

Item No.: 02

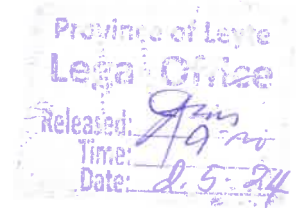
Date: 13 2024 FEB

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**PROVINCIAL LEGAL OFFICE**



2<sup>nd</sup> INDORSEMENT  
February 1, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 13 S. 2023 of the Sangguniang Bayan of Tabontabon, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), a valid exercise of authority mandated under Article 2 Section 16<sup>i</sup> of the Constitution in relation to Section 16<sup>ii</sup> of the Local Government Code.

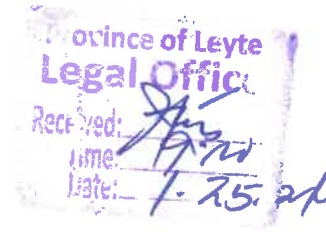
**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer 

<sup>i</sup> Section 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

<sup>ii</sup> "General Welfare Clause"- 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.



Endorsement  
24 January 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 13 SERIES 2023 of the Municipality of Tabontabon, Leyte; entitled: "AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF MUNICIPALITY OF TABONTABON, LEYTE."**

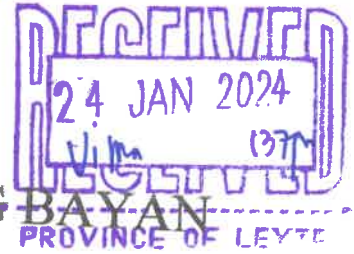
  
**FLORINDA JILI SUYVICO**  
Secretary to the Sanggunian

SP RECORDS  
1242024



Republic of the Philippines  
Province of Leyte  
Municipality of Tabontabon  
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SANGGUNIANG PANLALAWIGAN




OFFICE OF THE SANGGUNIANG BAYAN  
PROVINCE OF LEYTE

**INDORSEMENT**

January 24, 2024

Respectfully submitted to the Honorable Sangguniang Panlalawigan through the SP Secretary, the herein **Municipal Ordinance No. 13 Series 2023** entitled "**AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF MUNICIPALITY OF TABONTABON, LEYTE**" for appropriate action.

Hope you find it in order.

  
MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

Noted:

  
HON. PONCIANO R. JUSTIMBASTE, JR.  
Municipal Vice Mayor



SANGGUNIANG PANLALAWIGAN

Republic of the Philippines  
Province of Leyte  
Municipality of Tabontabon

ID. No. 9896

MUNICIPAL ORDINANCE NO. 13 SERIES 2023

14<sup>th</sup> SANGGUNIANG BAYAN

AN ORDINANCE ENACTING THE HEALTH AND SANITATION  
CODE OF MUNICIPALITY OF TABONTABON, LEYTE.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Municipal Vice Mayor/Presiding Officer

**MEMBERS OF THE  
SANGGUNIANG BAYAN**

HON. HERMAN I. BIBAR  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. DAN JERIC S. REDOÑA  
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HON. JERRY GWEN L. CONDE  
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Ex-Officio Member/ABC Pres

HON. THEA JASMINE A. PRISNO  
Ex-Officio Member/SK Pres.

email: [tabontabon.legislative2016@gmail.com](mailto:tabontabon.legislative2016@gmail.com)

RECEIVED  
24 JAN 2024  
1371  
PROVINCE OF LEYTE

WHEREAS, the Philippine Constitution promotes a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improve quality of life for all;

WHEREAS, Section 16 of RA 7160 otherwise known as the Local Government Code of 1991 mandates that – Every Local Government Unit shall exercise the powers expressly granted, those necessarily implied therefrom, 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 supports 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, there is a need to adopt an ordinance for the promotion and development of health and sanitation in the municipality of Tabontabon, Leyte;

WHEREAS, after a after a Public Hearing and thorough study and discussion on the subject ordinance by the August Body, the herein ordinance is hereby enacted;

NOW THEREFORE, on motion by Hon. Danilo E. Balais and unanimously seconded;

BE IT RESOLVE, as it is hereby resolved to enact/approve Municipal Ordinance No. 13 Series of 2023 entitled “MUNICIPAL ORDINANCE NO. 13 SERIES OF 2023, ENTITLED “AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF MUNICIPALITY OF TABONTABON, LEYTE”;

BE IT ORDAINED by the Honorable Sangguniang Bayan, in its Regular Session assembled, that:

**MUNICIPAL ORDINANCE NO. 13  
Series of 2023**

**AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF  
MUNICIPALITY OF TABONTABON, LEYTE.**

**SECTION 1. TITLE OF THE CODE.** This ordinance shall be known as “AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF THE MUNICIPALITY OF TABONTABON, LEYTE”;

**SECTION 2. SCOPE AND COVERAGE.** This ordinance covers all establishments (private or public) engaged in trade or business including the acts of the owners, operators, and employees thereof and all private persons within the territorial jurisdiction of the Municipality of Tabontabon, Leyte.

**SECTION 3. POLICY.** The Municipality of Tabontabon declares it to be its policy to advance public health and sanitation, maximize the standards of healthful and sanitary living, and achieve a sanitary environment that shall be ideal for its inhabitants.

**SECTION 4. RIGHT TO HEALTH.** Article 12 of the International Covenant on Economic, Social and Cultural Rights provides that women's right to health which includes women's reproductive rights is a basic fundamental right. The recognition of the fact that women's reproductive roles and social expectations have made policies, programs and services to focus more on pregnancy and birth related cases rather than on a more holistic approach. The Municipal Government of Tabontabon, Leyte shall respect and promote a rights-based approach to women's and men's health needs at every stage in their lives. It shall also respect and promote couple's shared responsibilities for the childbirth and childcare.

**SECTION 5. REPRODUCTIVE HEALTH** – As defined in the International Conference on Population and Development and World Health Organizational Conference and affirmed in the International Women's Conference in Beijing. Reproductive Health is a state of complete physical, mental and social well-being and merely the absence of disease and infirmity in all matters relating to the reproductive system and to its function and processes, i.e. people are able to have a satisfying sex life and have the capability to reproduce and the freedom to decide it, when and how to do so. It shall be the policy of the municipal government of Tabontabon, Leyte to adopt and promote this policy on Reproductive Health.

