

Republic of the Philippines  
PROVINCE OF CAGAYAN  
Tuguegarao City

4<sup>TH</sup> CITY COUNCIL

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG  
PANLUNGSOD OF TUGUEGARAO CITY, CAGAYAN HELD TUESDAY,  
SEPTEMBER 01, 2009 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL.

PRESENT:

Hon. Danilo L. Baccay	City Vice Mayor, Presiding Officer
Hon. Rosauro G. Resuello	Member, Sangguniang Panlungsod
Hon. Eliseo B. Ave	-do-
Hon. Perla C. Tumaliuan	-do-
Hon. Estelita U. Dayag	-do-
Hon. Michael S. Ting	-do-
Hon. Bienvenido C. De Guzman II	-do-
Hon. Noel A. Mora	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Segundo P. Urata	-do-
Hon. Loreto B. Valdepeñas	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Hilario Larry S. Ting	-do-
Hon. Jasmine Nicole A. Cabugos	-do-

ABSENT:

Hon. Engelbert C. Caronan -do-

**CITY ORDINANCE NO. 08-2009**

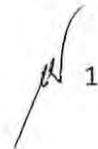
**AN ORDINANCE INSTITUTIONALIZING THE CITIZEN'S CHARTER OF  
TUGUEGARAO CITY**

Sponsored by: **HON. DANILO L. BACCAY**  
**HON. ESTELITA U. DAYAG**

Co-Sponsors: **HON. ROSAURO G. RESUELLO**  
**HON. ELISEO B. AVE**  
**HON. PERLA C. TUMALIUAN**  
**HON. MICHAEL S. TING**  
**HON. BIENVENIDO C. DE GUZMAN II**  
**HON. NOEL A. MORA**  
**HON. RONALD S. ORTIZ**  
**HON. LORETO B. VALDEPEÑAS**  
**HON. SEGUNDO P. URATA**  
**HON. ANTHONY C. TUDDAO**  
**HON. HILARIO LARRY S. TING**  
**HON. JASMINE NICOLE A. CABUGOS**

WHEREAS, Section I, Article XI of the 1987 Constitution of the Republic of the Philippines provides that, "Public Office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.";

WHEREAS, Section 27, Article II of the 1987 Constitution of the Republic of the Philippines further provides that the state shall maintain honesty and integrity in the public service and shall take positive and effective measures against graft and corruption;

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WHEREAS, Section 2 of Republic Act No. 9485, otherwise known as the Anti-Red Tape Act of 2007 provides that, "It is hereby declared a policy of the State to promote integrity, accountability, proper management of public affairs and public property as well as to establish effective practices aimed at the prevention of graft and corruption in government. Towards this end, the State shall maintain honesty and responsibility among its public officials and employees, and shall take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, which shall encompass a program for the adoption of simplified procedures that will reduce red tape and expedite transactions in government.";

WHEREAS, the Local Government Unit of Tuguegarao City is committed to the promotion of efficiency and transparency in public service;

WHEREAS, there is a need to provide service procedures and service standards to be observed in every transaction to ensure quality public service and prevent red-tape;

WHEREAS, it is vital to make known the service procedures and service standards to be observed in transacting with the public;

WHEREAS, the 4<sup>th</sup> City Council is fully committed to the above stated principles and policies;

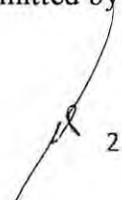
NOW THEREFORE, BE IT ORDAINED BY THE 4<sup>TH</sup> CITY COUNCIL OF TUGUEGARAO CITY IN SESSSION ASSEMBLED THAT:

**SECTION 1.** Title - This Ordinance shall be known as the "Ordinance Institutionalizing the Citizen's Charter of Tuguegarao City".

**SECTION 2.** Purpose - This Ordinance institutionalizes in the operating system of the Local Government Unit of Tuguegarao City a mechanism that will ensure transparency and accountability in the provision of quality frontline services and shall govern all its transactions with the general public in compliance with Republic Act 7160, otherwise known as "The Local Government Code of 1991" and Republic Act 9485, otherwise known as "The Anti-Red Tape Act of 2007".

