 2002*]
- ❑ Advance and promulgate measures for the adoption of effective registration procedures, including elimination of fees for registration of births and foundlings [*DILG MC No. 02-186, s. 2002*]

AT - A - GLANCE

Timelines in the issuance of Acceptability Endorsements on programs and projects requiring Environmental Clearance Certificates

- ⌚ **Consultation with NGOs, POs and other concerned sectors of the community** – not more than 1 week upon hearing other merits of the project proposal from the proponent, and upon evaluation that such is supportive of the development agenda of the municipality
- ⌚ **Enactment of the requisite Sanggunian Resolution** – not more than 2 weeks upon receipt of the results of the consultation accepting or endorsing the proposed project
- ⌚ **Preparation, approval and release of the endorsement** – not more than 1 day upon receipt of the Sangguniang Bayan [*DILG MC No. 03-58, s. 2003*]

Human Resource Management and Development

- ❑ Cause the formulation and implementation of a Municipal Human Resource and Development Program [*DILG MC No. 96-17, s. 1996; PD No. 284*]
- ❑ See to it that all municipal officials and employees faithfully discharge their mandated duties and functions [*Section 444 (b) (1) (x), LGC*]

AT - A - GLANCE

Relative to the effectiveness of the Municipal Human Resource Management and Development Program, ensure that the following are in place and operational, as appropriate:

- Human Resource Planning
 - Recruitment and Selection
 - Performance Evaluation
 - Human Resource Development
 - Career Development
 - Incentives and Awards System
 - Grievance Committee
-
- Act on leave applications of appointive officials and employees and the commutation of the monetary value of their leave credits *[Section 444 (b) (1) (xiv), LGC]*
 - Authorize payment for medical care, necessary transportation, subsistence, hospitalization or medical fees of officials and employees who are injured while in the performance of their official duties and functions, subject to the availability of funds *[Section 444 (b) (1) (xvii), LGC]*
 - Authorize official trips of officials and employees outside of the municipality for a period not exceeding 30 days *[Section 444 (b) (1) (xv), LGC]*
 - Review job descriptions of midwives, fill up all midwife positions that were vacated and create and/or retain the items of midwife in the plantilla *[DILG MC No. 03-89, s. 2003]*

REMINDERS REGARDING BARANGAY OFFICIALS AND PERSONNEL

- √ Encourage them to enrollment to the PhilHealth Program during their tenure to be paid out of barangay funds [DILG MC No. 02-66, s. 2002]
 - √ Encourage them to register as members of Pag-IBIG Fund [DILG MC No. 06-178, s. 2006]
-
- Ensure that occupational health and safety, sanitation and environmental conditions in the workplace of municipal government workers are made available and are adequately maintained by having annual mental or physical check-up, clean and adequate comfort rooms, potable water, safe building or office facilities and safety measures against fire and other hazards [DILG MC No. 98-54, s. 98]



NOTE:

The Municipal Mayor may:

- impose preventive suspension upon erring elective barangay officials [Section 63 (a) (3), LGC]; and
- impose preventive suspension upon erring appointive local officials and employees [Section 85, LGC]

LOCAL SOCIAL GOVERNANCE

- Cause the provision of **social welfare services** which include programs and projects on:
 - Child and youth welfare, family and community welfare, women's welfare, welfare of the elderly, and disabled persons
 - Community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victims of drug abuse
 - Livelihood and other pro-poor projects [Section 17, LGC]

- Cause the provision of **infrastructure facilities** to serve the needs of the residents of the municipality and which are funded out of municipal funds including but not limited to:
 - School buildings and other facilities for public elementary and secondary schools
 - Artesian wells, spring development, rain water collectors and water supply systems
 - Traffic signals and road signs
 - Public cemetery
 - Municipal buildings, cultural centers, public parks including freedom parks, playgrounds and sports facilities and equipment and other similar facilities [Section 17, LGC]

- Solemnize marriages, any provision of the law to the contrary notwithstanding [Section 444 (b) (1) (xviii), LGC]

- Strictly enforce all laws and ordinances prohibiting the selling and publishing of obscene and pornographic materials, publications, pictures, literatures and other

similar articles, including but not limited to the exhibition or giving away of indecent, immoral or obscene plays, scenes, acts or shows, whether live or in film [DILG MC No. 99-213, s. 1999; Article 201, Revised Penal Code]

- ❑ Prohibit the featuring of events or scenes in all shows or carnivals that degrade persons with disabilities [DILG MC No. 98-74, s. 1998]
- ❑ Cause the establishment of the Office for Senior Citizens Affairs [DILG MC No. 05-63, s. 2005]
- ❑ Direct Punong Barangays and community leaders to actively support the campaign and advocacy for the elimination of child labor [DILG MC No. 98-81, s. 1998]
- ❑ Take the lead in the observance of the National Children's month [DILG MC No. 99-217, s. 1999]