**SECTION 6. HEALTH CARE DELIVERY.** Quality Health Care and Services shall be accessible to women and men regardless of age, sex, creed, religion and ethnicity in the municipality.

- a. No hospital/clinics in the municipality shall deny any women and men living below the poverty line, reproductive health services. A certificate of indigency shall be issued by the Punong Barangay for the purpose of verification.
- b. In cases of emergency, the Municipal Social Welfare Officer of the municipality or his/her duly authorized representative shall conduct a rapid appraisal of the socio-economic status of the patient for admission purpose.
- c. The municipal government must ensure expansion and improvement of health care services and facilities readily accessible to all men and women in the municipality.

**SECTION 7. SANITATION AND SOLID WASTE MANAGEMENT** – It is hereby declared to be the policy of the Municipality of Tabontabon, Leyte to promote and preserve the good health of its constituents through a sanitary and effective solid waste management so that all efforts of the citizen and the government should be harnessed and directed towards the full realization and implementation of such policy.

**ARTICLE 2  
DEFINITION OF TERMS**

**SECTION 8. DEFINITION OF TERMS** as used in this code.

**Ambulants** are vendors who do not occupy a definite or permanent place or stall in the public market and who come to sell goods either daily or occasionally by sitting or moving from place to place within the market premises.

**Amusement** is a pleasurable diversion and entertainment. It is synonyms to relaxation, avocation, past time or fun.

**Amusement Places** include theatres, cinemas, cockpits, concert halls, circuses and other places of amusement where one seeks admission to entertain one-self by seeing or viewing the show or performances, or by direct participation.

**Approved Excreta Disposal Facilities** shall mean any of the following:

- 1. Flush toilets properly connected to a community sewer;
- 2. Flush toilets connected to a septic tank constructed in accordance with this Code;
- 3. Any approved type pit privy built in accordance with this code and;
- 4. Any disposal device approved by the Secretary of Health or his duly authorized representative.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

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**Bagsakan** is basically an open area where wholesale goods are delivered in bulk and which functions as a transaction area for producers, wholesalers and retailers.

**Banks and other Financial Institution** include non-bank financial intermediaries, lending investors, finance and investment companies, pawnshops, moneysshops, insurance companies, stock markets, stock brokers and dealers in securities and foreign exchange, as defined under applicable laws, rules and regulations.

**Bio-degradable** – compostable-putrescible. There are five (5) groups of waste under this category such as (a) food (cooking) wastes/kitchen waste, peelings, leftovers, vegetable trims, fish/flow/meat/animal, entrails/innards/cleanings, soft shell, seeds, etc. (b) agricultural/garden waste, leaves, flowers, twigs, branches, stems, roots, trimmings, weeds, seed/inedible fruits, etc. (c) animal waste, manure/urine, carcasses, etc. (d) human waste: excreta, soiled pads, sanitary napkins, etc. and (e) hospital/clinic waste.

**Bio Gas Digester-** are of two kind, the “poso negro” Taiwan type or the above ground portable valderia model. Biogas is a mixture of methane, carbon dioxide, and traces of inert glasses produced by the fermentation of animal manure, organic waste in an airtight digester chamber.

**Box and Can Privy** is a privy where fecal matter is deposited in a can bucket which is removed for emptying and cleaning.

**Boarding House** is a building where selected persons for fixed period of time are supplied with and changed for sleeping accommodation and meals.

**Burial grounds** refer to cemetery, memorial park of any place duly authorized by law for permanent disposal of the dead.

**Business** means trade or commercial activity regularly engaged in as a means of livelihood or with a view of profit.

**Chemical Privy** is a privy where fecal matter deposited into a tank containing a caustic chemical solution to prevent septic action while the organic matter is decomposed.

**Cold Storage** is a place where perishable goods are stored.

**Cold Storage Section** refers to the area for storage and sale of all kinds of goods and products kept in freezers and/or other refrigerated containers.

**Compost** refers to decayed organic material for use as soil conditioner of fertilizer.

**Composting** refers to biological degradation under controlled conditions, the process of making biodegradable such as food waste, garden waste, animal waste, human waste into compost by mixing them with soil, water, biological additives/activators (optional) and air.

**Concrete vault privy** is a privy with the pit line with concrete in such manner as to make it water light.

**Dealer** refers to the one whose business is to buy and sell merchandise, goods and chattels as a merchant. He stand immediately between the producer and manufacturer and the consumer and his profit depends not upon the labor he bestows upon this commodity but upon the skills and foresights with which he watches the market.

**Distribution box** – A small concrete receptacle between the septic tank and the drain field from which lines of drain, tile extends and which acts as surge tank to distribute the flow of sewage equally to each line of drain tile.

**Domestic waste** – is the refuse from the household as distinguish from industrial waste, agricultural waste, hospital waste, etc., which may be classified as biodegradable (compostable) or non-biodegradable (non-compostable).

**Dry Goods Section** refers to the area to display and sell all kinds of textiles, readymade dresses and apparels, toiletries, novelties, shoes, slipper, laces, kitchen wares, utensils, and other household articles, as handbags, bags school and office supplies.

**Eating Place Section** refers to the area to display and sell all kinds of cooked foods including refreshments parlors, carinderia, restaurants, cafeterias and the like.

**Effective capacity of a septic tank** – The actual liquid capacity of a septic tank as contained below the liquid level line to the tank.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

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ABC Prof./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./Ex-Officio Member.

**Effective depth of a septic tank** – the actual liquid depth of a septic tank as measured from the inside bottom of the septic tank to the liquid level line.

**Embalmer** a person who practices embalming.

**Embalming** refers to the process of preparing, disinfecting and preserving a dead body for its final disposal.

**Enzymes** – a protein produced by cells, with substances to initiate and accelerate chemical reaction in plants or animal matters, acting like an organic catalyst.

**Factory returnable** – all non-biodegradables, non-compostable such as tin cans, bottle/glass including broken pieces; plastic/Styrofoam/rubber/dry paper/dry cardboard/fibers/leather/shells/hard bones/ etc. which are segregated in separate containers or placed in one sack (cans, bottles, containers, already rinsed) and are sold or given away to collectors.

**Feed Materials** – all food waste, peelings, veggie trims, fish entrails, fowl innards, spoiled fruits, leftovers, eggshells, rice/fish/meat washings, etc. (that should be collected and kept in covered containers) and as hog/chicken/duck/pets/fish feeds.