**SECTION 3.** Definition of Terms –

- a. LGU-means local government unit and for purposes of this Ordinance shall refer to the Local Government of Tuguegarao City.
- b. Frontline Service- the process or transaction between a client and the concerned unit or office of the LGU involving an application for privilege, right, permit, reward, license, concession, or for any modification, renewal or extension of the enumerated application and/or request which is acted upon in the ordinary course of business.
- c. Simple Transaction - a request or application submitted by a client of the LGU which only requires ministerial action or action without discretion on the part of the public officer or designated employee, or that which presents only inconsequential issues for the resolution by an officer or designated employee of the concerned unit or office.
- d. Complex Transaction-a request or application submitted by a client of the LGU which necessitates the use of discretion in the resolution of complicated issues by an officer or designated employee of the concerned unit or office.
- e. Action- the written approval or disapproval made by an official or designated employee on the application or request submitted by a client for processing.
- f. Officer or designated employee-a person in the concerned LGU unit or office required to perform specific duties and responsibilities related to the application or request submitted by a client for processing.
- g. Irrelevant Requirement-any document or performance of an act not directly material to the resolution of the issues raised in the request or needed in the application submitted by the client.



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- h. Fixer-any individual whether or not officially involved in the operation of the concerned LGU unit or office who has access to people working therein, and whether or not in collusion with them, facilitates speedy completion of a transaction for pecuniary gain or any other advantage or consideration.
- i. Fixing – refers to the act that involves undue facilitation of transactions for pecuniary gain or advantage.
- j. Citizen’s Charter-an official document, a service standard, or a pledge, that communicates, in simple terms, information on the service provided by the LGU with respect to the concerned unit or office.
- k. Citizen-with reference to the Citizen’s Charter refers to clients either juridical or natural, whose interests and values are addressed by the Citizen’s Charter and includes not only the citizens of the Republic of the Philippines, but also all the stakeholders, including ,but not limited to, users, beneficiaries, other government offices and agencies, and the transacting public.
- l. Published Materials-printed, computer-generated, or photocopied materials, and procedural manuals/flowcharts, made available to the public or uploaded in the official website of the LGU, containing the basic information on accessing frontline services.
- m. Feedback Form -an evaluation form that provides a quantitative measure of actual public service user perceptions on the quality, efficiency and adequacy of frontline services, as well as a critical evaluation of the unit or office and its personnel. An instrument that also solicits user or client feedback on the services performed, for purposes of exacting public accountability and, when necessary, proposing change.

**SECTION 4.** Rules of Construction/ Interpretation -In construing or interpreting the provisions of this Ordinance, the following rules of construction shall be observed unless otherwise inconsistent with manifest intent of the said provisions, or when applied would lead to absurd or highly improbable results.

- a. Common and Technical Words-all words and phrases shall be construed and understood according to the common and approved usage of the language. But technical words and phrases and such other words which may have acquired a peculiar, or appropriate meaning or that which is defined in this ordinance shall be construed and understood according to such technical, peculiar, appropriate meaning or as defined.
- b. Gender and Number-every word in this ordinance importing the masculine gender shall extend to both male and female. Every word importing the singular number shall likewise be applicable to several persons or things and every word importing the plural number shall likewise apply to one person or thing.
- c. Computation of Time-the time in which any act is to be done as provided in this Ordinance or in any rule or regulation issued pursuant to the provisions thereof, when expressed in days, shall be computed by excluding the first day and including the last day, except if the last day falls on a Sunday or holiday in which case the same shall be excluded from the computation, and the next business day shall be considered the last day.
- d. References-all references to sections are to sections in this Ordinance, unless otherwise specified.

**SECTION 5.** Re-engineering of Systems and Procedures - Upon effectivity of this Ordinance, each unit or office of the LGU shall:

1. Determine which processes or transactions constitute frontline service;
2. Undertake re-engineering of transaction systems and procedures, including time and motion studies.
3. Set up their respective service standards to be known as the Citizen’s Charter.

**SECTION 6.** Re-engineering Process- the re-engineering process shall include a review for purposes of streamlining of the following:

- a. Steps in providing the service.

- b. Forms used.
- c. Requirements.
- d. Processing time.
- e. Fees and charges, if any.

There shall also be a review of the location of the offices providing frontline services and directional signs to facilitate transactions.

