



*Office of the Sangguniang Panlungsod*

**CITY ORDINANCE NO. 298A-2023**  
Series of 2023

**DISTRICT I**

**OFFICIAL BUSINESS**  
ION. CATHERINE SARINO-EVARISTO  
City Councilor

ION. MICHAEL E. SOLIS  
City Councilor

ION. ADRIELITO G. GAWARAN  
City Councilor

ION. VICTORIO L. GUERRERO, JR.  
City Councilor

ION. ALEJANDRO F. GUTIERREZ  
City Councilor

ION. LEVY M. TELA  
City Councilor

**DISTRICT II**

ION. ROBERTO L. ADVINCULA  
City Councilor

ION. REYNALDO D. PALABRICA  
City Councilor / President-Pro-Tempore

ION. REYNALDO M. FABIAN  
City Councilor

ION. ROGELIO M. NOLASCO  
City Councilor

ION. ALDE JOSELITO F. PAGULAYAN  
City Councilor

**SICK LEAVE**

ION. SIMPLICIO G. DOMINGUEZ  
City Councilor

**OFFICIAL BUSINESS**

ION. RAMON N. BAUTISTA  
Liga ng mga Barangay President

**OFFICIAL BUSINESS**

ION. MAC RAVEN ESPIRITU  
SK Federation President

Attested by:

VTY. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

ION. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor

Approved by:

ION. STRIKE B. REVILLA  
City Mayor

**AN ORDINANCE CREATING ADDITIONAL POSITIONS IN THE PLANTILLA OF THE OFFICE OF THE CITY LEGAL SERVICE OF THE LOCAL GOVERNMENT OF THE CITY OF BACOR, CAVITE FOR FISCAL YEAR 2024.**

Sponsored by:

**Hon. Reynaldo D. Palabrica**

Co-sponsored by:

**Hon. Roberto L. Advincula, Hon. Reynaldo M. Fabian, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Reynaldo D. Palabrica, Hon. Michael E. Solis and Hon. Levy M. Tela.**

**WHEREAS**, the Office of the City Legal Service was created by virtue of Section 36 of Republic Act (R.A.) No. 10160 (the "Charter of the City of Bacoor") and was mandated under the said law to provide legal services to the people of the city and to the various departments and units of the city government.

**WHEREAS**, Section 16 of Republic Act No. 7160 or the "Local Government Code of 1991" provides that: "Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants."

**WHEREAS**, Section 76 provides that every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

**WHEREAS**, Section 458, par. (1), (viii) of R.A. No. 7160 and Section 11, par. 1 (viii) of R.A. No. 10160 empowered the Sangguniang Panlungsod to determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly and mainly from the city funds and provide for expenditures necessary for the proper conduct of programs, projects, services and activities of the city government.





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ATTYS. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

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City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

**WHEREAS**, the creation of the said positions will greatly aid the said department in becoming more efficient, reliable and proactive in the delivery of quality legal services to its constituents.

**BE IT ORDAINED** by the Sangguniang Panlungsod of the City of Bacoor, Cavite that:

### ARTICLE I

#### Preliminary Provisions

**Section 1. City Government Policy.** It shall be the policy of the city government to provide high-quality, effective, and free legal services to all of its constituents, provide effective legal support of various city government departments and units in the implementation of various laws and ordinances, and root out inefficiency and corruption in the city government through the effectual implementation of the legal mandate of the Office of the City Legal Service (the "Office") under the Charter of the City of Bacoor.

**Section 2. Definition of Terms.** The following words, terms and phrases shall be defined as follows:

2.1 **"Confidential Information"** means any information, relative to any case, suit, controversy, meeting or conference expressly intended by the source of such information not to be disclosed, or obtained under circumstances that would create a reasonable expectation on behalf of the source that the information shall not be disclosed. It shall include (1) communication, oral or written, made in dispute resolution proceedings, including any memoranda, notes or work product of the neutral party or non-party participant in such proceedings; (2) an oral or written statement made or which occurs during mediation or for purposes of considering, conducting, participating, initiating, continuing of reconvening mediation or retaining a mediator; and (3) pleadings, motions, manifestations, witness statements, reports filed or submitted in an arbitration or for expert evaluation;

2.2 **"Conflict of Interest"** as used in this Ordinance, shall refer to any situation where a lawyer under the employ of the Office of the City Legal Service (the "Office"): [1] is related up to the fourth civil degree by affinity or consanguinity to any party in a dispute, case, or legal action to be handled, or being handled, by the said counsel. [2] is the *kumpadre*, *kumadre*, *ninong*, or *ninang* of any of the parties in a dispute, case, or legal action to be handled, or being handled, by the said counsel, [3] have worked for, or on behalf of, any party in a dispute, case, or legal action to be handled, or being handled, by the said counsel, [4] have gone into business with any party in a dispute, case, or legal action to be handled, or being handled, by the said counsel, [5] have any pecuniary interest, or would realize such pecuniary interest, from the outcome of a dispute, case, or legal action to be handled, or being handled, by the said counsel, [6] belongs to the same fraternity or sorority as any party to a dispute, case, or legal action to be handled, or being handled, by the said, [7] any situation analogous to the foregoing that hinders or affects the impartiality or objectivity of such legal counsel.

