



DISTRICT I

HON. MIDELEN B. BAUTISTA
 City Councilor

HON. MICHAEL E. SOLIS
 City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
 City Councilor

HON. ADRIELITO G. GAWARAN
 City Councilor

HON. VICTORIO L. GUERRERO, JR.
 City Councilor

ABSENT

HON. ALEJANDRO F. GUTIERREZ
 City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
 City Councilor

HON. HERNANDO C. GUTIERREZ
 City Councilor

HON. GAUDENCIO P. NOLASCO
 City Councilor

HON. LEANDRO A. DE LEON
 City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
 City Councilor

HON. ROBERTO R. JAVIER
 City Councilor

HON. REYNALDO D. PALABRICA
 City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
 City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. KYALID A. ATEGA, JR.
 Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE SARINO-EVARISTO
 City Vice Mayor / Presiding Officer

Noted by:

HON. LANI MERCADO - REVILLA
 City Mayor

CITY ORDINANCE NO. CO 152-2021
SERIES OF 2021

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AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CITY ORDINANCE NO. CO 140-2020 ENTITLED: "AN ORDINANCE ADOPTING THE RULES AND PROCEDURES ON ADMINISTRATIVE ACTIONS ARISING FROM COMPLAINTS FILED AGAINST ELECTED SANGGUNIANG KABATAAN OFFICIALS BEFORE THE SANGGUNIANG PANLUNGSOD OF THE CITY OF BACOR, CAVITE."

Sponsored by:
Hon. Reynaldo D. Palabrica

Co-Sponsored by:
Hon. Roberto L. Advincula, Hon. Miguel N. Bautista, Hon. Rowena Baustista-Mendiola, Hon. Mac Raven Espiritu, Hon. Victorio L. Guerrero, Jr., Hon. Hernando C. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, and Hon. Alde Joselito F. Pagulayan.

WHEREAS, the Sangguniang Panlungsod passed City Ordinance No. CO140-2020 entitled: "AN ORDINANCE ADOPTING THE RULES AND PROCEDURES ON ADMINISTRATIVE ACTIONS ARISING FROM COMPLAINTS FILED AGAINST ELECTED SANGGUNIANG KABATAAN OFFICIALS BEFORE THE SANGGUNIANG PANLUNGSOD OF THE CITY OF BACOR, CAVITE" on 01 December 2020 pursuant to Section 18 of Republic Act No. 10742 (otherwise known as the "SANGGUNIANG KABATAAN REFORM ACT OF 2015").

WHEREAS, the Sangguniang Panlungsod transmitted the said ordinance to the Sangguniang Panlalawigan of the Province of Cavite for review on 15 December 2020.

WHEREAS, on 9 February 2021, the Sangguniang Panlungsod received a Review Letter from the Sangguniang Panlalawigan dated 2 February 2021 recommending the amendment of certain provisions of City Ordinance No. CO140-2020.

WHEREAS, the Sangguniang Panlungsod deliberated on the recommendations of the Sangguniang Panlalawigan and decided to comply with the latter's recommendations.

NOW THEREFORE, on motion of Councilor Reynaldo D. Palabrica, duly seconded by Councilors Gaudencio P.



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HON. MAC RAVEN ESPIRITU
City Councillor - SK FEDERATION PRESIDENT

Attested by:

ATTY. KRISTID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE SARINO-EVARISTO
City Vice Mayor / Presiding Officer

Noted by:

HON. LAMI MERCADO - REVILLA
City Mayor

Nolasco, Rowena Bautista-Mendiola, Miguel N. Bautista, Alde Joselito F. Pagulayan, Roberto L. Advincula, Hernando C. Gutierrez, Roberto R. Javier, Mac Raven Espiritu and Victorio L. Guerrero, Jr. in regular online session duly assembled, be it **ORDAINED** by the 4th Sangguniang Panlungsod of the City of Bacoor, Cavite THAT:

RULE 1
Preliminary Provisions

Section 1. Section 19, Rule 7 of City Ordinance No. CO140-2020 is hereby amended and shall henceforth read as follows:

"Section 19. Preliminary Conference. After the preliminary investigation, the Committee on Rules shall order the parties to attend a preliminary conference with the assistance of their respective counsels, if any. In case the complainant is anonymous or if the complainant does not have a legal counsel, the respondent shall be allowed to be assisted by counsel during the preliminary conference.

