

A Simple Reference Guide to Action

THE CITY MAYOR

Tasks and Responsibilities
Checklist
2nd Edition

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THE CITY MAYOR

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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.

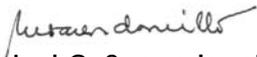

Marivel C. Sacendoncillo
Executive Director

Table of Contents

- i. Message from the DILG, 4
- ii. Message from the Executive Director, 5

- I. Starting Up: Tasks and Responsibilities for the First 100 Days in Office, 8
- II. Gearing Up for the Continuing Tasks, 15
 - o Local Administrative Governance, 15
 - o Local Social Governance, 38
 - o Local Economic Governance, 56
 - o Local Environmental Governance, 62
- III. Officer-in-Charge City Mayor, 71

1 STARTING UP

TASKS AND RESPONSIBILITIES FOR THE FIRST 100 DAYS IN OFFICE

General Administrative Concerns

- Exercise general supervision and control over all programs, projects, services and activities of the City Government [Section 455 (b) (1), LGC]
- Present the program of government and propose policies and projects for the consideration of the Sangguniang Panlungsod [Section 455 (b) (1) (iii), LGC]

IMPORTANT REMINDERS

-  Subscribe to an **Oath or Affirmation of Office**, upon assumption, together with other elective and appointive city officials and employees [Section 92, LGC]; and
-  File sworn **Statement of Assets, Liabilities and Net Worth**, lists of relatives within the fourth degree of consanguinity or affinity in government service, financial and business interests, and personnel data sheets, as required by law [Section 91, LGC]

- Call upon any national official or employee stationed in or assigned in the city to advise him on matters affecting the city and to make recommendations thereon [Section 455 (b) (1) (xvi), LGC]

ORGANIZATION OF LOCAL SPECIAL BODIES

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

- City Development Council [Section 106, LGC]
- City School Board [Section 98, LGC]
- City Health Board [Section 102, LGC]
- City Bids and Awards Committee [RA 9184]
- City Peace and Order Council [Section 116, LGC; EO 309, as amended]
- People's Law Enforcement Board [Article 187, IRR, LGC; DILG MC No. 06-59, s. 2006]

FORMULATION OF THE EXECUTIVE AND LEGISLATIVE AGENDA

- Cause the formulation of a term-based ELA [DILG MC No. 04-64, s. 2004]

NOTES ON THE EXECUTIVE AND LEGISLATIVE AGENDA

1. The Executive and Legislative Agenda highlights priority areas for improvements, or reforms;
2. 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.
 - Environmental management – natural resources management; and waste management and pollution control; and
3. In the formulation of the ELA, involve the civil society and the business community [*DILG MC No. 2007-114, s. 2007*]

ON OTHER PLANS

- Cause the formulation, or the updating, of the Comprehensive Land Use Plan [DILG MC No. 2007-114, s. 2007]
- Cause the formulation of the City Development Plan [Section 455 (b) (1) (ii), LGC]

PERSONNEL ACTIONS

- Ensure that all personnel actions are in accordance with the civil service laws, rules and regulations [Section 77, LGC]
- Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of city funds and whose appointments are not otherwise provided for in the Local Government Code [Section 455 (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 455 (b) (1) (viii), LGC]
-  Allocate and assign office space to officials and employees. [Section 455 (b) (1) (ix), LGC]

POINTERS IN THE PREPARATION OF THE ANNUAL 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 city [Section 324 (b), LGC]
- ☞ **Debt Servicing** - shall not exceed 20% of the regular income of the city
- ☞ **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 local governments
- ☞ **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
- ☞ **1% of the Internal Revenue Allotment** of the city 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]

ON PEACE AND SECURITY

- Cause the formulation, or updating, and implementation of the City Peace and Order Annual Action Plan for the preservation and maintenance of peace and order [DILG MC No. 97-142, s. 1997]
- Cause the formulation, or updating, and implementation of the Integrated Area/Community Peace and Order and Public Safety Plan [DILG MC No. 02-162, s. 2002]

OTHER CONCERNS

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

REMINDER

The City Mayor is to direct the City Accountant and Barangay Officials on the submission of the **Monthly Financial Statements** to the Sangguniang Panlungsod 30 days after the close of each month, and the **Year-End Statement of Accounts**, 60 days after the 31st of December [DILG MC No. 96-161, s. 1996]

- Cause the establishment of a local revenue management information system *[DILG MC No. 98-51, s. 1998]*

- Institute, or cause to be instituted, administrative or judicial proceedings for violation of ordinances in the collection of taxes, fees or charges, and for the recovery of funds and property *[Section 455 (b) (3) (ix), LGC]*

- Cause the formulation, or updating, and enforcement of the City Environmental Code *[DILG MC No.97-267, s. 1997]*

2 GEARING UP

CONTINUING TASKS AND RESPONSIBILITIES

LOCAL ADMINISTRATIVE GOVERNANCE

Enforce all laws and ordinances relative to the governance of the city, and in the exercise of its corporate powers, and cause the implementation of all approved policies, programs, projects, services and activities of the city [Section 455 (b) (2), LGC]

Call conventions, conferences, seminars or meetings of elective or appointive officials of the city [Section 455 (b) (2) (ii), LGC]

Exercise general supervision over component barangays:
[Section 32, LGC]

Ensure that the acts of component barangays and their officials and employees are within the scope of their prescribed powers, duties and functions [Section 455 (b) (2) (i), 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 455 (b) (1) (xiii), LGC];

