



MUNICIPAL ORDINANCE NO. 04, SERIES OF 2016

AN ORDINANCE CREATING THE POSITION OF ATTORNEY III (SG-21) UNDER THE OFFICE OF THE MUNICIPAL MAYOR.

WHEREAS, Section 76 and Section 447 (a) (i) (viii) of the Local Government Code of 1991, provides that every local government unit shall design and implement its own organizational structure and staffing pattern and that the Sangguniang Bayan has the power to determine position(s) and the salaries, including the allowances and other emoluments and benefits of officials and employees;

WHEREAS, the Municipal Government of Bayambang, Pangasinan is a local unit faced with multifarious tasks aimed at promoting the general welfare of its constituencies;

WHEREAS, the creation of position of Attorney III will greatly help the Municipal Government of Bayambang, minimize its legal risks by advising the Municipal Mayor and Sanggunian Members on major legal issues;

WHEREAS, there is an imperative need to create the position of Attorney III who will represent or handle numerous legal question, issues and concerns affecting the municipality wherein the local government or any official thereof, in their official capacity, is a party;

WHEREFORE, on motion of SB Member Benjamin Francisco S. De Vera, duly seconded;

Be it enacted by the Sangguniang Bayan in session duly assembled that:

SECTION 1. The position of Attorney III (SG-21) under the office of the Municipal Mayor of the Municipality of Bayambang, Pangasinan is hereby created.

SECTION 2. The qualifications of the Attorney III (SG-21) are as follows:

1. Education – Bachelor of Laws
2. Experience – 1 year relevant experience
3. Training – 4 hours of relevant training
4. Eligibility – RA 1080
5. Resident of Bayambang
6. Good Moral Character
7. Member of the Philippine BAR

SECTION 3. POWERS AND DUTIES. The Attorney III, the chief legal counsel of the Municipality of Bayambang, shall take charge of the office for legal services and shall:

- 1) Formulate measures for the consideration of the sanggunian and provide legal assistance and support to the mayor, as the case may be, in carrying out the delivery of basic services and provisions of adequate facilities as provided for under Section 17 of this Code;
- 2) Develop plans and strategies and upon approval thereof by the mayor, as the case may be, implement the same, particularly those which have to do with programs and projects related to legal services which the mayor is empowered to implement and which sanggunian is empowered to provide



- 3) In addition to the foregoing duties and functions, the Attorney III shall:
- i. Represent the local government unit in all civil actions and special proceedings wherein the local government or any official thereof, in his official capacity, is a party: Provided, that, in actions or proceedings where a municipality is a party adverse to the provincial government or to another component municipality, a special legal officer may be employed to represent the adverse party;
 - ii. When required by the mayor or sanggunian, draft ordinances, contracts, bonds, leases and other instruments involving any interest of the local government unit and provide comments and recommendation on any instruments already drawn;
 - iii. Render his opinion in writing on any question of law when requested to do so by the mayor, or sanggunian;
 - iv. Investigate or cause to be investigated any local official or employee for administrative neglect or misconduct in office and recommend appropriate action to the mayor or sanggunian, as the case may be;
 - v. Investigate or cause to be investigated any person, firm or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege and recommend appropriate action to the mayor or sanggunian, as the case may be;
 - vi. When directed by the mayor, or sanggunian, initiate and prosecute, in the interest of the local government unit concerned, any civil action on any bond, lease or other contract upon any breach or violation thereof; and
 - vii. Review and submit recommendations to the Sangguniang Bayan on ordinances approved by the sanggunian barangays of the Municipality of Bayambang;
- 4) Recommend measures to the sanggunian and advise the mayor, as the case may be, on all other matters related to upholding the rule of law;
- 5) Be in the front line of protecting human rights and prosecuting any violation thereof, particularly those which occur during and in the aftermath of man-made or natural disasters and calamities; and
- 6) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SECTION 4. TERM OF OFFICE. The term of the legal officer shall be coterminous with that of his appointing authority.

SECTION 5. EFFECTIVITY. This Ordinance shall take effect upon approval by the Sangguniang Panlalawigan of Pangasinan.



Republic of the Philippines
 PROVINCE OF PANGASINAN
 MUNICIPALITY OF BAYAMBANG
OFFICE OF THE SANGGUNIANG BAYAN

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Certified to be duly adopted and approved:

JOEL V. CAMACHO
 Secretary to the Sanggunian

ATTESTED:

HON. JOSEPH VINCENT E. RAMOS
 Acting Municipal Vice-Mayor &
 SB Presiding Officer

**WE CONCUR:
 SANGGUNIANG BAYAN MEMBERS**

HON. MYLVIN T. JUNIO
(suspended)

HON. PHILIP R. DUMALANTA

HON. BENJAMIN FRANCISCO S. DE VERA

HON. JUNIE J. ANGELES

HON. MARTINE E. TERRADO II

HON. MA. CATALINA E. DE VERA

HON. AMORY M. JUNIO

HON. ROGELIO P. DUMALANTA
 Pangulo, Liga ng mga Barangay

APPROVED:

HON. CEZAR T. QUIAMBAO
 Municipal Mayor




Republic of the Philippines
PROVINCE OF PANGASINAN
MUNICIPALITY OF BAYAMBANG
OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

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1ST INDORSEMENT
29 November 2016

RESPECTFULLY FORWARDED TO HONORABLE CEZAR T. QUIAMBAO, MUNICIPAL MAYOR, THRU ATTY. RODELYNN RAJINI A. SAGARINO, MUNICIPAL ADMINISTRATOR, THE HERETO ATTACHED COPIES OF THE SANGGUNIANG BAYAN ORDINANCE NO. 04, SERIES OF 2016, ENTITLED: "AN ORDINANCE CREATING THE POSITION OF ATTORNEY III (SG-21) UNDER THE OFFICE OF THE MUNICIPAL MAYOR" CONSISTING OF THREE (3) PAGES, INVOLVING FOUR (4) COPIES, WHICH WAS DULY PASSED ON REGULAR SESSION ON NOVEMBER 7, 2016, FOR HIS HONOR'S INFORMATION AND APPROPRIATE ACTION.


JOEL V. CAMACHO
SB Secretary

OFFICE OF THE MAYOR
MUNICIPALITY OF BAYAMBANG
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