2.3 **"Private Legal Practice"** is the engagement or participation of any lawyer under the employ of the Office in any case, dispute, suit, action, or legal controversy – with or without any compensation or remuneration – that does not involve the city





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City Mayor

government or any of its officials or employees in their official capacity including taking on the practice of a notary public.

**Section 3. Rules of Interpretation.** In case a conflict in the interpretation hereof arises between the English version of this ordinance and its Filipino translation, the provisions of this ordinance and its annexes appearing in English shall prevail.

The following rules shall be observed in the interpretation of this ordinance:

3.1 Words used in singular also include the plural. The reverse is also true;

3.2 Words used in the present tense shall also include the past tense. The reverse is also true;

3.3 The words "must", "shall", "will" and "may not" as used in this ordinance are mandatory;

3.4 The word "may" is permissive while "should" is advisory and not mandatory or required;

3.5 When used with numbers, "Up to X", "not more than X" and "a maximum of X" all include X;

3.6 Words or phrases not defined herein shall be interpreted in the context it was used in this ordinance and in consideration of the reason why the Sangguniang Panlungsod used the said terms;

3.7 In interpreting words and phrases not defined herein, the meaning of the said terms as popularly understood at the time the ordinance was approved shall be used;

3.8 Any word, phrase, or term not enumerated above but used in this ordinance shall be interpreted by taking into account the context in which it was used, its meaning as popularly understood, or its definition in either Black Law Dictionary or in the 2015 edition of Merriam-Webster Dictionary; and

3.9 Unless otherwise specified, any reference to the male gender in any provision of this ordinance shall also include the female gender and vice versa.

**Creation of Positions and Funding.** The following positions in the plantilla of the Office of the City Legal Service – the salaries of which shall be appropriated in the Annual Budget for Calendar Year 2024 of the City Government, are hereby created:

NO. OF POSITIONS	POSITION TITLE	SALARY GRADE
3	Attorney III	21
2	Administrative Officer IV	15

1.1 The person to be appointed as Attorney III in the Office of the City Legal Service must possess the following qualifications, to wit:

- 1.1.1 Bachelor of Laws;
- 1.1.2 One (1) year of relevant experience;





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City Mayor

1.1.3 Republic Act No. 1080 (Bar Exams);

1.1.4 Four (4) hours of relevant training.

1.2 The person to be appointed as Administrative Officer IV in the Office of the City Legal Service must possess the following qualifications, to wit:

1.2.1 Relevant Bachelor's Degree

1.2.2 Four (4) hours of relevant training

1.2.3 One (1) year of relevant experience

1.2.4 Civil Service Professional (2nd Level Eligibility)

1.2.5 English Proficiency, Computer Literate, Easily Adaptable, Possess Organizational Skills, Can Communicate Effectively, Resourceful and Team Player.

#### Section 4. Duties and Responsibilities of an Attorney III.

The lawyers who shall be appointed to the positions of Attorney III under the Office of the City Legal Service shall have the following duties:

2.1 Courteously give free legal advice and other legal services to any person who seeks assistance from any department or unit of the city government;

2.2 Represent for free any city government employee or official who may face any suit or legal controversy arising from the implementation of any law or ordinance before any court, office, or tribunal;

2.3 Provide timely, effective, and proper legal advice to the Head of any department or unit of the city government on any legal matter or controversy affecting her/his office;

2.4 Refrain from disclosing, sharing, reproducing, or selling any confidential information to any third party without the written consent of the person who disclosed the said information in relation to a case, suit, or legal controversy brought to the attention, recounted to, being handled by, or that was handled by the said lawyer in relation to the discharge of his official duties;

2.5 Assist the Head of any unit or department of the city government in the implementation of any law or ordinance particularly in the drafting and service of notices of violation, in the enforcement of such laws or ordinances, in training the personnel of such department/s or unit/s in the proper implementation or enforcement of various laws or ordinances, in the filing of the complainants related to such enforcement or implementation before the proper legal venue, and in the prosecution of any person who violates any law or ordinance in the proper legal forum;