**SECTION 7.** Content of the Citizen's Charter. There is hereby established a Tuguegarao City Citizen's Charter containing, but not limited to, the following information:

- a) Vision and Mission of the LGU.
- b) Frontline Services committed to the public.
- c) Procedural steps and documentary requirements in accessing, and maximum response time to conclude each frontline service.
- d) Officer or Employee responsible/accountable.
- e) Amount and description of fees, if any.
- f) Allowable period for the extension due to unusual circumstances, i.e., unforeseen events beyond the control of the LGU Office or fortuitous events.
- g) Procedural steps in filing complaints including the names of contact official to approach for redress.
- h) Feedback mechanism, contact numbers to call and or persons to approach for suggestions, recommendations, and inquiries.

**SECTION 8.** Task Force on LGU Operating Systems Re-engineering.

- a) There is hereby created a Citizen's Charter Task Force on LGU Operating Systems Re-engineering to take the lead in establishing and maintaining the Citizen's Charter of Tuguegarao City composed of all Department Heads.
- b) The Local Chief Executive shall designate the head of the Task Force.
- c) Specifically, the Citizen's Charter Task Force shall perform the following functions:
  - 1) Conduct periodic review of frontline services, procedural steps, requirements, charges and fees, as well as set service standards.
  - 2) Conduct consultative meetings with clients or beneficiaries of frontline services to ensure the responsiveness of the Citizen's Charter to the stakeholders' standards.
  - 3) Assist in local policy development to ensure transparency, accountability and responsiveness of frontline services of the LGU.
  - 4) Conduct Values Orientation/Development Program of the LGU for its officials and employees.

**SECTION 9.** Mandatory Service Standards. The LGU shall ensure that the following frontline service standards shall be complied with:

- a) Duration of Processing:
  - i) Ministerial requests/applications – Not more than five (5) working days
  - ii) Discretionary or Complex transactions – Not more than ten (10) working days
- b) Number of signatories per transaction – Not more than five (5) signatories.
- c) All and every client shall be attended to and treated with utmost respect and courtesy
- d) Posting in a Special Bulletin Board at the entrance of the City Hall the essential information on each frontline services to guide clientele such as step by step process, accountable officer or employee, documentary requirements, service fee, if any, maximum time of processing, etc .

- e) Print copy of the above essential information in leaflets, brochures, etc. In English, Pilipino and local dialect readily available at the Public Assistance and Grievance Desk.
- f) Compulsory wearing of IDs by officers and employees while engaged in the provision of frontline services.
- g) Automatic Extension of licenses, permits, and authorities:
  - 1) If the request for renewal of license, permit, or authority is not acted upon within the prescribed period, same shall be automatically extended until a decision or resolution is rendered on the application for renewal.
  - 2) The applicant shall be informed prior to the expiration of the original period that more time is required to evaluate the application or request.
  - 3) No automatic extension or renewal shall apply to an expired license, permit, or authority.
  - 4) No automatic extension or renewal shall apply when the license, permit, or authority covers activities which pose danger to public health, public safety, public morals or to public policy including, but not limited to, natural resource extraction activities.

**SECTION 10.** Responsibility of Head of Office. The Head of LGU Office providing frontline services shall perform the following duties and responsibilities:

- 1) Determine the frontline service of his office.
- 2) Determine/assign the signing officer in his absence.
- 3) Undertake re-engineering of transaction systems and procedures, including time and motion studies, if necessary.
- 4) Assign personnel of his office their tour of duty in the Citizen's Charter.
- 5) Define the service standards, standard forms, documentary requirements, procedural steps, etc. for the frontline services of his office.
- 6) Act on client feedback regarding the frontline services of his office.
- 7) Ensure that his personnel perform diligently in their assigned tasks in the provision of frontline services.
- 8) Adopt appropriate working schedules to ensure that all clients who are within the premises of the office prior to the end of official working hours are attended to and served even during lunch break and after regular working hours.

**SECTION 11.** Disciplinary Authority.

- a) Complaints against LGU providers of frontline services shall be filed with the LCE pursuant to Section 84 to 88 of RA 7160.
- b) Complaints against LGU Head of Office who fails in his exercise of extraordinary diligence as a supervisor of an erring officer/employee in paragraph (a) hereof shall, likewise, be filed with the LCE.