- Ensure that all barangays have complete or updated Registry of Barangay Inhabitants [DILG MC No. 06-134, s. 2006]; and
- May impose preventive suspension upon erring elective and appointive officials and employees [Sections 63 (a) (3) and 85, LGC]
- Establish cooperative undertakings of the city with other local government units [Section 33, LGC]
- Take the lead in the replication of exemplary practices of other local governments, as appropriate [DILG MC No. 04-152, s. 2004]
- Cause the city to be defended against all suits to ensure that its interests, resources and rights are adequately protected [Section 455 (b) (3) (ix), LGC]
- Represent the city in all its business transactions and sign in its behalf all bonds, contracts and obligations, and other documents, upon authority of the Sangguniang Panlungsod [Section 455 (b) (1) (vi), LGC]
- 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 455 (b) (1) (xx), LGC and DILG MC No. 07-24, s. 2007]

- See to it that the Annual Report, also referred to as the 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 city officials to undertake [DILG MC No. 07-24, s. 2007]
- Apply and secure permission from proper authorities before going on Official Travel outside of the city [Section 96, LGC]

ON TRANSPARENCY

Carry out an **Open-Door-Policy Type of Governance** to bring the government closer to the people by way of:

- Institutionalizing a policy that allows people from all walks of life access to city government offices;
- Designating a Citizens' Desk, at the lobby of the city hall, properly identified and completely manned at least eight hours a day to provide information and other forms of assistance;
- Conducting regular informative tours for the youth to city offices to familiarize them on the workings of the city government; and
- Establishing semi-permanent bulletin boards or billboards containing information such as duties and functions of city offices, programs and services [DILG MC No. 96-45, s. 1996, as amended]

- ☐ Primarily responsible for the implementation of Republic Act No. 9485, otherwise known as the 'Anti-Red Tape Act Of 2007 and shall be held accountable to the public in rendering fast, efficient, convenient and reliable service (*Section 7, R.A. 9485; Section 1, Rule V, ARTA Implementing Rules and Regulations [IRRJ]*) by:
 - √ Creation or establishment of a Citizen's Charter that describes the step-by-step procedure for availing a particular service, and the guaranteed performance level that they may expect for that service. It could come in the form of published materials written in English, Filipino, or in the local dialect. (*Section 6, R.A. 9485, Rule IV, IRR*)
 - √ Adoption of appropriate working schedules or mechanisms such as but not limited to rotation system among office personnel, sliding flexi-time, reliever system to ensure the uninterrupted delivery of frontline services.
 - √ Prescribe, through an appropriate office order, the rules on the proper authority to sign in the absence of the regular signatory. (*Section 3, Rule III, IRR*)
 - √ Review the Citizen's Charter whenever necessary, but not less than once every two years. (*Section 4, Rule IV, IRR*)
 - √ Undertake a continuing basis programs to promote customer satisfaction and improve service delivery by:
 - a. Promptly acting on the applications and requests by either an acceptance or denial thereof. No application or request shall be returned to the client without *appropriate action*. (*Section 2, Rule VI IRR*)

- b. Use of proper identification cards which must be worn during office hours by all officers and employees transacting with the public. (*Section 4, Rule VI, IRR*).
(*Section 4, Rule VI, IRR*)

- c. Establish a Public Assistance Desk / Complaints Desk where an officer or knowledgeable officer or employee shall remain available for consultation and advice. Other mechanism such as hotline numbers, short message service, information communication technology, one-stop shops or walk-in service counters, and special lanes for pregnant women, senior citizens, and persons with disabilities may be instituted. (*Section 5, rule VI, IRR*)

ON PARTICIPATION

Promote the establishment and operation of **People's and Nongovernmental Organizations** to become active partners in the pursuit of local autonomy through: *[Section 34, LGC]*

- Entering into joint ventures and other cooperative arrangements with people's and nongovernmental organizations to engage in the delivery of certain basic services, capability-building and livelihood projects in the city *[Section 35, LGC]; and*
- Causing the provision of assistance, financial or otherwise, to accredited city-based people's and nongovernmental organizations for economic, socially-oriented, environmental, or cultural projects to be implemented in the city *[Section 36, LGC]*

Regarding the Indigenous and 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 city [DILG MC No. 02-89, s. 2002];
- 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]

ON DEVELOPMENT PLANNING

- Cause the formulation, or the updating, of the Comprehensive Land Use Plan and see to it that the zoning ordinance is strictly enforced [DILG MC No. 04-133, s. 2004]
- Seek assistance from the Housing and Land Use Regulatory Board or directly contract the services of private technical experts or consultants to ensure transparency and to fast track the formulation or updating of the CLUP [DILG MC No. 01-76, s. 2001]

REMINDERS FOR COMPONENT CITIES

If the CLUP is not acted upon by the Sangguniang Panlalawigan within the prescribed three-month period:

1. Issue a corresponding certification that the CLUP was not acted upon by the Sangguniang Panlalawigan; and
2. Submit to the DILG Central Office, through the DILG Regional Office, the CLUP, together with such certification on the inaction by the Sangguniang Panlalawigan.

ON OTHER PLANS

- Direct the formulation and implementation of the city development plan [Section 455 (b) (1) (ii), LGC]
- Adopt the Medium Term Youth Development Plan for CY 2005-2010, and every five years thereafter, in the formulation and implementation of youth-oriented programs and policies [EO No. 438, s. 2005]

REMINDERS IN FORMULATING PLANS

- ☞ Include the Rights-Based Approach (RBA) in City Government Plan of Action.
- ☞ Appropriate funds for RBA programs and apply this approach to development planning, programming, budgeting and policy formulation.
- ☞ Ensure that appropriate access improvement interventions based on IRAP analysis, findings, and recommendations are integrated in the Annual Investment Plan.
- ☞ Incorporate development projects on culture and arts in the short and long-term development plans.
- ☞ Incorporate in the annual development plan, programs or projects that will enhance the development and the management of fisheries and other aquatic resources [DILG MC No. 98-68, s. 1998; DILG MC No. 01-131, 2001]