SUGGESTED ACTIVITIES IN THE OBSERVANCE OF THE NATIONAL CHILDREN'S MONTH

- √ Conducting symposia, meetings or similar activities about current issues and concerns of Filipino child;
- √ Child-friendly activities such as parades, children's march, caravans, field trips, photo exhibits, art contests, kiddy fairs and the like; and
- √ Sponsoring free mobile services such as medical, dental, food and nutrition services in favor of the less fortunate children and their families

- ❑ Cause the conduct of free registration of all indigent children *[DILG MC No. 06-86, s. 2006]*

- ❑ Implement the **Early Childhood Care Development (ECCD)** program by:
 - Supporting the organization of parent cooperatives to initiate the establishment of the ECCD program
 - Ensuring that service providers of public ECCD program in the municipality are justly compensated, that adequate funds are made available, and their working conditions are conducive to fulfill national quality standards
 - Providing counterpart for training and continuing education of ECCD service providers, and supporting the operations of municipal and barangay ECCD coordinating committees
 - Complying with the new set of standards in the accreditation of center-based ECCD Programs and Service Providers *[DILG MC No. 06-91, s. 2006; DILG MC No. 01-02, s. 2001]*

Health and Nutrition

- Cause the provision of **basic health services** which include the implementation of programs and projects on the following:
 - Primary health care, maternal and child care, communicable and non-communicable disease control services
 - Access to secondary and tertiary health services
 - Nutrition services
 - Family planning services
 - Clinics, health centers and other health facilities necessary to carry-out health services
 - Purchase of medicines, medical supplies, and equipment [Section 17, LGC]

- Implement measures to further improve the system of dengue case management and services [DILG MC No. 05-86, s. 2005; DILG MC No. 05-74, s. 2005]

- Support the **Polio-Free Maintenance Immunization Campaign**:
 - Direct the Municipal Health Office to oversee the vaccination activities in the municipality and coordinate all efforts with the Department of Health Field Office;
 - Establish “patak centers” in the area and send paramedical personnel to participate in the door-to-door immunization activities when necessary; and
 - Disseminate information on all sectors in the municipality to have all children below five years old receive oral anti-polio vaccine either at their homes or at the nearest “patak center” in their community [DILG MC No. 02-14, s. 2002]

- ❑ Strictly enforce the provisions of the Code on Sanitation and other related laws and ordinances in order to prevent and obviate possible outbreak of water and food-borne diseases and safeguard the health and safety of the public particularly the students and personnel of various schools [DILG MC No. 97-105, s. 1997, DILG MC NO. 99-44, s. 1999; PD No. 856]
- ❑ Support the implementation of the comprehensive and unified policy for tuberculosis control and tap or solicit the assistance of the private sector involved in health care services to do the same [DILG MC No. 03-93, s. 2003]
- ❑ Implement Youth Smoking Prevention Program, in partnership with socio-civic organizations [DILG MC No. 02-71, s. 2002; DILG MC No. 04-86, s. 2004]



NOTE:

- ✓ See to it that Voluntary Blood Donation Services is integrated in the Municipal Work and Financial Plans and include the same as an additional function of the Municipal Health Board [DILG MC No. 99-133, s. 1999; DILG MC No. 99-66, s. 1999]
 - ✓ Ensure that government ambulances are not used for any purpose other than the transport of patients [DILG MC No. 00-114, s. 2000]
- ❑ Coordinate with concerned law enforcement agencies in taking necessary steps to ensure the implementation of RA 9211, otherwise known as the Tobacco Regulatory Act of 2003 [DILG MC No. 04-86, s. 2004]

Education

- ❑ Coordinate and work closely with the Bureau of Non-Formal Education of the Department of Education, the Departments of Budget and Management, Social Welfare Development, and Interior and Local Government, and other government agencies and non-government organizations in the municipality in the development and implementation of literacy and non-formal education [*DILG MC No. 00-120, s. 2000*]
- ❑ Provide the necessary school site requirement of at least one-half hectare land area, as may be necessary [*DILG MC No. 01-167, s. 2001*]

Housing and Basic Utilities

- ❑ Provide technical, financial and other possible forms of support or assistance to Punong Barangays within the municipality to ensure that the problem of squatting is properly addressed [*MC No. 98-202*]
- ❑ Cause the submission of an updated report on lands identified for socialized housing and resettlement areas [*DILG MC No. 01-21, s. 2001*]
- ❑ Cause the maintenance of the operational autonomy of municipal water districts [*DILG MC No. 05-21, s. 2005*]