**Fertilizer Materials** – all compostable or biodegradable materials such as garden waste (leaves,wigs,weeds), animal waste (manure, carcasses) human waste, feces, urine, blood, all excreta, pads, diapers (removed plastic portion) etc. are made into compost for organic gardening.

**Fish Section** refers to the area to display and sell fresh fish, dried fish, clams, oysters, crabs, lobsters, shrimps, seaweeds and other seafoods and marine products.

**Flower Shops** refer to the area to display and sell all kinds of flowers, flowerpots, vases and the like.

**Food Chain** is the dealer of food/beverages who secure franchise from established well known companies such as but not limited to Jollibee, Mc Donald, Mister Donut and the like in order to sell.

**Food Establishment** means an establishment where food or drinks are manufactured, cooked, processed, stored, sold or served.

**Freeboard or airspace of a septic tank** refers to the distance as measured from the liquid level line to the inside top of the septic tank.

**Functional Facilities/Equipment**-useful equipment/facilities devised or created from discards, throwaways, junks, scraps, e.g., chairs, tables, doormats, play equipment from rubber tires, roofing' from milk cans, flowerpots, from plastic bags, sacks, containers, etc.

**Funeral establishment** any place used in the preparation and care of the body of a diseased person for burial.

**Green Charcoal**- another form of fuel or grass charcoal, manufactured from compostable, organic, cellu lotic material with the use of enzymes to break down the lignin or binding material, after which it is moulded and dried in charcoal fed stoves.

**Grocery Section** refers to the area where all' kinds of cakes, biscuits, crackers, etc, butter, cheese, confectioneries, candies; canned or bottled foods, beverages, softdrinks, flour, rice, oatmeal, ham, bacon, sugar, nuts sauce, onions, garlic potatoes, eggs, toilet articles, sausages, com, mahgo, starch, smoked fish, dried fish, salt, soap and other household items and food products including firewood and charcoal. Pharmacies and drugstores may be grouped in this dry goods section of the public market.

**Hawkers** refer to ambulant vendors who sell their wares on a one-day basis.

**Hazardous Waste**-special types of waste containing the chemical, biological and radiological elements which are harmful to human health.

**Hotel** refers to a building where transient guests are received and are supplied with meals, lodging and other related services.

**House sewer** refers to the pipe line conveying sewage from the house or building to the septic tank or to any point of discharge.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

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**Ice Storage** is an area that maybe included in the public market or in a private establishment to store ice to supply ice needs.

**Incineration-** the controlled process by which combustible wastes are burned and changes into gasses and that contains little or non-combustible materials.

**Landfill Leachate-** the downward seeping of water through the landfill carrying with the dissolve water collected by the underground drainage of water, system.

**Live Fowl and Piglet Section** refers to the area to display and sell live fowls such as chickens, ducks, other similar bird species and the like and piglets.

**Local Government** refers to the barangay, municipal, city or provincial government.

**Local Market Authorities** refers to the Municipal Mayor, his/her duly appointed Market Administrator/supervisor, the Municipal Administrator, the Municipal Treasurer, Head of economic enterprise or any other official, their duly authorized representative charged with the management of the day to day operations of the public market and/or specific aspects of such operations.

**Marine Products** refer to fresh and dried fish, sea weeds, shells like mussels, clams, shrimps, crabs, lobsters and the like.

**Market Premises** refer to any open space in the market/compound/lot consisting of bare ground not covered by the market buildings usually occupied by transient vendors especially during market days which is included in the total area designated as the market place.

**Market Stalls** refer to any allocated space or booth in the public market where merchandise of any kind is sold on a defined periodic basis.

**Massage Clinic** refers to an establishment where massage is administered to customers.

**Massage** is a method wherein the superficial soft parts of the body, are rubbed or stroked or kneaded for remedial or aesthetic or hygienic purposes.

**Masseur** is a trained person duly licensed by the Secretary of Health or his authorized representative to perform massage and to supervise massage clinic attendants.

**Meat Section** refers to the area to display and sell all kinds of meat except that carabao and horse meat shall have a separate and distinct compartment separate from that of beef and pork.

**Massage Clinic-** An establishment where massage is administered to customers.

**Motel** refers to a roadside hotel for motorist usually. consisting of private cabins.

**Non -biodegradable-** compostable- putrescible. There are 10 groups of waste under this category: (a) tin materials-tin cash aluminium, iron, lead, cooper, silver, etc. (b) glasses- bottles, cutlets (broken glass) sheets (shards) mirrors, bulbs, etc. (c) plastics, polyethylene (bags) polypropylene (straws/jute) sacks containers, polyurethane (foam, mattresses) polystyrene (Styrofoam), polyvinyl (tubes, pipes, linoleum) polyacitate (fibers, cloth, rayon,) etc. (d) rubber ( natural and synthetic ) tires goods, etc.(e) papers, dry papers, cardboards. etc. (f) dry processed fibers, cloth, twine, etc (g) dry leathers: skin, feathers. etc. (h) hard shell :(i) bones, (j) rocks.

**Poultry Dressing Area** is an area servicing the poultry stalls in the wet section of the market.

**Privy-A** structure which is not connected to a sewerage system and it is used for the reception; disposition and storage of feces to other excrete from the human body.

**Public Market** refers to a place, building or structure of any kind owned and operated by the municipality designated as such by the Sangguniang Bayan which is dedicated to the service of the general public and where basic food items and other commodities are displayed and offered for sale. This includes market stalls, tiendas, buildings, roads, sub-ways, waterways, drainages parking spaces and other appurtenances which are integral part thereof.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

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Secretary to the Sangguniang Bayan

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HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

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Secretary to the Sangguniang Bayan

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Mun. Sec. Fed. Pres./ Ex-Officio Member.

**Putrescible-** a substance that decomposes at a certain temperature in contact with air and moisture generally containing nitrogen.

**Recycling of domestic waste** - tie full utilization of domestic waste into factory returnables (around 50%) fertilizer (about 30%) fuels fine crafts, fermentable, etc. with little: left for filling materials. (Proportions vary with the kind of community, the more affluent, the more factory returnables). This includes both man devised and nature designed recycling schemes.

**Recycling-** the reuse, retrieval, recommission, of element/matter for any kind and all purposes necessary to healthful and productive living; the process by which waste materials are transformed into new products in Such a manner that the original products may loss their identity.