REMINDERS IN SUBMITTING PLANS

- ☞ Submit the updated Comprehensive Medium-Term Annual Investment Plan and Land Use Plan to DILG Regional Office to include approved zoning ordinances [DILG MC No. 97-221, s. 1997]
- ☞ Submit the Annual Development Plan to the DILG, copy furnished DBM. Release of the 20% DF shall be in accordance with the procedures and guidelines issued by the DBM for the speedy and effective enforcement of the provisions of Section 288 of RA 7160 and its implementing rules and regulations [DILG MC No. 01-55, s. 2001; EO No. 189, s.1999]

ON REVENUE GENERATION

- Cause the generation of resources and revenues to finance the implementation of development plans, programs, objectives and priorities [Section 455 (b) (3), LGC and DILG MC No. 99-111, s. 1999]

Enhance tax enforcement and collection efforts by:

- Ensuring the withholding of correct taxes and remitting the same to competent bodies;
- Including the TIN in all application for government permits, CTC and other official papers and documents;
- Submitting updates on the current and fair market value of a property;

- Providing the Bureau of Internal Revenue with an alphabetical list of taxpayers;
- Providing the Revenue District Office with the list of contractors who are engaged in government contracts and the list of professionals who are issued with profession or occupation tax;
- Requiring the presentation of proper documents prior to the renewal of business permit;
- Assisting 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;
- Submitting requirements useful in the computation of certificates to BIR;
- Assisting the Revenue District Office in locating unregistered taxpayers and delinquent taxpayers; and
- 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]
- 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 as provided for by law [DILG MC No. 99-151, s. 1999; DILG MC. No. 95-164, s. 1999; Revenue Memorandum Orders 14-98 and 70-98]

- Imposing terminal, parking and other similar fees and enforce regulations on the routing of PUVs in strict conformity with the approved route mandated by the LTFRB [DILG MC No. 02-17, s. 2002]
- Causing the inclusion in the annual budget appropriations for the operational and logistical support to the PNP in the city [EO No. 546, s. 2006]
- Causing the codification of revenue ordinances with the aim of improving local revenue administration [DILG MC No. 98-51, s. 1998]

ON OTHER MATTERS (LEVY, IMPOSITION, AND COLLECTION OF ILLEGAL FEES AND 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)

ON RESOURCE ALLOCATION AND UTILIZATION

REMINDER

Prior to the issuance of a Tax Declaration, require a Certification from the Directors of the FMB and the LMB, or their duly authorized representatives, that the area declared for taxation purposes is alienable and disposable
[DILG MC No. 99-165, s. 1999; PD No. 705]

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

1. Social Development

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

2. Economic Development

- Implementation of a livelihood or entrepreneurship development program or project;
- Construction or 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;
- Construction or rehabilitation of farm-to-market roads;
- Construction or rehabilitation of local roads or bridges; and
- Other programs or projects of similar nature.

3. Environmental Management

Construction or rehabilitation of sanitary landfill or controlled dumpsite and purchase of a garbage truck or related equipment;

Community reforestation or urban greening projects;

REMINDER

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]

Flood control programs or projects such as de-clogging of canals or de-silting of rivers; and

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 and DILG and DBM Joint Memorandum Circular No. 1, s. 2005]

Require each head of office or department to prepare and submit an estimate of appropriations for the ensuing calendar year on or before the 15th of July of every year [Section 455 (b)(3) (i), LGC]

Cause the preparation and submission of the Executive Budget to the Sangguniang Panlungsod not later than the 16th day of October of the current fiscal year [Section 318, LGC]

Cause the preparation of the Annual Procurement Program for the ensuing fiscal year on or before the 15th day of July of each year [Section 373, LGC]

ON FINANCIAL ACCOUNTABILITY

- Cause the provision of efficient and effective property and supply management in the city and protect the funds, credits, rights and other city properties [Section 455 (b) (3) (viii), LGC]

NOTE

A City Finance Committee is to be organized, or re-organized, in the local government [Section 316, LGC]

- Direct the City Accountant and Barangay Treasurers to submit monthly accounts to the City Auditor [DILG MC No. 96-161, s. 1996]

- Cause the appointment of a bookkeeper for every 15 barangays subject to the approval of the

Sangguniang Panlungsod and availability of funds [DILG MC No. 96-161, s. 1996]

Monitor compliance of the city government and component barangays concerning financial transactions:

- Direct the City Accountant and Barangay Officials on the submission of the Monthly Financial Statements to the Sangguniang Panlungsod 30 days after the close of each month, and the Year-end Statement of Accounts, 60 days after the 31st of December [DILG MC No. 96-161, s. 1996];
- Direct the conduct of annual physical inventory of properties and equipment in all barangays every year-end and the submission of reports to the City Auditor;

- Direct the submission of Monthly Bank Reconciliation Statement by the City Accountant on Barangay Depository Account to the City Auditor for verification and review;
- Direct the posting of itemized revenues and expenditures by the Punong Barangays or Barangay Treasurers within 30 days after the end of each year in at least three conspicuous places in the barangay as provided by Section 352 of the LG Code; and
- Cause legal actions against barangay officials who misuse barangay funds or properties *[DILG MC No. 96-161, s. 1996]*
- Before entering into a contract, exert all efforts to determine that the private contracting party is free and clear of all tax liabilities to the government *[Section 2, EO No. 398, s. 2005]*
- Strictly adhere to the government policy on austerity and economy measures *[DILG MC No. 2000-13, s. 2000; AO No. 339, NBC No. 446-A]*

TIMELINES IN THE ISSUANCE OF ENDORSEMENT

- ☞ **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 LGU;
- ☞ **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; and
- ☞ **Preparation, approval and release of the endorsement** – not more than one (1) day upon receipt of the Sanggunian *[DILG MC No. 03-58, s. 2003]*

ON 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 city 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; 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]

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 City Mayor improving the workings of the One-Stop Shop.