Peace, Security and Disaster Risk Management

- Cause the formulation or updating of the Peace and Order Annual Action Plan and implement the same for the preservation and maintenance of peace and order in the municipality [Section 444 (b) (2) (v), LGC; DILG MC No. 97-14, s. 19972]
- Cause the provision of sites for police and fire stations and substations and municipal jail [Section 17, LGC]
- Ensure the efficient and effective administration of Katarungang Pambarangay [Section 421, LGC]
- Strictly implement an Integrated Area Community Peace and Order and Public Safety Plan (IACPOPSP). In the absence of an IACPOPSP, formulate one and strictly implement the same [DILG MC No. 02-162, s. 2002]

AT - A - GLANCE

An Integrated Area Community Peace and Order and Public Safety Plan is of quality if characterized by the following elements:

- Participatory in its formulation
- Objectives, whether general or specific, clearly address peace and order and public safety
- Key activities to achieve such objectives are logical
- Timelines are provided for each key activity
- Responsibilities are clearly delineated relative to the implementation of key activities
- Financing scheme is an integral component of the plan
- Monitoring and evaluation is an integral component of the plan

On the Welfare of Women and Children

- Take the lead in the implementation of programs for children through the Local Council for the Protection of Children and the Lupong Tagapamayapa [DILG MC 05-95, s. 2005; DILG MC No. 02-121, s. 2002]
- Develop and implement programs and services for the children in conflict with the law (CICL) and provide funds thereof [DILG MC No. 06-104, s. 2006]

AT - A - GLANCE

Strengthen efforts against the following:

- sexual harassment [Republic Act No. 7877 ; DILG MC No. 01-37, s. 2001]
- violence against women and children [RA 9262; DILG MC No. 04-118, s. 2004]
- human trafficking [DILG MC No. 05-26, s. 2005; DILG MC No. 06-172, s. 2006]

On Actions against Illegal Gambling

- Adopt a concrete Action Plan against illegal gambling, particularly jueteng, in the municipality [DILG MC No. 02-105, s. 2002]
- Exert efforts to dispel the public perception that illegal gambling thrives because local and police officials either tolerate or connive with gambling lords, by being unrelenting in the campaign against jueteng and other forms of illegal gambling [DILG MC No. 02-105, s. 2005; DILG MC No. 01-161, s. 2001]

On Actions against Illegal Drugs

- ❑ Strengthen the Municipal Anti-Drug Abuse Council which shall be responsible for advocacy and information campaign against illegal drugs;
- ❑ Ensure that pushers and users are brought to justice; and
- ❑ Provide for a mechanism to obtain funds, volunteers, facilities and technical expertise [*Presidential Memorandum dated 01 August 2000; DILG MC No. 01-90, s. 2001; DILG MC No. 00-98, s. 2000; DILG MC No. 98-227, s. 1998; DILG MC No. 97-35, s. 1997*]
- ❑ Organize a Municipal Special Drug Education Center Team to establish and operate a Special Drug Education Center for out-of-school youth (OSY) and street children [*DILG MC No. 06-150, s. 2006*]

On Actions against Insurgency and Terrorist Threats

- ❑ Enforce security measures to counter terrorist threats and other forms of lawless violence [*DILG MC No. 03-80, s. 2003*]
- ❑ Support internal security operations against insurgency and other serious threats to national security:
 - Deputize barangay tanods as force multipliers in the implementation of peace and order plan in the municipality
 - Include in the Integrated Area Community Peace and Order and Public Safety Plan (IACPOPSP) of the municipality a priority program of action or thrusts in resolving the insurgency and other serious threats to national security [*EO No. 546 s. 2006*]

- Ensure that public safety, and peace and order during any public assembly or rally in a designated freedom park [DILG MC No. 06-42, s. 2006; DILG MC No. 06-79, s. 2006]

On Disaster Preparedness

- Prepare for the occurrence of natural events by:
 - Establishing support mechanism composed of non-governmental organizations, volunteer groups/ emergency responders, and community organizations;
 - Formulating a preparedness plan to include routes, protocols and Standard Operating Procedure for evacuation;
 - Ensuring the functionality of Local Disaster Coordinating Council and presence of an early warning system;
 - Identifying areas for evacuation centers and possible resettlement areas for affected people; and
 - Undertaking damage and needs assessment, and taking decisive and immediate action on areas that demand action. [DILG MC No. 06-20, s. 1996]

- Cause the submission of an updated Municipal Disaster Management Plan to the National Disaster Coordinating Council (NDCC) not later than every first (1st) quarter of every year [DILG MC No. 98-94, s. 1998]

AT - A - GLANCE

MUST-ITEMS IN THE MUNICIPAL DISASTER PREPAREDNESS PLAN

- warning and communication systems
- early evacuation from high-risk areas
- rescue and emergency operations
- distribution of relief goods and services
- reporting of situations and actions taken
- post-calamity clean-up
- medical assistance
- rehabilitation of agricultural and livelihood programs
- housing assistance
- burial service
- loan assistance [MC No. 98-94]