**Refuse** is an inclusive terms for all solid waste products consisting of garbage, rubbish, ashes, night soil manure, dead animals, and industrial waste.

**Resource Recovery-** the extraction of materials or energy from waste. Sauna Bath Attendant refers to a person who applies the proper technique of giving steam bath to customers.

**Sauna Bath Establishment** refers to a establishment where customers are exposed to steam which is generated by sprinkling: water on hot stories of by some other means.

**Septic tank** is a water tight receptacle which receives the discharge of a plumbing system or part thereof, and is designed to accomplish the partial removal and digestion of the suspended solid matter in the sewage through a period of detention. Its construction shall be in accordance with specification prescribed in this code.

**Sewerage System** refers to a system serving twenty-five persons or more.

**Slaughterhouse** refers to a place designated by law where animals for human consumption are to be butchered, cut-up and cleaned in accordance with the procedures as required by the National Meat Inspection Service (NMIS).

**Solid Waste Management-** the purposeful, systematic control of the generation, storage, collection, transport, separation, processing, recycling, recovery and final disposal of solid waste.

**Solid Waste** includes anything thrown away, such as garbage, rubbish, trash, litter, junk, and refuse from any source (homes, business, farms, industries, or institutions). This is the discarded material with insufficient liquid content to flow. Examples are those non liquid wastes resulting from the domestic, commercial, agricultural and industrial activities which can be divided into several components under two broad categories. (Biodegradable and non-biodegradable)

**Sorting at Source-** the segregation or separation of waste at the point of generation at the very place where they are produced into biodegradable and nor biodegradable.

**Stallholders/Stall Leases** refer to those who have been granted the right to use a store or more, where they can display or sell their goods, products, commodities or foodstuffs and services and pay rentals thereon.

**Tonsorial Establishment-** includes barber shops, beauty parlor, hairdressing, manicuring and slenderizing salons.

**Vegetables and Fruit Section** refers to the area to display and sell all kinds of vegetables and fruits, root crops, such as camote, cassava, gabi and the like.

**Vendor** refers to a person who sells goods, commodities or foodstuffs within the market premises.

**Vermin** refers to a group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice. Bedbugs, rats which are vectors of diseases.

**Warehouse** is a building or structure where the process of receiving, storing and delivering of goods takes place. Distribution is a function, of warehousing which includes the preparation and delivery of goods to plan or special order.

**Zero Waste Resource Management System** - is an ecological method of handling waste that does not degrade the environment nor pollute air, water, and soil and facilitate their sanitary retrieval, reuse or recycling.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILIO E. BALAIS  
SB Member

HON. JERRY GAVEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BIBAR  
SB Member

HON. MELBA N. TORRIGIO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS E. BALDERIAN  
SB Member

HON. RAUL BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

**ARTICLE 3  
AUTHORITY AND REPONSIBILITIES OF THE  
MUNICIPAL HEALTH OFFICER**

**SECTION 9. AUTHORITY OF THE MUNICIPAL HEALTH OFFICER.** The Municipal Health Officer shall administer health and sanitation functions and enforce the provisions of this Code.

**SECTION 10. RESPONSIBILITIES OF THE MUNICIPAL HEALTH OFFICER.** The Municipal Health Officer shall:

1. Conduct or cause the regular inspection of all establishments covered by this code and their premises to ascertain their state of sanitation.
2. Apply precautionary measures to prevent the spread of any communicable disease or possible outbreaks and deaths as a result thereof.
3. Oversee the implementation of the provision of this health and sanitation code.

**ARTICLE 4  
SANITARY PERMIT**

**SECTION 11. SANITARY PERMIT.** No business establishment shall be issued a license to operate a business without a sanitary permit. In addition to those provided in other existing and relevant Municipal Ordinances, the following are required to secure a Sanitary Permit from the Municipal Health Office:

1. Food manufacturing and processing establishments.
2. Restaurant and Carinderia, Operators of Food and Drink Vending Machines. The Municipal Health Officer or his/hér duly authorized representative may, in writing; exempt a food establishment from securing' a Sahitary Permit for the vending machine when the same is located in or a part of operation of a food establishment. Vending machines shall be registered only in the name of the operator.
3. Water Peddlers and Haulers/Water Refilling Stations.
4. Urban Pest and Control Operators. The establishment shall employ an accredited urban pest applicator as a requirement for the issuance of a sanitary permit.
5. Sari- sari stores and other similar establishments that serve cooked food.
6. Barber Shop
7. Beauty Parlor
8. Motor Shop/ vulcanizing shop
9. Funeral Parlor
10. Gasoline Service Station
11. Bakeries/Groceries
12. Rest Areas
13. Night Clubs/Videoke Bars
14. Furniture shops
15. Swimming Pool/Bathing Places (public and private)
16. Public Laundry


  
**HON. PONCIANO R. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

--over--

  
**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

  
**DANILO E. BALAIS**  
SB Member

  
**HON. JERRY GWENDOLYN CONDE**  
Member  
SB

  
**HON. DAN JERIC S. REDONA**  
SB Member


  
**HON. FRANCISCO M. FERNANDEZ**  
SB Member

  
**HON. HERMAN J. HIBAR**  
SB Member

  
**HON. MELVIN M. LOBRIGO**  
SB Member

  
**HON. JINKY E. GAMEZ**  
SB Member

  
**HON. DENNIS L. CALDERIAN**  
SB Member

  
**HON. RAUL B. BALANO**  
ABC Pres./ Ex-Officio Member

  
**HON. THEA JASMINE A. PRISO**  
Mun. SR Fel. Pres./ Ex-Officio Member.



- 17. Ice plant/ice producing establishments
- 18. Dental/Medical Clinic
- 19. Pharmacies/Drugstores
- 20. Massage Clinic and Sauna Bath
- 21. Hotels/Motels, Lodging & Boarding Houses
- 22. Catering Services
- 23. Medium and Large scale piggery and poultry projects
- 24. Rice mills
- 25. Furniture shops
- 26. Construction Supplies and lumber establishments.

**SECTION 12. APPLICATION FOR SANITARY PERMIT.** The application for Sanitary Permit shall be filed with the Municipal Health Office. It shall be issued upon compliance to at least a satisfactory rating on the existing sanitation standards.