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

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 City 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; and
4. Provide a regular update to the City Mayor on customer feedback relative to the implementation of the internal regulatory system and One-Stop Shop.

Cause the prompt issuance of the following:

- Barangay clearance and city permit or license in accordance with the LG Code and its implementing rules and regulations [DILG MC No. 02-11, s. 2002]; and
- Locational clearance for proposed ecozones, provided that the application for such clearance is consistent with the approved Land Use Plan and Zoning Ordinance of the city [DILG MC No. 97-220, s. 1997]
- Require the submission of a Certificate of SSS coverage prior to issuance of any annual business license or permit [DILG MC No. 2000-164, s. 2000; Section 24 (g), Social Security Act of 1997]

- Require the employers of business establishments to permanently display their SSS Certificates of Registration beside their licenses or permits and provide the SSS with an annual list of business establishments which have not renewed their business license or permit [DILG MC No. 96-181, s. 1996]

**REMINDER FOR CITY MAYORS
IN THE NATIONAL CAPITAL REGION**

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

Regarding the Issuance of Business Permits:

- 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 FPA, or covered by a numbered provisional permit issued by the said Authority [DILG MC No. 95-147, s. 1995];
- Direct the City 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]; and

- For a city within an airport zone, refrain from issuing a building permit unless a permit is first secured from the Air Transportation Office *[DILG MC No. 2000-118, s. 2000]*
- Enforce a 30-day time standard prescribed under EO 258 for the issuance of a development permit for a housing project, consistent with the CLUP and investment program of the city *[DILG MC No. 2000-136, s. 2000]*
- Require any contractor for a development permit issued by the HLURB, prior to the issuance of a building permit for a condominium project *[EO No. 71 s. 93 and DILG MC No. 97-106, s. 1997]*
- Require the owner of an illegally constructed house, building or other structure to obtain the necessary permit, or to make the necessary change 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 455 (b) (3) (vi), LGC]*

***ON HUMAN RESOURCE MANAGEMENT
AND DEVELOPMENT***

- See to it that all city officials and employees faithfully discharge their mandated duties and functions *[Section 455 (b) (1) (x), LGC]*

- Act on leave applications of appointive officials and employees and the commutation of the monetary value of their leave credits *[Section 455 (b) (1) (xiv), LGC]*
- Authorize official trips of city officials and employees outside of the city for a period not exceeding 30 days *[Section 455 (b) (1) (xv), LGC]*
- Determine the time, manner and place of payment of salaries or wages of the officials and employees, according to law or ordinance *[Section 455 (b) (1) (viii), LGC]*
- Authorize payment for medical care, necessary transportation, subsistence, hospital or medical fees of city officials and employees who are injured while in the performance of their official duties and functions, subject to the availability of funds *[Section 455 (b) (1) (xvii), LGC]*
- Initiate the formulation and implementation of a City Human Resource and Development Program *[DILG MC No. 96-171, s. 1996; PD No. 284]*
- Allocate and assign office space to officials and employees *[Section 455 (b) (1) (ix), LGC]*
- Ensure that occupational, health and safety, sanitation and environmental conditions in the workplace of local government workers are made available and are adequately maintained by having regular annual mental,

physical or medical 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. 1998]

- ☐ Cause the review of job descriptions of midwives; fill up all midwife positions that were vacated; and create or retain the items of midwife in the plantilla [DILG MC No. 03-89, s. 2003]

REMINDERS REGARDING BARANGAY OFFICIALS

- ☝ Encourage them to enroll, together with their personnel and volunteers, 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 the Pag-IBIG Fund. [DILG MC No. 06-178, s. 2006]

LOCAL SOCIAL GOVERNANCE

- Cause the provision of the following basic services and facilities [Section 17, LGC]:

1. 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;
- Nutrition services; and
- Family planning services.

2. Infrastructure facilities to serve the needs of the residents of the city and which are funded out of city funds including but not limited to:

- School buildings and other facilities for public elementary and secondary school;
- Clinics, health centers and other health facilities necessary to carry-out health services;
- Artesian wells, spring development, rain water collectors and water supply systems;
- Traffic signals and road signs;

- Public cemetery;
- Tourism facilities and other tourist attractions, including acquisition of equipment, regulation and supervision of business concessions, and security services for such facilities;
- Communication and transportation facilities;
- Sites for police and fire stations and substations and city jail; and
- City buildings, cultural centers, public parks including freedom parks, playgrounds and sports facilities and equipment and other similar facilities.

- 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]*

- Encourage full participation of the constituents to ensure the success of Commission on Filipinos Overseas-sponsored activities *[DILG MC No. 01-67, s. 2001]*

- Solemnize marriages, any provision of law to the contrary notwithstanding *[Section 455 (b) (1) (xviii), LGC]*

- Beyond the customary activities of wreath-laying, flag-raising, parades, and the like, celebrate Philippine Independence Day by embarking into activities that address the concerns of the poor such as medical missions, job fairs, and other special programs or activities in government cultural facilities *[DILG MC No. 99-87, s. 1999]*

- Enjoin constituents to actively participate in sports activities [Section 455 (b) (1) (xix), LGC; DILG MC No. 98-26, s. 1998]
- Strictly enforce the law or ordinance which prohibit the selling of obscene and pornographic materials, publications, pictures, literatures and other similar articles, including 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 of the Revised Penal Code]
- Cause the apprehension of any violator of such law or ordinance and effect the confiscation of obscene pictures, materials, articles, publications, literatures and other materials [DILG MC No. 99-213, s. 1999; Article 201 of the Revised Penal Code]
- 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]
- Ensure the efficient and effective implementation and administration of Katarungang Pambarangay [Section 421, LGC]
- Cause the implementation of a program or service in favor of children in conflict with the law [DILG MC No. 06-104, s. 2006]

Strengthen efforts against **human trafficking** through the following strategies:

- Enactment, and enforcement, of city ordinance against human trafficking; and
- Conduct of information dissemination campaign [DILG MC No. 05-26, s. 2005; DILG MC No. 06-172, s. 2006]
- Enforce the Anti-Sexual Harassment Act of 1995 [DILG MC No. 01-37, s. 2001]

ON SENIOR CITIZENS, WOMEN AND CHILDREN

Organize, or reorganize, the following:

- Local Council for Women [DILG MC No. 01-163, s. 2001];
and
- City Council for the Protection of Children [DILG MC No. 02-121, 2002]
- Strongly support the campaign and advocacy for the elimination of child labor [DILG MC No. 98-81, s. 1998]
- Enforce the Anti-Violence Against Women and Their Children Act of 2004 [DILG MC No. 04-118, s. 2004]
- Strengthen the operations of Local Council of Women [DILG MC No. 02-167, s. 2002; DILG MC No. 06-125, s. 2006]

- Establish and allocate funds for senior citizens and day care centers [DILG MC No. 98-102, s. 1998]
- Establish, or strengthen, the Office for Senior Citizens Affairs [DILG MC No. 05-63, s. 2005]
- Cause the enactment, and enforcement, of an ordinance against the commercial and sexual exploitation of children [DILG MC No. 99-164, s. 1999]
- Cause the conduct of free registration of all indigent children [DILG MC No. 2006-86, s. 2006]

Implement the **Early Childhood Care Development (ECCD)** program by:

- Supporting the organization of parent cooperatives to initiate the establishment of ECCD program;
- Ensuring that service providers of public ECCD program in the city are justly compensated, that adequate funds are made available, and that 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 city ECCD Coordinating Committee [DILG MC No. 01-02, s. 2001]; and
- 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]

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
[DILG MC No. 99-217, s. 1999]

ON HEALTH AND NUTRITION

Cause the provision of the following **basic health services** which include the implementation of programs and projects on the following [*Section 17, LGC*]:

- Primary health care, maternal and child care, communicable and non-communicable disease control services;
- Access to secondary and tertiary health services; and
- Purchase of medicines, medical supplies, and equipment.

Support the promotion of food safety by:

- Causing the enactment of a local legislative measure to promote food safety, if none has been passed thus far, or to review an existing ordinance on the matter to ensure its relevance in the overall efforts to address food poisoning and other food-borne diseases, and the enforcement of the said measure;

- Adopting a city Declaration of Commitment to food safety [*DILG MC No. 99-194, s. 1999*]; and
- Conducting appropriate and fitting activities, e.g., visits to public markets and other food handling facilities to underscore the imperatives of ensuring food safety [*DILG MC No. 99-194, s. 1999*]

Support the **Polio-Free Maintenance Immunization Campaign:**

- Direct the City Health Office to oversee the vaccination activities in the city and coordinate all efforts with the DOH 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 city to have all children below five years old receive oral anti-polio vaccine either at their homes or at nearest “patak centers” in their community [*DILG MC No. 02-14, s. 2002*]

Regarding smoking:

- Implement a Youth Smoking Prevention Program, in partnership with socio-civic organizations, to ensure the success of the Youth Smoking Prevention Campaign of the government [*DILG MC No. 04-86, s. 2004 and DILG MC No. 02-97, s. 2002*];
- Coordinate with concerned law enforcement agencies in taking necessary steps to ensure the implementation of Republic Act No. 9211, otherwise known as the *Tobacco Regulatory Act of 2003* [*DILG MC No. 04-86, s. 2004*];

- Cause the immediate enactment, and enforcement, of an ordinance prohibiting the selling of cigarettes and other tobacco products to persons below 18 years of age, and implement youth smoking prevention program, in partnership with socio-civic organizations, to ensure the success of the anti-youth smoking campaign of the government [DILG MC No. 02-71, s. 2002]; and
- Support the implementation of the comprehensive and unified policy for tuberculosis control in the Philippines and tap or solicit the assistance of the private sector involved in health care services [DILG MC No. 03-93, s. 2003]

Extend full support and participation to the **Voluntary Blood Donation Program** by:

- Providing funds as may be necessary and appropriate [DILG MC No. 96-66, s. 1996]; and
- Integrating the Voluntary Blood Donation Services in the City Work and Financial Plan and including the same as an additional function of the City Health Board [DILG MC No. 99-133, s. 1999; DILG MC No. 99-66, s. 1999]

Other Health and Nutrition Services:

- Initiate the creation of a city physical fitness and sports development council in support of the national policy of *Sports For All* [DILG MC No. 96-97, s. 1996; EO Nos. 63 and 64];
- Establish and operate a Special Drug Education Center for out-of-school youth and street children [DILG MC No. 06-150, s. 2006];

- Strictly enforce the provision 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; MC No. 99-44, s. 1999; PD 856];
- 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];
- Cause the enactment of a city ordinance, or amend or supplement such ordinance already in existence, in support of the intent and provisions of Republic Act No. 8050, otherwise known as the Revised Optometry Law of 1995 [DILG MC No. 04-148, s. 2004];
- Ensure that government ambulances are not used for any purpose other than the transport of patients [DILG MC No. 2000-114, s. 2000]; and
- Prohibit the featuring of events or scenes in all shows or carnivals that degrade persons with disabilities [DILG MC No. 98-74, s. 1998]

ON 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 city in the development and implementation of literacy and non-formal education [DILG MC No. 2000-120, s. 2000]

- Include the Eradication of Illiteracy as one of the priorities in the city development plan, provide funds and implement the same *[DILG MC No. 2000-120, s. 2000]*
- Ensure the participation of NGOs and the community in the eradication of illiteracy *[DILG MC No. 2000-94, 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]*