- Take the lead in carrying out emergency measures during and in the aftermath of man-made and natural disasters and calamities [Section 444 (b) (1) (vii), LGC]

Public Safety Concerns

- Strictly enforce the applicable provisions of the National Building Code and Fire Code, and see to it that no advertising billboard, signage or display media shall be constructed in the municipality that:
 - Endangers the safety of a person or property, or harms the public interest
 - Hinders public order or violates sound social morals
 - Contains information which suggests obscenity, indecency, or violence, both in textual and graphical forms
 - Conveys vague and double-ended messages to the public

- o Carries racially, sexually or ethnically abusive, offensive or objectionable content, or promotes social discrimination and prejudice against gender, beliefs and convictions
- o Obstructs the public view on natural scenery and hinders the enjoyment thereof [*DILG MC No. 04-158, s. 2004*]

AT - A - GLANCE

Ensure the safety of residents and prevent freak accidents from occurring on construction projects, through the following measures:

- Require the contractor to assume full responsibility for the proper safekeeping of construction materials and equipment used for the entire duration of the construction project and to assume liability for any untoward accident that may result from failure to observe the necessary precautionary measures, which shall be stipulated in the contract between the municipality and the contractor
- Require contractor to clear all construction debris away from the areas that may be possibly tripped on by passersby
- Provide visible marks or signs on high risk areas such as open canals, manholes and the like, lighting facilities in the construction sites and other precautionary measures
[DILG MC No. 95-87, s. 1995]

- Initiate the organization of in-house and community volunteer fire brigades to include the conduct of fire drills, periodic evaluation and inspection of fire fighting equipment and electrical installations and proper disposal of fire hazard materials *[DILG MC No. 96-73, s. 1996]*

Proposed Updates on the Duty to Intensify Action Against Illegal Drugs

- Ensure the mandatory inclusion in the Local Annual Budget of a substantial appropriation that can adequately assist in or enhance the enforcement of RA 9165, giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;
- Ensure that the provisions of Sections 51-53 of RA 9165 shall be strictly and faithfully enforced;
- Initiate the formulation of prevention and rehabilitation programs in their respective local government units;
- Initiate the conduct of symposia and dialogues with school authorities and students, owners and employees of business establishments, government officials and employees and the general public;
- Ensure the sustainability of rehabilitation or treatment program of drug dependents;
- Cause the enactment of an ordinance complementing the Comprehensive Drugs Act of 2002, if none has yet been passed, or to amend the same, to be consistent with the pertinent provisions of the said Act, and ensure the effective enforcement thereof;
- Ensure the Anti-Drug Abuse Councils at all levels perform their functions and responsibilities as embodied in relevant Department issuances (DILG MC No. 2009-09, s. 2009);

- Call on the local PNP, pursuant to their power of operational supervision and control over the local PNP under Section 51(2) of RA 6975, as amended by Section 62 of RA 8551, to conduct periodic or unannounced onsite inspection of dens, resorts, bars, karaoke bars, night clubs and other establishments or houses suspected of being used as drug dens or place of sale or delivery of illegal drugs;
- Ensure that the Administrative Board under Section 52 (1) of RA 9165 shall be created, functional and shall faithfully discharge their mandated task to abate nuisances contemplated under the said provision of PA9165;
- Revoke the business permit of any business establishment found by the Board created under Section 52 (1) of RA 9165 to be the site of the deliveries, sale and use of illegal drugs and substances;
- Provide support, financial or otherwise, to the local PNP that is necessary in its sustained operations against illegal drugs;
- Ensure that the Punong Barangays under their general supervision shall perform their responsibilities as embodied in this Circular and in other relevant Department issuances and pertinent laws (DILG MC No. 2009-09, s. 2009).

LOCAL ECONOMIC GOVERNANCE

Agriculture and Fisheries Development

- Cause the provision of extension and on-site research services and facilities related to agriculture and fishery activities which include:
 - Dispersal of livestock and poultry, fingerlings, and other seeding materials for aquaculture;
 - Palay, corn and vegetable seed farm;
 - Medicinal plant gardens;
 - Fruit tree, coconut, and other kinds of seedling nurseries;
 - Demonstration farms;
 - Quality control of copra and improvement and development of local distribution channels preferably thru cooperatives; and
 - Inter-barangay irrigation system. *[Section 17, LGC]*

- Organize, or activate, an Agri-Credit Desk in the municipality and designate a senior staff as Agri-Credit Information Officer *[DILG MC No. 97-262, s. 1997]*

- Ensure the maintenance of an up-to-date records of fishing vessels 3 gross tonnage and below and regularly submit to the MARINA Central Office or MARINA Regional Offices, the Philippine Coast Guard Station/Detachment and DA-BFAR the list of vessels registered *[EO No. 305 s. 2004]*

