

draft only.

WHEREAS, Article XIV of the 1987 Constitution declare that the State shall foster the preservation, enrichment and dynamic evolution of a Filipino culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression;

WHEREAS, the Constitution likewise mandates the State to promote and popularize the nation's historical and cultural heritage and resources, as well as artistic creations;

WHEREAS, the general welfare clause of R.A. 7160 mandates local government units to ensure and support the preservation and enrichment of culture;

NOW, THEREFORE, on motion of _____, duly seconded by City Councilor(s) _____, be it –

RESOLVED, as it is hereby resolved, to enact the following Ordinance:

ORDINANCE NO. ____
Series of 2017

AN ORDINANCE PROVIDING FOR THE DISSEMINATION, DEVELOPMENT AND PROMOTION OF THE CITY'S SIGNIFICANT CULTURAL PROPERTY PERTAINING TO PERFORMING ARTS, STRENGTHENING THE GENERAL SANTOS CITY CULTURE AND THE ARTS COUNCIL, AMENDING FOR THE PURPOSE CHAPTER XII OF TITLE 29 OF THE CODE OF ORDINANCES OF THE CITY OF GENERAL SANTOS, AS AMENDED BY ORDINANCE NO. 15, SERIES OF 2016

HON. SHIRLYN L. BAÑAS-NOGRALES – AUTHOR
HON. ROSALITA T. NUÑEZ, HON. LOURDES F, CASABUENA,
& HON. SHANDEE THERESA O. LLIDO-PESTAÑO

Be it enacted by the Sangguniang Panlungsod of General Santos that:

Section 1. Section 7 of Chapter XII, Title 29 of the Code of Ordinances of the City of General Santos, as amended by Ordinance No. 05, Series of 2007, is hereby further amended to read as follows:

“Section 7. Powers and Functions. – The General Santos City Culture and the Arts Council shall have discharge and perform the following powers and functions:

- a.) Plan, prepare and implement programs, projects and activities to disseminating, development and promoting the City's significant cultural property pertaining to the performing arts;
- b.) Prepare an annual plan on culture and the arts to be integrated in the local development plan of the city;
- c.) Formulate programs and recommendations to develop local culture and the arts;
- d.) Solicit, accept and administer the Council trust fund;
- e.) Secure grants and endowments to support the programs and projects of the Council;
- f.) Conduct cultural events such as cultural festivals, competitions, lectures, seminars, fora and symposia; set up exhibits during fiestas and other related activities;
- g.) Conduct periodic consultations with stakeholders to identify grassroots-based cultural concerns, issues and agenda;
- h.) Encourage the development of local cultural industries;
- i.) Coordinate with existing local culture and the arts councils;
- j.) Evaluate the implementation of the local annual plan for culture and the arts;

- k.) Ensure continuous and sustainable cultural education;
- l.) Set up a city-wide network of barangay councils for culture and the arts to ensure optimum people-based participation;
- m.) Network with international, national and local cultural and artistic groups/agencies;
- n.) Link up with government and non-government agencies for assistance;
- o.) Advise the City Mayor on all matters pertaining to culture and the arts;
- p.) Accept donations from both the public and private sectors;
- q.) Mount fund-raising projects;
- r.) Craft the implementing rules and regulations of this Ordinance;
- s.) Prepare the annual budget of the Council and submit the same to the City Mayor for inclusion in the annual budget;
- t.) Perform such other functions as the law may hereinafter provide.”

Section 2. Another Section is hereby added to Chapter XII, Title 29 of the Code of Ordinances of the City of General Santos, as amended by Ordinance No. 05, Series of 2007, to read as follows:

“Section 10. *The General Santos City Culture and the Arts Council Development Trust Fund.*” – There shall be created a General Santos City Culture and the Arts Council Development Trust Fund consisting of private or public monies including materials and services by gratuitous title which have officially come into the possession of the Council, or which have been received as a guaranty for the fulfillment of some obligations or for specific purpose for which it was created or for which it came into the possession of the Council, to be used for programs, projects and activities towards dissemination, development and promotion of the City’s significant cultural property pertaining to the performing arts.”

Section 3. Repealing Clause. – Chapter XII, Title 29 of the Code of Ordinances of the City of General Santos and all ordinances, orders, rules and regulations, or part or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 4. Separability of Provision. – If, for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 5. Effectivity. – This Ordinance shall take effect on the day after ten (10) days following its publication in a newspaper of general circulation within the City.