ON HOUSING AND BASIC UTILITIES

- Provide technical, financial and other possible forms of support or assistance to Punong Barangays within the city to ensure that the problem of squatting is properly addressed *[DILG MC No. 98-202, s. 1998]*
- 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 local water districts *[DILG MC No. 05-21, s. 2005]*

**ON PEACE, SECURITY AND
DISASTER RISK MANAGEMENT**

Undertake the following measures to maintain **peace and order** in the city:

- Act as the deputized representative of the National Police Commission, and formulate and implement the peace and order plan of the city [*Section 455 (b) (2) (v), LGC*];
- Strengthen citizens' support and participation in the maintenance of peace and order; and
- Enforce security measures to counter terrorist threats and other forms of lawless violence [*DILG MC No. 03-80, s. 2003*]
- Exercises operational supervision and direction over the PNP units assigned within their respective localities;
- Authority to choose the chief of police from a list of five (5) eligibles recommended by the provincial police director, preferably from the same province, city or municipality (Section 63, Republic Act No. 8551, amending Section 51(b)(4) of R.A. 6975)
- Authority to recommend to the provincial director the transfer, reassignment or detail of PNP members outside of their respective city or town residences; (Section 63, R.A. 8551)

- Authority to recommend from a list of eligibles previously screened by the peace and order council the appointment of new members of the PNP to be assigned to their respective cities or municipalities without which no such appointments shall be attested: *Provided*, That whenever practicable and consistent with the requirements of the service, PNP members shall be assigned to the city or municipality of their residence. (Section 63, R.A. 8551)
- The control and supervision of anti-gambling operations shall be within the jurisdiction of local government executives. (Section 63, R.A. 8551)
- Automatically deputized as representatives of the National Police Commission in their respective jurisdiction. As deputized agents of the Commission, local government executives can inspect police forces and units, conduct audit, and exercise other functions as may be duly authorized by the Commission. (Section 64, R.A. 8551)

Support **internal security operations against insurgency** and other serious threats to national security:

- Deputize the barangay tanods as force multipliers in the implementation of the peace and order plan in the city;
- Include in the Integrated Area/Community Public Safety Plan of the city a priority program of action or thrusts in resolving insurgency and other serious threats to national security; and
- Appropriate funds in support of peace and order efforts
[EO No. 546, s. 2006]

Intensify **actions against illegal drugs** by:

- Organizing and strengthening the City Anti-Drug Abuse Council;
- Ensuring that pushers are brought to justice;
- Serving as a focal point for various organizations and individuals to work together in the planning, implementation and evaluation of illegal drug prevention activities; and
- Providing 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. 2000-98, s. 2000; DILG MC No. 98-227, s. 1998; DILG MC No. 97-35, 2007*]
- 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 conduct of symposia and dialogues with school authorities and students, owners and employees of business establishments, government officials and employees and the general public;

- 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 sustainability of rehabilitation or treatment program of drug dependents;
- 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 RA 9165;
- 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).

Undertake **disaster preparedness, mitigation and prevention** measures to minimize the adverse impact of natural disasters:

- Cause the periodic updating of the city disaster risk management plan; and
- Cause the passage of an ordinance in support of disaster risk management [*DILG MC No. 98-94, s. 1998*]
- Take the lead in the carrying out emergency measures during and in the aftermath of man-made and natural disasters and calamities [*Section 455 (b) (1) (vii), LGC*]
- 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*]

"MUSTS" IN THE CITY DISASTER PREPAREDNESS PLAN

Warning and communication systems;	<input type="checkbox"/>
Early evacuation from high-risk areas;	<input type="checkbox"/>
Rescue and emergency operations;	<input type="checkbox"/>
Distribution of relief goods and services;	<input type="checkbox"/>
Reporting of situations and actions taken;	<input type="checkbox"/>
Post-calamity clean-up;	<input type="checkbox"/>
Medical assistance;	<input type="checkbox"/>
Rehabilitation of agricultural and livelihood programs;	<input type="checkbox"/>
Housing assistance;	<input type="checkbox"/>
Burial assistance; and	<input type="checkbox"/>
Loan assistance. <i>[DILG MC No. 98-94, s. 1998]</i>	<input type="checkbox"/>

Prepare for the occurrence of natural disasters by:

- Creating, or activating, the Public Safety and Emergency Office;
- Establishing support mechanism composed of non-governmental organizations, volunteer groups or emergency responders, and community organizations;
- Formulating a preparedness plan to include routes, protocols and Standard Operating Procedure for evacuation;

- Ensuring the functionality of the Local Disaster Coordinating Council and the 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]

PUBLIC SAFETY CONCERNS

- Strictly enforce the pertinent provisions of the National Building Code, and see to it that no advertising billboard, signage or display media is constructed in the city 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;
 - Contains messages that mislead or deceive consumers;
 - Carries racially, sexually or ethnically abusive, offensive or objectionable content, or promotes social discrimination and prejudice against gender, beliefs and convictions;
 - Obstructs the public view on natural scenery and hinders the enjoyment thereof; and
 - Detracts from the picturesque view of scenery due to

lack of coordination with its environmental surroundings by way of colors and tones used, structure, size and location [DILG MC No. 04-158, s. 2004]

Ensure the safety of residents and prevent freak accidents from occurring on a construction project:

- Require the contractor to take 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 city government and the contractor;
- Require the contractor to clear all construction debris away from the areas that may be possibly tripped on by any passerby; and
- Provide visible marks or signs on accident-prone areas such as open canals, manholes and the like, lighting facilities in a construction site, and other precautionary measures [DILG MC No. 95-87, s. 1995]
- Ensure the strict enforcement of the Firecrackers and Pyrotechnic Devices Regulatory Law [DILG MC No. 02-188, s. 2002]
- Ensure 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. 1996]

- Demolish illegal structures along a river or estuary which impedes normal water flow [DILG MC No. 02-64, s. 2002]
- Employ safety measures in all gasoline stations [DILG MC No. 06-66, s. 2006]