Entrepreneurship, Business and Industry Promotion

- ❑ Cause the provision of infrastructure facilities to serve the needs of the residents of the municipality and which are funded out of municipal funds including but not limited to:
 - Municipal roads and bridges
 - Communal irrigation, small water impounding projects
 - Fish ports
 - Public markets, slaughterhouses and other municipal enterprises [*Section 17, LGC*]

- ❑ Cause the provision of communication and transportation facilities [*Section 17, LGC*]

- ❑ Cause the provision of tourism facilities and other tourist attractions, including acquisition of equipment, regulation and supervision of business concessions, and security services for such facilities [*Section 17, LGC*]

- ❑ Cause the provision of necessary support and assistance to Public Market Vendors Cooperatives, if any, in the municipality [*DILG MC No. 02-69, s. 2002*]

- ❑ Initiate measures to ensure that the willing, able and unemployed residents of the municipality are hired in public works project, either locally, nationally or foreign-funded [*DILG MC No. 00-167, s. 2000; RA No. 6685*]

- ❑ Cause the development and implementation of a livelihood assistance program for victims of human trafficking [*DILG MC No. 06-172, s. 2006; DILG MC No. 05-26, s. 2005*]

- ❑ Coordinate with the Department of Energy for the conduct of periodic inspection of gasoline stations operating within the municipality to determine whether said establishments are complying with the provisions of RA 8479, otherwise known as the Downstream Oil Industry Deregulation Act of 1998, and its IRR [*DILG MC No. 04-113, s. 2004*]
- ❑ Cause the institution of appropriate charges against erring gasoline stations and/or suspend or revoke the licenses or permits issued to the said establishments for violation of law or conditions upon which said licenses or permits were issued [*DILG MC No. 04-113, s. 2004*]

On the Welfare of the Consumers

- ❑ Formulate policies and strategies to keep prices of basic consumer goods at reasonable levels [*DILG MC No. 05-130 s. 200; DILG MC No. 04-75, s. 2004; DILG MC No. 98-81, s. 1998*]
- ❑ Ensure a more meaningful national-local government collaboration in monitoring the prices of selected prime commodities, incidence of hoarding, violation of Price Tag Law, and other related concerns [*DILG MC No. 98-81, s. 1998; DILG MC No. 06-58, s. 2006*]
- ❑ Strictly enforce the Consumer Act of the Philippines and other related laws to ensure consumer protection by:
 - Putting in place Timbangan ng Bayan and enforcing compliance to weighing scale; and
 - Setting up and updating regularly of price billboards installed in wet markets [*DILG MC No. 06-58, s. 2006; DILG MC No. 92-47, s. 1992; Art. 62, RA No. 7394; RA No. 7160*]

NOTE:

Strictly implement the control measures in all slaughterhouses:

- Conduct an inventory of all markets and slaughterhouse owned or managed either by the municipality or by the Public Market Vendors Cooperative
- Direct the Municipality Veterinarian, or in his/her absence, the agriculturist, as the case may be, to actively participate in the supervision of the operation of slaughterhouses in the municipality [AO No. 32 s. 2002; DILG MC No. 03-52, s. 2003; DILG MC No. 01-94, s. 2001]

Proposed Updates On Other Matters (Levy, Imposition and Collection of Illegal Fees or Charges)

- Refrain from enforcing any existing ordinance authorizing the levy of fees and taxes on inter-province transport of goods, regulatory fees from passengers in local ports, and other additional taxes, fees or charges in any form upon transporting goods and passengers (DILG MC No. 2006 70, s. 2006);
- Cause the immediate repeal of ordinances authorizing the levy and collection of fees, taxes and other charges on transporting goods and passengers carried into or out of, or passing through, the territorial jurisdiction of the local government unit concerned (Sec. 133 (e), LUC); (DILG MC No. 2006-70, s. 2006);
- Strictly adhere to the fundamental principles, limitations and requisites of the exercise of the taxing powers by Local Government Unit (DILG MC Nos. 2009-42 and 2009-76, s. 2009)
- Rectify defective tax ordinances charging fees on passing through vehicles, especially those carrying agricultural goods and products (DILG MC Nos. 2009-42 and 2009- 76 s. 2009)