**SECTION 13. ISSUANCE OF SANITARY PERMIT-** The issuance of Sanitary Permit shall be subject to the following conditions:

1. Sanitary Permit shall be issued by the Municipal Health Officer after the payment of the prescribed fees and the payment of the Sanitary Inspection Fee (refer to pages 60 to 62 of the Municipal Revenue Code for the sanitary fees' rate) and after all employees of said establishment have secured the necessary Health Certificate.
2. Actual inspection of the establishments shall be conducted by the Municipal Health Officer or his/her duly authorized representative prior to the issuance of the sanitary permit to make sure of the compliance of health and sanitation standards as set forth in this code.
3. Fees shall be paid to the Municipal Treasurer or his/her duly authorized representative upon application or renewal every year thereafter and noting of the sanitary permit. The amount of fees to be collected shall be in accordance with the provisions of the Revised Revenue Code of the Municipality.
4. Any extension or additional construction or alteration in the establishment shall require a new Sanitary Permit before it could operate. Likewise, change of ownership of any establishment shall be properly noted and recorded in the record of the Municipal Health Officer and a new Sanitary Permit shall be required at least fourteen (14) days from date of change of ownership.
5. No Sanitary Permit shall be issued for any premises to be used for the preparation, handling and sale of food unless it is constructed in accordance with the requirements set forth in Chapter III of P.D. 856 (Code of Sanitation).

**SECTION 14. VALIDITY OF THE SANITARY PERMIT.** The issuance of sanitary permit shall be effective from the date of its issuance and ending on the last day of December of each year, and shall be renewed every year thereafter, however, for new establishments, the Sanitary Permit will also expire at the end of December' of the current year when the sanitary permit has been issued.

**SECTION 15. POSTING OF THE SANITARY PERMIT.** The sanitary Permit shall be posted in a conspicuous place of the establishment and shall be available anytime for inspection by the Municipal Health Officer or his/her duly authorized representative.

**SECTION 16. RECORDS OF SANITARY PERMIT CERTIFICATES.** The Municipal Health Officer shall keep a record of all establishments to which sanitary permits have been issued and of all permits or certificates and renewals thereof. The record shall be available at all reasonable times for inspection by any authorized representative of the Department of Health or the Municipal Government thru the Municipal Health Officer.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

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SB Member

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SB Member

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HON. HERMAN V. BIBAR  
SB Member

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SB Member

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SB Member

HON. DENNIS H. BALDERIAN  
SB Member

HON. RAUL D. BAJANO  
ABC P/ps./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. P/ps./ Ex-Officio Member.



The record shall in every case show the following:

1. The name and address of the holder of the Sanitary Permit who shall be the actual operator/ owner of the establishment.
2. The location of the establishment.
3. The nature/kind of business for which the permit has been issued.
4. The date when the permit was issued and the dates of every renewal thereafter.
5. Every change of ownership of the establishment since the first permit was issued.
6. The records of revocation/cancellation or termination/cancellation if any.

**SECTION 17. SUSPENSION/REVOCATION, CANCELLATION, TERMINATION OF PERMIT.** The Sanitary Permit may be suspended or revoked by the Municipal Health Officer upon violation of the provisions of this ordinance.

**SECTION 18. TEMPORARY SANITARY PERMIT.** Operators of food booths, stalls, carts and other similar trades in carnivals, fairs and the like shall be required to secure a temporary Sanitary Permit, subject to the following conditions:

1. No person or entity shall operate a food booth, stall, cart, or similar trade inside carnivals, fairs and the like, without securing a Temporary Sanitary Permit from the Municipal Health Officer.
2. All Temporary Sanitary Permits shall be valid during the duration of the fair but shall in no case exceed one (1) month.
3. Fees shall be the same as that of the amount fixed and collected by the Permits and Licenses Section as provided in the Revenue Code of 2018 of the Municipality.

**SECTION 19. SANITARY INSPECTION.** It shall be the duty of the Municipal Health Officer or his/her duly authorized representative to cause an inspection and evaluation of all the establishments requiring a Sanitary Permit for its operation, upon application and to cause as many additional inspections and re-inspections and evaluations as may be deemed necessary for the enforcement of the provision of this ordinance. Inspection of the establishment shall be done within seven (7) working days after filing of application. The establishment inspected by the Municipal Health Officer or his/her duly authorized representative shall be given a Sanitary Inspection Certificate as the basis of the issuance of a Sanitary Permit pursuant to the Municipal Revenue Code of Tabontabon, Leyte.

- a. Whenever an inspection or evaluation conducted by the MHO/Sanitary Inspector or any authorized representative indicates non-compliance to particular items specific to the type of premises inspected, the Municipal Health Officer or his/her duly authorized representative shall serve the operator/owner of the establishment a Sanitary Order requiring him/her, within the grace period stated in the order, to take such remedial action as may be specified therein.
- b Re-inspection. If upon re-inspection of the establishment after the lapse of the grace period, the MHO/Sanitary Inspector or its duly authorized representative finds that the necessary corrections have not been effected, he/she shall report the same to the Municipal Health Officer who shall cause the revocation of the Sanitary Permit.

**ARTICLE 5  
MEDICAL CERTIFICATE/HEALTH CERTIFICATE**

**SECTION 20. ISSUANCE OF MEDICAL CERTIFICATE.**

- (a) **Medical Certificate** shall be subject to the provisions of applicable ordinances of the municipality. It shall be a requirement for the issuance of work permit, other pertinent permit to operate business, for employment (public and private), enrolment in public and private secondary schools and other purposes as maybe required by law or ordinance.
- (b) Medical certificate shall bear the name of the employee/person and picture which shall be displayed and pin in him/her which can be visibly seen with the following color coding:

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. HIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDIERRAN  
SB Member

HON. RAUL P. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

Yellow- For food handlers  
Green-For non-food handlers  
Pink- Entertainers

**SECTION 21. MEDICAL CERTIFICATE/HEALTH CERTIFICATE**

- a. **FOOD VENDORS/HANDLERS MEDICAL EXAMINATION** - All owners, sellers, cooks, waitress/waitresses and food handlers of business establishments including bars, restaurants, carinderias, bakeries, cafeteria, catering services and videoke bar are ordered to, undergo a yearly medical examination and are required to secure a medical certificate from the Municipal Health Officer to determine whether they are free from communicable diseases (Sec. 64, Adm. Code of the municipality/Municipal Ordinance No. 2001-530) The medical/health certificate shall be issued only after the required physical and medical examination are performed and immunizations are administered at prescribed intervals pursuant to existing ordinances or as determined by the Municipal Health Officer as the case maybe.
- b. **EMPLOYEES MEDICAL EXAMINATION** - All employees and workers of public and private offices and business establishments are likewise ordered to undergo a yearly medical examination and are required to secure medical certificate from the MHO to determine their physical fitness and health condition.
- c. **STUDENTS PHYSICAL EXAMINATION**- All administrators of public and private secondary schools are also ordered to require all enrolling students to secure certificate of physical/medical examination to determine whether said students are physically fit and free from communicable diseases and drug addiction. Students physical/medical examination shall be free of charge.
- d. All owners of videoke bars/beer gardens and other entertainment establishments shall require their waitress/waitresses/GROs to secure medical certificates from the Municipal Health Officer or his/her duly authorized Representative as required by existing ordinances.