LOCAL ECONOMIC GOVERNANCE

ON AGRICULTURE AND FISHERIES DEVELOPMENT

Cause the provision of the following **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 garden;
- Fruit tree, coconut, and other kinds of seedling nursery;
- Demonstration farm;
- Quality control of copra and improvement and development of local distribution channels preferably through a cooperative; and

- Inter-barangay irrigation system *[Section 17, LGC]*

- Cause the inclusion in the Comprehensive Development Plan and in the appropriate annual implementation plan of a program or project relative to the development and the management of fisheries and other aquatic resources, if any *[DILG MC No. 98-68, s. 1998; DILG MC No. 01-131, s. 2001]*

- Organize, or reorganize, the Fisheries and Aquatic Resources Management Council, if necessary *[DILG MC No. 99-142, s. 1999]*

- Organize, or activate, an Agri-Credit Desk, and designate a senior staff as Agri-Credit Information Officer *[DILG MC No. 97-262, s. 199]*

- Cause the inclusion in the Comprehensive Development Plan and in the appropriate annual implementation plan of a program or project in support of the integrated seaweed industry, if any, and to extend preferential treatment to a seaweed farming cooperative, if any, in the granting of a permit to operate within city waters *[DILG MC No. 98-68, s. 1998]*

- Cause the inventory post harvest facilities and the inclusion of agricultural mechanization in the Comprehensive Development Plan and in the appropriate annual implementation plan *[DILG MC No. 01-20, s. 2001]*

**ON ENTREPRENEURSHIP, BUSINESS
AND INDUSTRY PROMOTION**

Cause the provision of the following infrastructure facilities, as appropriate, to serve the needs of the residents of the city and which are funded out of city funds including but not limited to:

- City road(s) and bridge(s);
- Communal irrigation and small water impounding project(s);
- Fish port(s); and
- Public market(s), slaughterhouse(s) and other city enterprise(s) [Section 17, LGC]

Organize, or reorganize, the following:

- Local Price Coordinating Council [DILG MC No. 98-81, s. 1998; DILG MC No. 04-75, s. 2004; DILG MC No. 05-130, s. 2005]; and
- City Small and Medium Enterprise Development Council [DILG MC No. 02-107, s. 2002]
- Enable the environment that will promote the development of small and medium enterprises in the city [DILG MC No. 96-13, s. 1996; DILG MC No. 97-47, s. 1997]
- Strictly enforce the *Consumer Act of the Philippines* [DILG MC No. 92-47, s. 1997; RA Nos. 7160 and 7394; Art. 62 of the *Consumer Act of the Philippines*]

Protect the consumers' welfare by:

- Intensifying price monitoring and enforcing the Price Tag Law ;
- Putting in place Timbangan ng Bayan and enforcing compliance to weighing scale;
- Setting up and updating regularly of price billboards installed in wet market(s) [DILG MC No. 06-58, s. 2006; DILG MC No. 98-81, s. 1998; DILG MC No. 05-130, s. 2005]

- Provide necessary support and assistance to a Public Market Vendors' Cooperative, if any, in the city [DILG MC No. 02-69, s. 2002]

- Strictly implement control measures in the slaughterhouse(s) [DILG MC No. 03-52, s. 2003]

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

Enact or amend 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;

PHYSICAL REQUIREMENTS FOR TRICYCLES

1. Clean windshield
 2. Garbage receptacle
 3. Functional horn that does not emit exceptionally loud or startling sound
 4. Functional two signal lights, front and back for turning right or left or for emergency purposes
 5. Functional tail light, including license plate light
 6. Top chain extending to the rear wheel
 7. 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
 8. Functional light installed inside the sidecar and kept lighted while plying a designated route
 9. Functional anti-noise equipment
 10. Sticker containing the body number of the vehicle and placed prominently and identifiable from a distance
 11. Fully-operational mufflers
 12. Roadworthiness of the tricycle unit.
-
- 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 city; and

- A common color may be imposed on tricycles operating in the same zone *[DILG MC No. 07-01, s. 2007]*

- Coordinate with the Department of Energy on the conduct of periodic inspection of gasoline stations to determine whether said establishments are complying with the provisions of Downstream Oil Industry Deregulation Act of 1998 (RA 8479) and its Implementing Rules and Regulations. *[DILG MC No. 04-113, s. 2004 social]*

REMINDERS REGARDING FISHING VESSELS

-  Cause the enactment, or enforcement, of an ordinance prescribing the procedure for registration of fishing vessels of three gross tonnage and below; and
-  Cause the periodic updating of records on fishing vessels of three gross tonnages and below and the submission of the list of city-registered vessels to the MARINA Central Office or MARINA Regional Offices, the PCG Station or Detachment and DA-BFAR. *[EO No. 305, s. 2004]*

LOCAL ENVIRONMENTAL GOVERNANCE

ON NATURAL RESOURCES MANAGEMENT

Adopt adequate measures to safeguard and conserve land, mineral, marine, forest and other natural resources of the city through the following measures:

- Implement a water and soil resource utilization and conservation project(s);
- Provide seawall(s), dike(s), drainage and sewerage, and flood control facility(ies), as appropriate;
- Enforce fishery laws in city waters, including the conservation of mangroves, as appropriate;
- Implement a community-based forestry project(s), which include an integrated social forestry program(s) and a similar project(s), management and control of a communal forest(s), establishment of a tree park(s), greenbelt(s), and a similar forest development project(s); and
- Establish a solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation [Section 17 and Section 455 (b) (3) (vii), LGC]

Initiate an environmental management project(s) through:

- Coordination and collaboration with concerned national government agencies for technical assistance; and

- Establishment of working arrangements with private institutions with proven track records in local capability-building and environmental management initiatives [DILG MC No. 97-267, s. 1997]