During the preliminary conference, the Committee on Rules shall accomplish any, or all, of the following:

- a. Simplify the issues involved in the case;
- b. Allow the parties to mark their respective pieces of evidence and to identify their witnesses;
- c. Limit the number of issues, evidence and witnesses to be presented to those identified during the preliminary hearing;
- d. Determine if the parties agree on the resolution of the administrative action by the Sanggunian based on the complaint and the answer without having to conduct a hearing or series of hearings; and
- e. Give the parties the opportunity to arrive at an amicable settlement.

The preliminary conference shall only be held once and shall be concluded in one day. The parties and their counsels shall act with proper decorum during the conference and shall answer the questions of the members of the Committee on Rules honestly and concisely.

Everything mentioned and discussed during the preliminary conference shall form part of the records of the administrative action and shall be



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City Mayor

used by the Sanggunian in resolving the case if necessary.

All documentary evidence or exhibits shall be properly marked by letter (A, B, C, etc.), if presented by the complainant, and by numbers (1, 2, 3, etc.), if presented by the respondent. They shall be attached to the records or, if voluminous, kept in separate folders which shall also be attached to the records."

Section 2. Section 24 of City Ordinance No. CO140-2020 is hereby amended and shall henceforth read as follows:

xxx

"Section 24. Powers of the Presiding Officer. In presiding over the hearing, the Presiding Officer shall have the following powers:

- 24.1. To make and issue all orders, subpoenas, and notices of meetings and hearings authorized by the Sanggunian through this Ordinance;
- 24.2. To enforce the various regulations of the Sangguniang Panlungsod;
- 24.3. To direct all necessary preparations for the proper, smooth and orderly conduct of the proceedings;
- 24.4. To rule on all questions, objections, motions, requests and manifestations raised by all parties during the proceedings, which ruling shall stand as the ruling of the Sanggunian, unless a member thereof shall ask and move, duly seconded, that formal vote be taken thereon;
- 24.5. To direct the City Legal Officer to file the appropriate case for contempt under Rule 71 of the Rules of Court (as amended) against any person who violates any provision of these Rules through a Resolution passed by a majority vote of all the members present during a hearing constituting a quorum;
- 24.6. To summon any police officer assigned at the nearest Bacoor City police station



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and require him/her to maintain order during the proceedings; and

- 24.7. To preserve order and decorum during the proceeding and to exact from all present due to respect and proper deportment, prevent disturbance and disorder, and to order the hall cleared of any or all persons behaving improperly..xxx"

Section 3. Section 32 of City Ordinance No. CO140-2020 is hereby amended and shall henceforth read as follows:

"Section 32. Effect of Suspension of Elected SK Official. If the SK Chairperson of a barangay is suspended, the Sangguniang Kabataan member who obtained the highest number of votes in the election immediately preceding shall assume office of the chairperson for the unexpired portion of his or her term. In case said member refuses to assume the position or fails to qualify, the Sangguniang Kabataan member obtaining the next highest number of votes shall assume position of the chairperson for the unexpired portion of the term. If the Sangguniang Panlungsod orders the forfeiture of the salaries and other benefits of the SK Chairperson during his/her suspension – the said salaries and benefits shall be given to the acting SK Chairperson."

Section 4. Section 33 of City Ordinance No. CO140-2020 is hereby amended and shall henceforth read as follows:

"Section 33. Effect of Removal from Office or Suspension of Elected SK Chairperson.

(a) In case a Sangguniang Kabataan chairperson refuses to assume office, fails to qualify, voluntarily resigns, dies, is permanently incapacitated, is removed from office, the Sangguniang Kabataan member who obtained the highest number of votes in the election immediately preceding shall assume office of the chairperson for the unexpired portion of his or her term. In case said member refuses to assume the position or fails to qualify, the Sangguniang Kabataan member obtaining the next highest number of votes shall assume



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Sangguniang Panlungsod Secretary

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Noted by:

HON. LANI MERCADO - REVILLA
City Mayor

position of the chairperson for the unexpired portion of the term.