**SECTION 22. HEALTH AND SANITATION RELATED HYGIENIC PRACTICES.** All persons issued with medical Certificate shall observe at all times hygienic practices at the workplace such as but not limited to the following:

- a. Wearing of clean working clothes and hair net whenever practicable;
- b. Washing of hands with soap before and after working, after using the toilet, after coughing or sneezing into the hands or as often as necessary to remove dirt, germs or other contaminants;
- c. Smoking in the workplace is not allowed;
- d. No personnel with open wounds or skin bruises on exposed areas of the body shall be allowed to be directly or indirectly in contact with food or the equipment/utensils in the workplace until such wounds or bruises have been completely healed.

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Mun. Vice Mayor/Presiding Officer

--over--

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Secretary to the Sangguniang Bayan

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SB Member

HON. JEROME GWENT L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

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SB Member

HON. HERMAN V. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS E. BALDERIAN  
SB Member

HON. RAUL J. BALANO  
ABC Pts./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./Ex-Officio Member.

**SECTION 23. PERSONAL HEALTH AND HYGIENE.** Persons issued with medical certificate shall at all times observe health hygiene and safety health practices at the workplace such as but not limited to the following:

- a. No eating of any kind of food except in food establishment;
- b. No drinking of alcoholic beverage;
- c. No Smoking at work place except in appropriately designated areas;
- d. No littering;
- e. No spitting and blowing of nose in the workplace unless properly covered when sneezing
- f. No unnecessary noise or distraction, and;
- g. Other hygienic and personal health and safety practices called for in the nature of the work in the establishment.

**SECTION 24. MEDICAL CERTIFICATE FEE.** There shall be imposed a fee from any person who is given a medical certificate upon undergoing a medical examination by the MHO or his/her duly authorized representative as required by existing Ordinances. (Please refer to the Revenue Code of the Municipality of Tabontabon, Leyte.)

**CHAPTER II  
FOOD ESTABLISHMENT**

**ARTICLE 1  
QUALITY AND PROTECTION OF FOODS**

**SECTION 25, QUALITY AND PROTECTION OF FOOD** - All foods must be obtained from sources approved by the Municipal Health Office and/or the Municipal Meat Inspector or the Municipal Agriculturist.

1. All foods must be obtained from sources approved by the Municipal Health Officer, Municipal Meat Inspector and Municipal Agriculturist.

- a. Vegetables and fruits shall come from safe sources where the soil is not contaminated by night soil, sewage (manure) and toxic chemicals. Organic vegetables are preferred.
- b. Meats, meat products, fish and vegetables and other food sources shall be procured from sources under sanitary and veterinary supervision. All meats shall come from the Municipal Slaughterhouse or any duly licensed slaughterhouse inspected and approved by the Municipal Meat Inspector.
- c. All meat and fish shall be properly cooked before serving except those that are locally accepted to be eaten raw at the option of the consumer.
- d. Milk and fluid milk products shall be obtained from sources approved by the Municipal Health Officer. Milk obtained from other sources must be sterilized, pasteurized or heated.
- e. Milk shall be stored in a refrigerator. Canned or packaged milk other than dry milk products shall be refrigerated after the container has been opened.
- f. All perishable and potentially hazardous foods shall be stored at 45° F (7 ° c) or below.
- g. Cooked foods intended to be served hot shall be kept at a temperature not lower than 140 F (60 ° C).-LIKE PAKSIW
- h. Raw fruits and vegetables shall be thoroughly washed before they are used.

2. Transporting of Food and Food Materials - All food and food materials shall be transported in sanitary transporting facilities inspected and approved by the Municipal Health Officer or his/her duly authorized representative. Foods shall be transported in properly covered containers, wrapped or packed, to be free from contamination.

3. Preparation, Storing and Serving of Food and Drinks - All foods being displayed, stored, prepared and for sale shall be protected from contamination from dust, flies, rodents and vermin.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

DANILO F. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCIS M. FERNANDEZ  
SB Member

HON. HERMAN I. RIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS E. BALDERIAN  
SB Member

HON. RAUL P. SALIANO  
ABC P/ps./ Ex-Officio Member

HON. THEA MARIE A. PRISNO  
Mun. SK Fed. P/ps./ Ex-Officio Member.



HON. DANILO E. BALAIS  
SB Member

JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDERRI  
SB Member

HON. RAUL D. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

- Suitable utensils shall be provided to minimize handling of food and reduce hand contact of food by the employee.
- Ice to be used shall come from ice-plants with sanitary permit or from other source producing ice but using sanitary water as required by this Ordinance. Ice making devices shall be located, installed, maintained properly to prevent contamination of the ice to be use for cooling drinking water and foods. Ice when delivered shall not be allowed to be placed or touched the ground and dirty surfaces without proper protection from contamination.