2.6 Refrain from charging, collecting, demanding, requesting, receiving, or accepting any fee or remuneration from any person who may have received, or would receive, any legal advice or legal service from them;

2.7 Refrain from engaging in any private legal practice without the express written consent of the City Legal Officer. **Provided**, that the City Legal Officer may allow the said lawyers to engage in private legal practice subject to the following limitations:





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City Mayor

- a. The said lawyers must first obtain the prior express written permission of the City Legal Officer on a per case basis before they can engage in any private legal practice or represent any person not employed by the city government;
- b. The said lawyers shall not attend more than one hearing per week in relation to any of the cases they are handling in relation to their private legal practice;
- c. They shall submit a monthly report of the private case/s they are handling including the hearing dates of the subject case/s, the titles and case numbers of the said cases, as well as the venue thereof to the City Legal Officer;
- d. They shall prioritize the cases and tasks referred to them by the City Legal Officer or by the Head of any department or unit to which they have been assigned over the cases they are handling as part of their private legal practice;
- e. They shall not use the offices, equipment, personnel or office supplies of the Office of the City Legal Service or of any department or unit of the city government in the furtherance of their private legal practice;
- f. They shall not accept or handle any case where a conflict of interest situation exists as defined in this Ordinance; and
- g. They shall not do anything in relation to their private legal practice that may adversely affect the operation or public image of the Office of the City Legal Service in particular and the city government in general;
- h. They shall regularly report for work from 8:00 o'clock in the morning up to and until 5:00 o'clock in the afternoon from Monday through Friday unless they will attend a court hearing or other field work or appearance duly assigned and with prior written approval by the City Legal Officer

2.8 Report at least once a month to the City Legal Officer on the status of the various cases assigned to them by the Head of the Department or Unit assigned to them or by the City Legal Officer and comply with any written directive given to them by the City Legal Officer on how to handle or prosecute the said cases;

2.9 Submit written and signed status reports to the City Legal Officer within two (2) working days after any hearing, meeting or conference they attended in relation to any case referred to them by the City Legal Officer or by the Head of the department or unit to which they have been assigned;





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City Vice Mayor

Approved by:

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City Mayor

2.10 Perform any other task or duty assigned to them by the City Mayor or by the Sangguniang Panlungsod by way of an ordinance; and

2.11 Promptly comply with any task assigned to them by the City Legal Officer or by the Head of the department or unit of the city government to which they have been assigned in relation to the performance of the foregoing duties and responsibilities.

**Section 5. Duties and Responsibilities of an Administrative Officer IV.** The persons who shall be appointed to the positions of Administrative Officer IV under the Office of the City Legal Service shall have the following duties:

3.1 Supervises staff in the performance of assigned tasks;

3.2 Takes charge in the procurement of supplies and tracking of documents;

3.3 Prepares simple and difficult communications per instruction from higher supervision;

3.4 Facilitates/assists personnel in the preparation of budget plans, leave forms, Office Performance Commitment and Review or Individual Performance Commitment and Review (OPCR/IPCR), other office administration documents, travel documents and liquidates the same after travel;

3.5 Takes charge in the preparation and documentation of Programs, Projects and Activities (PPAs), accomplishment reports and other similar activities; and

3.6 Perform other functions that may be assigned from time to time by the Department Head and the City Mayor, Ordinance or Law.

**Section 6. Date of Effectivity.** This Ordinance shall take effect immediately after it has been published once in a newspaper of general circulation in the City of Bacoor, Cavite.

**Section 7. Automatic Review.** The Sangguniang Panlungsod shall automatically review this Ordinance once every three (3) years after its approval or whenever the need for such review arises.

**Section 8. Repeal Clause.** All ordinances and orders inconsistent with the provisions of this Ordinance are hereby revoked and/or modified accordingly.

**Section 9. Separability Clause.** In case any provision of this Ordinance is declared unconstitutional or void by a competent court of law, the remaining provisions hereof not affected by the said declaration shall remain valid.

**APPROVED** this 11<sup>th</sup> day of August 2023 at the City of Bacoor, Cavite by the 5<sup>th</sup> Sangguniang Panlungsod of Bacoor City, Cavite.





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Sangguniang Panlungsod Secretary

### Certified by:

HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor

### Approved by:

HON. STRIKE B. REVILLA  
City Mayor

I hereby certify that the foregoing Ordinance is true and correct and that it was passed in accordance with law.

### Certified by:

HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor/ Presiding Officer

### Attested by:

ATTY. KHALID A. ATEGA JR.  
Sangguniang Panlungsod Secretary

### Approved by:

HON. STRIKE B. REVILLA  
City Mayor

Date of Approval: 13 OCT 2023