(b) After the vacancy shall have been filled, the Sangguniang Kabataan chairperson shall, within thirty (30) days, call for a special Katipunan ang Kabataan assembly to elect a Sangguniang Kabataan member to complete the membership of the said sanggunian; Provided, that such special assembly is coordinated with the Office of the Local Government Operations Officer and the COMELEC of the city or municipality where the concerned barangay belongs. Such Sangguniang Kabataan member shall hold office of the unexpired portion of the term of the vacant seat. For this purpose, any citizen of the Philippines residing in the said barangay for at least six (6) months who attains the age of fifteen (15) years old at the time of the special election and who registers as member of the Katipunan ng Kabataan before the Sangguniang Kabataan secretary shall be entitled to vote in the said special election.

(c) All other vacancies in the office of the Sangguniang Kabataan shall be filled in accordance with immediately preceding provision.

(d) Vacancies that are temporary in nature due to physical or legal reasons such as, but not limited to, leave of absence and travel abroad, shall be filled up in accordance with the following:

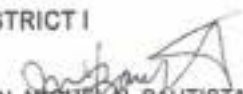
(1) if vacancy is within a three-day period, the SK Chairperson shall designate an Officer-in-Charge (OIC) from among the SK members; and

(2) if vacancy is more than a three-day period, the next SK member who obtained the highest number of votes in the election immediately preceding, shall assume the office of the chairperson on the fourth day.


(e) In case of suspension of the SK chairperson, the successor as determined in subsection (a) of this section, shall assume

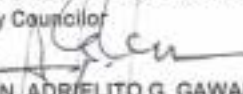


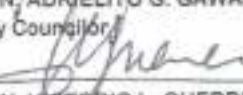
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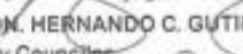

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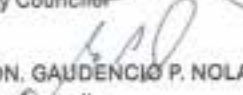
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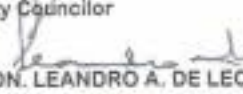
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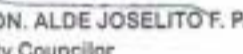
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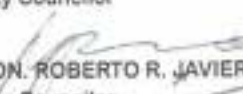

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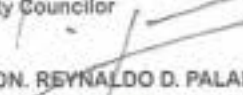

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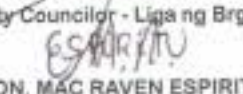

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Sangguniang Panlungsod Secretary

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City Vice Mayor / Presiding Officer

Noted by:


HON. LAN MERCADO - REVILLA
City Mayor

the position during the period of such suspension."

Section 5. Sections 34, 35, 36 and 37 of City Ordinance No. CO 140-2020 are hereby deleted. The Sangguniang Panlungsod Secretariat is hereby directed to re-number the amended version of City Ordinance No. CO140-2020 and attach the same to this Ordinance as **Annex "A"**.

Section 6. Repeal. All ordinances in conflict with this Ordinance are hereby repealed.


Section 7. Separability. In case any provision hereof is declared void by a court of law, the remaining provisions of this Ordinance not affected by such declaration shall remain valid and enforceable.

Section 8. Effectivity. This Ordinance shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the City Hall of Bacoor and in at least two (2) other conspicuous places in the City of Bacoor not later than five (5) days after the approval thereof. The Sangguniang Panlungsod Secretariat is hereby directed to submit certified true copies of this Ordinance to the University of the Philippines-Office of the National Administrative Register pursuant to Section 3, Book VII of the Administrative Code of 1987 (E.O. 292).

APPROVED by the 4th Sangguniang Panlungsod of the City of Bacoor, Cavite this 8th day of March 2021.

I hereby certify that the foregoing Ordinance was duly approved by the Sangguniang Panlungsod in accordance with law.

Certified by:


HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer



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ATTY. KHALID A. ATEGA JR.

Secretary to the Sangguniang Panlungsod

Noted by:

HON. LANI MERCADO-REVILLA

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