**SECTION 12.** Penalties for Offenses Against the Citizen's Charter.

- a) Officers/Employees assigned in the direct provision of frontline services shall be held administratively liable for the following acts/omissions:
  - 1) Refusal to accept application and/or request submitted by a client.
  - 2) Failure to act on an application/request within the prescribed period or failure to inform in writing the client whose application or request cannot be acted upon due to any deficiency as prescribed in the Citizens Charter.
  - 3) Failure/refusal to attend to a client who is within the premises of the office concerned prior to the end of official working hours and lunch breaks.
  - 4) Failure to give the client a written notice of the disapproval of his application or request and the reason for such disapproval.

- 5) Imposition of additional requirements, fee or charge other than those listed in the Citizen's Charter.
  - 6) Discourtesy to a client.
  - 7) Violation of the Mandatory Service Standards.
- b) After compliance with the substantive and procedural due process, the violations of this Ordinance shall be penalized as follows:

FIRST OFFENSE – 30 days suspension without pay and mandatory attendance in Value Orientation Program.

SECOND OFFENSE – Three (3) months suspension without pay

THIRD OFFENSE – Dismissal and perpetual disqualification from Public Office

**SECTION 13. Fixing.** Fixing is hereby declared a Grave Offense of LGU officers and employees involved and shall, after due process, be penalized with Dismissal and Perpetual Disqualification from Public Office without prejudice to prosecution for criminal and civil liabilities under RA 9485 and other laws.

**SECTION 14. Public Assistance and Grievance System.** There is hereby created a Public Assistance and Grievance Desk manned by a responsible LGU Officer/Employee who shall encourage clients to accomplish the appropriate feedback form containing comments and suggestions on the LGU's frontline services to be deposited in a drop box designed for the purpose and installed or located at the receiving area of the LGU hall. Said drop box shall be opened at the end of office hours daily by the Chairman of the Task Force who shall, within 24 hours, refer the Head of Office concerned for consideration or appropriate action within 24 hours from referral.

**SECTION 15. Mandatory Review.** There shall be a mandatory annual review and, when necessary, updating of the Citizen's Charter by the Citizen's Charter Task Force.

**SECTION 16. Responsibility of the Local Chief Executive.**

- a) The City Mayor shall be the Sole Implementor of this Ordinance and shall be accountable for his failure to exercise extraordinary diligence as Head of the Executive Department to ensure the efficient provision of frontline services and prompt disposition of complaints filed under Sections 10, 11, 12 and 13 of this Ordinance.
- b) The City Mayor may issue supplemental implementing rules consistent with this Ordinance and RA 9485.

**SECTION 17. Incentive Awards.** The City Mayor shall provide incentive awards to encourage officers and employees to perform their duties and responsibilities in the implementation of the Citizen's Charter.

**SECTION 18. Funding and Appropriation.** The City Council shall appropriate sufficient funds to create, sustain, improve and update the Citizen's Charter.

**SECTION 19. Suppletory Application Clause.** The provisions of Republic Act 7160, otherwise known as "The Local Government Code of 1991"; Republic Act 9485, otherwise known as the "The Anti- Red Tape Act of 2007"; Republic Act No. 6713, otherwise known as the "The Code of Conduct and Ethical Standards for Public Officials and Employees"; Republic Act No. 3019, otherwise known as "The Anti-Graft and Corrupt Practices Act" and rules/issuances by the Civil Service Commission relevant to this Ordinance, shall be applied suppletorily to this Ordinance.



**SECTION 20.** Repealing Clause. All Ordinances and Local Executive Orders inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 21.** Separability Clause. If any provision of this Ordinance is declared by competent Court to be invalid, other provisions not included in such declaration shall remain effective.

**SECTION 22.** Effectivity. This Ordinance shall take effect upon completion of publication in a local newspaper of general circulation or posting at the City Hall and in two (2) other conspicuous public places in the LGU.

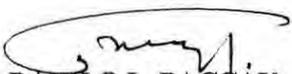
With all members present, voting in favor and none against, **CITY ORDINANCE NO. 08-2009** was **UNANIMOUSLY APPROVED** under suspended rules.

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I CERTIFY TO THE CORRECTNESS  
OF THE FOREGOING:

  
**CRISTOPHER A. SAMONTE**  
LLSO IV/Acting City Secretary

ATTESTED:

  
**HON. DANILO L. BACCAY**  
City Vice Mayor  
Presiding Officer

APPROVED:

  
**HON. DELFIN T. TING**  
City Mayor  
Date Approved: 9-9-09  


@al