**SECTION 26. FOOD SERVICING OPERATIONS-** Food Serving Operations shall observe the following requirements:

- All foods displayed in food servicing including buffets and cafeterias, carinderias, restaurants land catering services shall be properly covered and protected from contamination from consumers and other sources by providing effective, easily cleanable, protective devices, sneeze and cough guards, cabinet, display cases, show cases, containers or other similar type of protection equipment. Self-service openings in counter guards shall be designed and arranged as to protect food from manual contact by consumers. Open display of foods in fast foods, carinderias and similar establishments, regardless whether the food will be reheated or cooked, is strictly prohibited.
- Hand contact with food or drink shall be avoided. Fingers shall not be used directly to serve butter, ice or similar food items, Sugar shall be served in covered containers or in packages, or sachet wrapped good for one service.
- Juice, slush-ice and other food beverages shall be disposed by an approved bulk dispenser.
- Ice shall not be handled directly with the hands but shall be picked with clean tongs and spoons.
- Disposable cups, plates, spoons, forks and other single-service containers and utensils shall be purchased in sanitary cartoons and stored in a clean dry place until their use. Extra care must be exerted to remove the utensils from the cartoon so as not to touch the surface which will be in contact with food or drink.
- The surfaces of containers and utensils, glasses and table wares which come in contact with food or drink shall not be touched.
- Clean clothes, napkins, towels and other cloth equipment shall be stored in clean places designated specially for them. Soled linens, including towels, aprons and coats shall be stored in a closed bin or locker, properly marked.
- Use of coloured lights/bulbs in the display area of food or food materials shall be strictly prohibited.
- Leftover and/or unsold food shall not be resold or re-served for human consumption.

**ARTICLE 2  
STORAGE OF FOOD**

**SECTION 27. DRY STORAGE OF NON-PERISHABLE FOODS**

- Non-Perishable Foods shall be stored in designated spaces, lockers, Cupboards, racks, shelves and containers properly protected from contamination.
- All lockers and cupboards shall be constructed of materials of the same quality as used for food preparation and food serving operations. Containers shall be made of metal or equipment material fitted with tight covers
- Food and Food materials shall be stored separately and far from chemicals and disinfectant to avoid serious food poisoning.
- Food storage facilities and rooms shall be insect free and vermin proof.
- Wet and dry food and food materials shall be stored separately., sausages, com, mahgo, starch, smoked fish, dried fish, salt, soap and other household items and food products including firewood and charcoal. Pharmacies and drugstores may be grouped in this dry goods section of the public market.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan



**ARTICLE 3  
SANITARY FACILITIES**

**SECTION 28. WASH HAND BASINS.** Wash hand basin shall be installed in convenient places and as near as practicable to the place of work of the person being provided for with adequate supply of water and soap. The location must be in accordance with PD 856 and RA 6541.

**SECTION 29. TOILET FACILITIES-** Adequate, clean and sanitary toilet facilities separately for male and female and for differently-abled customers and personnel shall be installed in proper and convenient location. The number of toilet facilities shall be in accordance with the estimated and expected number of customers and be consistent with the requirements as prescribed by the Implementing Rules and Regulations of PD 856. The toilet facilities shall be in accordance with the following requirements:

1. Adequate hand washing facilities with adequate water and soap must be provided within or adjacent to the toilet rooms.
2. The toilet facilities must be accessible to the customers and the employees as well.
3. The toilet facilities must be completely enclosed, properly and brightly lighted and properly ventilated.
4. They shall be provided with odour absorbent materials, deodorizer, walls painted in light colour and with adequate water supply for flushing.
5. As much as possible and practicable, basement toilets shall be discouraged due to the problem of ventilation, sunlight and cost of sewer connection.

**ARTICLE 4  
FOOD SANITATION**

**SECTION 30. FOOD SANITATION-** All establishments serving food and drink which are governed by this Ordinance shall strictly observe the provisions of the Implementing Rules and Regulations (IRR) PD856, Chapter (Food Establishment). No person shall operate a food establishment for public patronage without securing a Sanitary Permit from the Municipal Health Officer of the municipality.

**SECTION 31. VENDING MACHINES**

1. No person shall operate a food and drink vending machine without first securing a Sanitary Permit from the Municipal Health Officer except those that are part of a food establishment.
2. Vending machine shall be registered in the name of the owner/operator of the establishment.
3. The machines shall be made of materials not hazardous for the food and drink to be served and it can be easily cleaned.
4. The machine shall be located conveniently in clean and hygienic location which can be easily cleaned in all angles/sides.
5. The correct temperature shall be maintained for the type of product being sold.
6. The machines shall bear a precise restriction for cleaning and sterilization.
7. The frequency of cleaning shall depend on the type of goods being sold; for drink vending machine, it shall be cleaned at least daily and for food, at least once every forty-eight (48) hours and in addition on every occasion that the stocks are replaced.

**HON. PONCIANO R. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

--over--

**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

**HON. DANILO E. BALAIS**  
SB Member

**HON. JERRY GWENT CONDE**  
SB Member

**HON. DAN JERIC S. REDOÑA**  
SB Member

**HON. FRANCISCO M. FERNANDEZ**  
SB Member

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SB Member

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SB Member

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SB Member

**HON. DENNIS R. BALDERIAN**  
SB Member

**HON. RAUL D. BALANO**  
ABC Prefs./ Ex-Officio Member

**HON. THEA JASMINE A. PRISNO**  
Mun. SK Fed. Prefs./ Ex-Officio Member.

HON. DANILO E. BALAIS  
SB Member

HON. MERVIN J. LOBRIGO  
SB Member

8. Detergents and sterilizing agents shall be used in cleaning the machines.
9. A record card covering the last seven (7) days of operation shall be kept in each machine and the date of cleaning.
10. Food sampling shall be done at intervals depending on the type of food sold to check the bacteriological quality and contamination f any.

HON. JINKY E. GAMEZ  
SB Member

**SECTION 32. HEALTH "INSPECTION-** Sanitary Inspection may be done by the Municipal Health Officer or his/her duly authorized representative upon any and all establishment serving food and drink once a month or as frequent as the demands of public health shall require. During such inspection, al inspection attending work shall be made ready to submit in any spot examination which the inspector reasonably determines provided that the same shall not unduly interfere with the workload and efficiency of the employee.

**SECTION 33. STRUCTURAL REQUIREMENTS.** Food establishments shall be constructed in accordance with the following requirements:

1. No person shall use any room or place for or in connection with the preparation, storage, handling or sale of any article of food:
  - a. Which is at anytime used or in direct communication with a sleeping apartment or toilet;
  - b. In which any animal is kept; or
  - c. Which is or has been used exclusively for the purpose; provided, that in department stores or multi-purpose business establishments, food may be manufactured, prepared, cooked, 'stored or sold only in the area set aside exclusively for said purpose and for which a sanitary permit has been issued.
2. No sanitary permit shall be issued to any premises to be used for the preparation, handling and sale of food unless it is constructed in accordance with the following requirements:

HON. BENJAMIN B. ANDERIAN  
SB Member

**SECTION 34. FLOORS.** The floors shall be

1. Constructed of concrete and other impervious and easily cleaned materials that is resistant to wear and corrosion and shall be adequately graded and drained, all angles between the floors and walls shall be rounded off to a height of not less than 3 inches (7.62 cm) from the floor; or
2. Constructed with wood with dovetailed or tongue and groved floor board laid on a firm foundation and tightly clamped together with all angles between the floor and walls rounded off to a height of 3 inches (7.62 cm); or
3. Constructed in accordance with the requirements of par. 1 & 2 and covered with linoleum, smooth surfaced rubber or similar material fixed to the floor with cement or suitable adhesive Provided, that with the approval or the municipal Engineer, floors may be covered with carpets or other floor covering in those parts of the premises where such carpets or other floor covering in these parts of the premises where such carpets or coverings can be satisfactorily cleaned and maintained.