LOCAL ENVIRONMENTAL GOVERNANCE

Natural Resources Management

- ❑ Adopt adequate measures and standards to safeguard and conserve land, mineral, marine, forest and other natural resources of the municipality [*Section 444 (b) (3) (vii), LGC*]
- ❑ Implement water and soil resource utilization and conservation projects [*Section 17 (b) (2) (viii), LGC*]
- ❑ Cause the provision of seawalls, dikes, drainage and sewerage, and flood control facilities [*Section 17 (b) (2) (viii), LGC*]
- ❑ Strictly enforce fishery laws in municipal waters, including the conservation of mangroves [*Section 17 (b) (2) (i), LGC*]
- ❑ Cause the cancellation of business permits of pet shops or file appropriate charges against persons found violating Republic Act No. 9147, or the Wildlife Resources Conservation and Protection Act, and Republic Act No. 7578 or the National Integrated Protected Areas System Act of 1992 [*DILG MC No. 04-44, s. 2004*]
- ❑ Implement the provisions of the Code of Practice for Aquaculture:
 - Demolish illegal structures along a river or estuary which impedes normal water flow; and
 - Adopt measures preventing overcrowding and congestion in municipal waters, fish ponds, and fish pens, which may result to fish kills, when awarding a permit for the construction of a fish pen or of a sea cage [*DILG MC No. 02-64, s. 2002*]

- Cause the apprehension and prosecution of those engaged in the illegal trading of animals [DILG MC No. 00-91, s. 2000; RA No. 8485]

On Forest Management

- Implement community-based forestry projects which include integrated social forestry programs and similar projects, manage and control communal forests, and establish tree parks, greenbelts, and similar forest development projects [Section 17 (b) (2) (ii), LGC]

REMINDER:

Ensure that all Sangguniang Kabataan in every barangay allocate 10% of their annual budget for the operations of the Green Brigade [DILG MC No. 00-94, s. 2000; EO No. 52 s. 1998]

- Actively support the Anti-Illegal Logging Campaign by ensuring that any business permit applicant, using wood as raw material, has a certification from the DENR that said materials came from legal sources [DILG MC No. 98-203, s. 1998]

- Strictly implement existing policies, rules and regulations concerning forest management:
 - Enforce the provisions of the Joint DENR-DILG Memorandum Circular No. 98-01, which embodies the manual of procedures of DENR-DILG-LGU partnership on devolved and other forest management functions;
 - Mobilize the business community, civil society and the general public in reforestation activities; and
 - In coordination with the DENR, monitor the state of forests, report logging activities, arrest illegal loggers and file appropriate charges against the perpetrators [*DILG MC No. 04-166, s. 2004*]

Waste Management, Pollution Control and Urban Land Quality

- Cause the preparation and submission of the Municipal Solid Waste Management Plan [*DILG MC No. 01-48, s. 2001*]
- Cause the establishment of a solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation [*Section 17 (b) (2) (vi), LGC*]
- Cause the establishment of an incentive system for barangays which perform well in managing solid waste [*DILG MC No. 01-38, s. 2001*]
- Implement the Zero-Waste Management Technology through:
 - total recycling such as conversion of wastes into factory-returnable goods, fertilizers, feeds, fuel, fine crafts and filling materials;

- o adoption of methodologies in recycling wastes such as sorting, segregation at source, proper waste packaging and ecologically-sound disposal system; and
- o information campaigns on the benefits derived from the adoption of the technology. *[DILG MC No. 00-117, s. 2000]*

ROLE OF THE LGUs IN THE CLIMATE CHANGE AND VARIOUS ENVIRONMENT ISSUES

R.A. 9729 (Climate Change Act of 2009)

Sec. 14. Local Climate Change Action Plan. — The LGUs shall be frontline agencies in the formulation, planning and implementation of climate change action plans in their respective areas, consistent with the provisions of the Local Government Unit, the Framework and the National Climate Change Action Plan.

Barangays shall be directly involved with municipal and city governments in prioritizing climate change issues and in identifying and implementing best practices and other solutions. Municipal and city governments shall consider climate change adaptation, as one of their regular functions. Provincial governments shall provide technical assistance, enforcement and information management in support of municipal and city climate change action plans. Inter-local government unit collaboration shall be maximized in the conduct of climate-related activities.

LGUs shall regularly update their respective action plans to reflect changing social, economic, and environmental conditions and emerging issues. The LGUs shall furnish the Commission with copies of their action plans and all subsequent amendments, modifications and revisions thereof, within one (1) month from their adoption. The LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective action plans.

The local chief executive shall appoint the person responsible for the formulation and implementation of the local action plan.

It shall be the responsibility of the national government to extend technical and financial assistance to LGUs for the accomplishment of their Local Climate Change Action Plans.

The LGU is hereby expressly authorized to appropriate and use the amount from its Internal Revenue Allotment necessary to implement said local plan effectively, any provision in the Local Government Code to the contrary notwithstanding.

Memorandum Circular 2009-168 (October 27, 2009)

All Local Chief Executives are directed to strictly comply with the mandate of Republic Act No. 9003 (Ecological and Solid Waste Management Act of 2000), especially on the establishment of solid waste and materials recovery facilities, to wit:

Solid Waste Facility

- Closure of existing dump sites.
- Development and operation of sanitary landfill sites as final disposal sites for solid, and, eventually, residual wastes of a municipality or city or a cluster of municipalities or cities.