Implement existing policies, rules and regulations concerning **forest management:**

- In coordination with the DENR, monitor the state of forests, report logging activities, arrest illegal loggers and file appropriate charges against the perpetrators;
- Take the lead in reforestation activities; and
- Strictly enforce the provisions of Joint DENR-DILG Memorandum Circular No. 98-01, which embodies the manual of procedure of DENR-DILG-LGU partnership on devolved and other forest management functions, strengthening and institutionalizing the DENR-DILG-LGU partnership on devolved and other forest management functions and the mandates of the Local Government Code [DILG MC No. 04-166, s. 2004]

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

- Assist in the enforcement of the *National Integrated Protected Areas System Act of 1992*, and the *Wildlife Resources Conservation and Protection Act* [DILG MC No. 04-44, s. 2004]

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

- Prior to the issuance of a Tax Declaration, require a Certification from the Directors of the FMB and the LMB, or their duly authorized representatives, that the area declared for taxation purposes is alienable and disposable [DILG MC No. 99-165, s. 1999; PD No. 705]

Undertake the following:

- Adoption of measures to prevent overcrowding and congestion in city 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; and
- Cause the enactment, or enforcement, of an ordinance in support of Code of Practice for Aquaculture, as appropriate [DILG MC No. 02-64, s. 2002]

ROLE OF LGUs IN THE CLIMATE CHANGE AND VARIOUS ENVIRONMENTAL ISSUES

RA 9729 (CLIMATE CHANGE ACT OF 2009)

SEC . 14. *Local Climate Change Action Plan.* – The LGUs shall be the 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 Code, 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 barangast 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 Ciudad / 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.

ON WASTE MANAGEMENT, POLLUTION CONTROL AND URBAN LAND QUALITY

- Organize, or reorganize, the City Solid Waste Management Board [DILG MC No. 01-19, s. 2001; 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;

- Adoption of methodologies in recycling wastes such as sorting, segregation at source, proper waste packaging and ecologically-sound disposal system; and
- Information campaign on the benefits derived from the adoption of the technology [DILG MC No. 200-117, s. 2000]
- Establish an incentive system for barangays which perform well in managing solid waste [DILG MC No. 01-38, s. 2001]
- Refrain from issuing any kind of permit to pest control operator, pesticide dealer or distributor, as well as, individual or intities who would like to engage in similar business enterprise, unless dult registered with the FPA, or covered by a numbered provisional permit issued by the said authority [DILG MC No. 95-147, s. 1995]

Cause the enactmenr of an ordinance on:

- The implementation of 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); and
- Smoking insided public buildings or enclosed public places inlcuding public vehicles and other means of transport or in any enclosed area outside of one's private residence, private place of work or any duly designated smoking area [DILG MC No. 02-27, s. 2002]

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 City Mayor is temporarily incapacitated to perform his/her duties for physical or legal reasons, such as but not limited to, leave of absence, travel abroad and suspension from office, the City 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 Vice-Mayor, even on the first day of incapacity of the City Mayor, is automatic and as such, he/she is properly defined as Acting Mayor. As Acting City Mayor, he/she can perform all the functions, power and duties of the City 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 City Mayor is travelling within the country but outside his/her territorial jurisdiction for a period of not exceeding three (3) consecutive days, he/she may designate in full writing the OIC. Such authorization shall specify the powers and functions that the local officials concerned shall exercise in the absence of the local chief executive, except the power to appoint, suspend or dismiss employees.

In this case, it may be noted that the City Mayor can designate any official of the city government as OIC for three (3) consecutive days while he/she is outside his/her 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 City Mayor. The City Mayor may designate the Vice-Mayor or any member of the Sanggunian or any appointive official of the City to act as OIC. But such designation can not exceed three (3) days. Hence, on the 4th day, if the City Mayor failed to return to his/her station, Section 46 (d) of the same Code will now apply, in which case, the Vice-Mayor shall assume as Acting Mayor on the 4th day of absence of the City Mayor.

WHO MAY BE AUTHORIZED TO ACT AS AN OIC CITY MAYOR?

Per section 46 (c) of the Local Government Code, the City Mayor may designate in writing any City 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 CITY MAYOR ASSUME HIS FUNCTIONS?

With regards to OIC City Mayor, upon presentation of a valid designation in writing, he/she can assume as OIC City Mayor. (Sec. 46 (c), LGC)

With regards to Acting City Mayor, upon the occurrence of any event leading to the temporary incapacity of the City Mayor, either for physical or legal reasons, the City Vice-Mayor automatically assumes as Acting Mayor. (sec 46 9a), LGC)

WHEN SHALL AN OIC CITY MAYOR CEASE TO ACT AS SUCH?

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

MAY THE CITY VICE-MAYOR, PERFORMING AS ACTING CITY MAYOR, CONTINUE TO PRESIDE OVER THE SESSION OF THE SANGGUNIANG PANLUNGSOD?

In the case of *Gamboa vs. Aguirre* (G.R. No. 14313, July 20, 1999), the Supreme Court ruled that the Vice-Governor, who is now acting as Acting Governor, cannot anymore continue to preside over the session as this would violate the principle of separation of powers and functions. The Vice-Governor, in his capacity as Acting Governor, is expected to perform full-time executive functions which would include approval of ordinances. This pronouncement of the Supreme Court equally applies to cities and municipalities.

MAY THE CITY 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 City Mayor, while in OIC capacity there is no

temporary vacancy in the Office of the City Mayor. Moreover, OICs exercise only limited powers as may be contained in the letter-authorization designated him as such. Hence, if incidentally, the City Vice-Mayor was 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 City Mayor and more importantly, he 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 CITY VICE-MAYOR, ACTING AS OIC, APPOINT OFFICIALS?

No, under the CSC rules on appointment, an OIC can not issue an appointment.