Pursuant to Section 44 of the Act, in relation to Section 33 of the Code, provinces, cities, municipalities and barangays, through appropriate ordinances, may consolidate, or coordinate their efforts, services, and resources for purposes of jointly addressing common solid waste management problems or establishing common waste disposal facilities

Materials Recovery Facility

- Establishment of LGU Materials Recovery Facility (MRF) in every barangay or cluster of barangays in a barangay-owned or leased land or in any suitable open space to be determined by the barangay through its Sanggunian.
- Allocation of a certain parcel of land by the barangay or cluster of barangays for the MRF.

The MRF includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility. Memorandum (June 2, 2009) Re: Manila Bay Clean Up, Rehabilitation and Preservation Addressed to All Mayors of Metropolitan Manila, the Governors, City Mayors and Municipal Mayors of and in Rizal, Laguna, Cavite, Bulacan, Pampanga and Bataan.

In compliance with a Supreme Court EN BANC decision promulgated on December 18, 2008, said LGUs are hereby directed to:

1. Immediately inspect all factories, commercial establishments, and private homes along the banks of major river systems, and other minor rivers and waterways that eventually discharge water into the Manila Bay, including lands abutting the bay, within our jurisdictions to determine whether they have wastewater treatment facilities or hygienic septic tanks as prescribed by existing laws, ordinances, and rules and regulations; and
2. Require non-complying establishments and homes to set up said facilities or septic tanks within a reasonable time to prevent industrial wastes, sewage water, and human wastes from flowing into these rivers, waterways, esteros, and the

Manila Bay, under pain a closure or imposition of fines and other sanctions. **Memorandum Circular No. 2008-69 (April 28, 2008)**

In order to address the various disaster concerns, all Local Chief Executives as Chairperson of the Local Disaster Coordinating Councils are encouraged to:

- mainstream climate change adaptation and disaster risk reduction measures into local policies, plans, budgets and investment programs as a priority concern;
- promote research and extension work on climate change adaptation thru local research institutions, the academe and other relevant stakeholders;
- engage in programs, projects and activities particularly in land and water use, land use change and forestry, reducing emissions from deforestation and degradation, coastal zones and fisheries, industry, facilities, farming practices, and indigenous clean energy;
- encourage greater participation of the local media, inter-faith groups and local schools in disseminating information on climate change adaptation, within the overall framework of sustainable development, to local communities, at the grassroots level;

- promote dialogues between workers and employers (when applicable) to realize the potential for green and decent jobs through positive support from workers and employers in the transition towards environmentally sustainable patterns of production and consumption; and
- vigorously collaborate with the provincial government and the Regional Development Council to push for more aggressive emission reduction targets and expeditious implementation of adaptation programs, projects and activities that will ensure direct benefits to the local communities.

Memorandum Circular No. 2007-131 (October 2, 2007)

In support of Philippine Clean Air Act of 1999 and the launching of the Linis Hangin Siudad / Munisipyo Program, all Local Chief Executives are hereby encouraged to actively participate in the said celebration by adopting or initiating appropriate measures to ensure the success thereof such as the following:

1. Issuance of city / municipal resolution or enactment of an ordinance on air pollution control
2. Inclusion of clean air policies in their respective local development plans.
3. Conduct of information campaign on the value smoke- free communities
4. Encouraging community leaders, civic organizations, religious organizations and school institutions to actively support the campaign against air pollution in their localities.

3 OFFICER-IN-CHARGE

OIC-MAYOR as distinguished from ACTING MAYOR

Acting Mayor is governed by Section 46 (a) of the Local Government Code, while OIC Mayor is governed by Section 46(c) of the same code.

When the Municipal Mayor is temporarily incapacitated to perform his duties for physical or legal reasons, such as but not limited to, leave of absence, travel abroad and suspension from office, the Municipal Vice Mayor shall automatically exercise the powers and perform the duties and functions of the Local Chief Executive concerned, except the power to appoint, suspend, or dismiss employees which can only be exercised if the period of temporary incapacity exceed thirty (30) working days

In this case, the automatic assumption by the Municipal Vice-Mayor, even on the first day of incapacity of the Municipal Mayor, is automatic and as such, he is properly defined as Acting Municipal Mayor. As Acting Municipal Mayor, he can perform all the functions, powers and duties of the Municipal Mayor except the limitations provided for in cases of appointment, suspension or dismissal of employees.

On the other hand, Section 46 (c) of the Code provides that when the Municipal Mayor is travelling within the country but outside his territorial jurisdiction for a period of not exceeding three (3) consecutive days, he may designate in full writing the OIC. Such authorization shall specify the powers and functions that the local official concerned shall exercise in the absence of local chief executive, except the power to appoint, suspend or dismiss employees.

In this case, it may be noted that the Municipal Mayor can designate any official of the Municipal Government as OIC for three (3) consecutive days while he is outside his territorial jurisdiction but within the country. It should be further noted that in case of designation of OIC, there is really, in contemplation of law, no temporary vacancy to speak of in the Office of the Municipal Mayor. The Municipal Mayor may designate the Municipal Vice-Mayor or any member of the Sanggunian or any appointive official of the province as OIC. But such designation can not exceed (3) days. Hence, on the 4th day, if the Municipal Mayor failed to return to his station, Section 46 (d) of the same Code will now apply, in which case, the Municipal Vice-Mayor shall assume as Acting Municipal Mayor on the 4th day of absence of the Municipal Mayor.

Who may be authorized to act as an OIC Municipal Mayor?

Per section 46 (c) of the Local Government Code, the Municipal Mayor may designate in writing any Municipal Official to act as OIC during his absence for three (3) days. The authorization shall specify the powers and functions that the local official concerned shall exercise.

How shall an OIC Municipal Mayor assume his functions?

With regards to OIC Municipal Mayor, upon presentation of a valid designation in writing, he can assume as OIC Municipal Mayor. (Section 26 (c), Local Government Code)

With regards to Acting Municipal Mayor, upon the occurrence of any event leading to the temporary incapacity of the Municipal Mayor, either for physical or legal reasons, the Municipal Vice Mayor automatically assumes as Acting Municipal Mayor. (Section 46 (a), Local Government Code)

When shall an OIC Municipal Mayor cease to act as such?

An OIC Municipal Mayor shall stop performing his or her functions as such on the 4th day of absence of the Municipal Mayor. This has to be so because his or her designation as OIC is effective only during the three (3) consecutive days absence of the Municipal Mayor, who is outside his or her jurisdiction but is within the country. On the 4th day, designation of OIC ceases to exist by operation of law and the Municipal Vice-Mayor shall now automatically assume as Acting Municipal Mayor pursuant to Section 46 (d) of the Local Government Code.

May the Municipal Vice-Mayor, acting as Acting Municipal Mayor continue to preside over the session of the Sangguniang Bayan?

In the case of *Gamboa vs. Aguirre* (G.R. No. 134213, July 20, 1991), the Supreme Court ruled that the Municipal Vice-Mayor, who is now acting as Acting Municipal Mayor, cannot anymore continue to preside over the session as this would violate the principle of separation of powers and functions. The Municipal Vice-Mayor, in his capacity as Acting Municipal Mayor, is expected to perform full-time executive functions which would include approval of ordinances. This pronouncement of the Supreme Court equally applies to provinces and municipalities.

May the Municipal Vice-Mayor, acting as OIC, continue to preside over the session of the Sangguniang Panlungsod?

The situation is different between the OIC and Acting. As earlier noted, in the acting capacity, there is temporary vacancy in the Office of the Municipal Mayor, while in OIC capacity, there is no temporary vacancy in the Office of the Municipal Mayor. Moreover, OICs exercise only limited powers as may be contained in the letter-authorization designating him as such. Hence, if incidentally, the Municipal Vice Mayor as the one designated as OIC, he can still continue to preside over the session of the Sanggunian since the ruling in the *Gamboa* case will not apply.

As a mere OIC, he has no power to perform all the functions and powers of the Municipal Mayor and more importantly, he or she is now empowered to approve ordinances. Such being the case, the violation of separation of powers and functions, the evil sought to be avoided in the *Gamboa* ruling, is not present. Since, anyway, as OIC he has no power to approve ordinances enacted by the Sanggunian.

May the Municipal Vice-Mayor, acting as OIC, appoint officials?

No. Under CSC rules on appointment, an OIC cannot issue an appointment.

What are the tasks and responsibilities of an OIC Municipal Mayor?

Act or perform in accordance with the authorization given by the Municipal Mayor, such as, but not limited to:

- sign and approve vouchers for the payment of salaries of municipal employees;
- sign and approve vouchers and requisitions, purchases of essential supplies and hospital subsistence, if any;- attend conferences as well as other ceremonial functions in representation of the office of the Municipal Mayor; and
- perform routinary and administrative functions such as supervision of the day to day operations of the Office of the Municipal Mayor. [Section 46 (a), LGC]

LIMITATIONS OF THE POWERS AND FUNCTIONS OF AN OIC MUNICIPAL MAYOR

- √ Act upon transactions which are policy-determining, confidential and highly technical in nature and upon those involving contracts;
- √ Appoint, suspend or dismiss municipal employees, when the temporary incapacity of the Municipal Mayor does not exceed thirty (30) days. *[Section 46, LGC]*; and
- √ Perform such powers and functions not specified in the authorization given by the Municipal Mayor, or in excess thereof.