HON. RAUL J. BALANO  
ABC Pres./ Ex-Officio Member

**SECTION 35. WALLS**

1. The internal surface of walls shall be smooth, even non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials.
2. The walls, where subject to wetting or splashing, shall be constructed of impervious, non-absorbent materials to a height of not less than 79 inches (2 meters) from the floor.
3. The internal walls shall be painted in light colors or treated with such other wall finish as the Municipal Health Officer or Municipal Engineer Office may prescribe.

HON. THEA JASMINE A. PRISNO  
Mun. St. Fed. Pres./ Ex-Officio Member.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

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**SECTION 36. CEILLINGS-**

1. All ceilings or if no ceiling is provided, the entire under-surface of the roof shall be rust-proof and washable.
2. The ceiling or under surface of the roof of rooms in which food is prepared or packed or in which utensils or hands are washed shall be smooth non-absorbent and light.

**SECTION 37. LIGHTING-**

1. The general standards of illumination provided shall permit effective inspection and cleaning and shall be of sufficient intensity appropriate to the purpose for which any room or place is used.
2. In rooms where food is prepared as packed or in which utensils or hands are washed, there shall be a minimum of illumination intensity of 20-foot-candles in rooms where food is consumed, there shall be a minimum illumination intensity of 5 foot-candles, Intensities of illumination shall be measured at a point 30.9 inches (76.20 cm) above the floor.
3. All lighting shall be free from glare and distributed so as to avoid shadows.

**SECTION 38. VENTILATION-**

1. Ventilation shall be provided which shall be effective and suitable to maintain comfortable condition.
2. In the absence of effective natural ventilation, mechanical ventilation with air flow from a clear area and discharging in such a manner as not to create a nuisance, shall be provided.
3. Canopies, air ducts, fans of other appliances shall be provided as required by health authorities in particular circumstances.
4. Effective provision shall be made for, securing and maintaining a reasonable temperature.

**SECTION 39. OVERCROWDING-**

There shall be sufficient floor space to enable every person working thereon to carry out his duties efficiently and to permit easy access for cleaning, working spaces, aisles and passageways and areas to which customers have access shall be unobstructed and sufficient. to permit movement of employees and customers without contamination of food by contact with clothing or personal contact.

**SECTION 40. CHANGEROOMS-**

There shall be provided adequate and suitable lockers and other facilities for the orderly storage of clothing and personal belongings of employees or persons engaged or employed in the premises Such facilities shall be situated and arranged so that there is no contamination of food by contact with clothing and other personal belongings of employees. There shall be provided a separate changing room for each sex where employees numbers from four (4) or more of either sex.

**ARTICLE 5  
FOOD SERVICES AND HANDLING**

**SECTION 41. FOOD SERVICE SPACES**

- a. Food Service spaces shall not be used as living or sleeping' quarters.
  - b. Clothing or personal effects shall be kept in lockers or in designated places away from food service spaces.
  - c. No animal or live fowls shall be allowed in such space.
- Foods in storage or in preparation must not be handled by anyone other than the preparation ana serving staff.

**HON. PONCIANO R. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

--over--

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GIVEN L. CONDE  
SB Member

HON. DANIEL S. REJONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN V. BIBA  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS D. BALDIERIAN  
SB Member

HON. RAUL D. BAYANO  
ABC Pres./ Ex-Officio Member

HON. THEA YASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.



**SECTION 42. FOOD HANDLERS**

- a. No person shall be employed in any food establishment without a health/medical certificate issued by the Municipal Health Officer.
- b. Food Handlers shall at all times:
  - 1. Wear clean working garments. The cook shall wear prescribed caps and female caps or hairnets.
  - 2. Observe good personal hygiene.
  - 3. Wash their hands thoroughly with soap and water and dry them, with clean or disposable towel or a suitable hand-drying device immediately before working or after visiting the toilet.

**CHAPTER III  
WATER RESOURCES**

**ARTICLE 1  
POLICY DIRECTION**

**SECTION 43. STATEMENT OF POLICY** – It is hereby, declared a policy of the municipality to promote the sustainability of all waters located herein, in order to meet the indefinitely potable water requirement of the people and for sustainable agricultural production. Water resources shall be equitably shared and that no barangay or sector in the community shall be deprived of safe and clean water.

**Section 44. INVENTORY AND CLASSIFICATION OF WATER RESOURCES.** The municipal government in close coordination with the DENR shall conduct an inventory and classification of water resources within the jurisdiction of the municipality which shall be the basis of the issuance of water utilization permits and licenses. The inventory shall include rivers, brooks, streams, lakes, lagoons, wells, springs, irrigation dams and canals and all other surface water flowing over lands. The classification may be for domestic consumption, municipal uses, irrigation, power generation, fisheries and livestock raising, recreational uses and for other beneficial purposes.

**Section 45. FISHING RESTRICTIONS.** Acts strictly prohibited and punishable under this Code, shall include but not limited to the following: Catching fish in any waters, rivers, streams, brooks and ponds by means of any electrical gadgets or any apparatus including "sarep".

- a. Catching fish in any waters, rivers, brooks streams and ponds by means of dynamite and other blasting apparatus.
- Catching fish in any waters, rivers, streams, brooks and ponds by means of cyanide or any other obnoxious Substances, insecticides and pesticides.
- b. Catching fish in any waters, rivers, streams, brooks and ponds by means of cyanide or any other obnoxious Substances, insecticides and pesticides.

**Section 46. RESTRICTION ON WASTE DISPOSAL** -The following restrictions on waste disposal shall be strictly enforced:

- a. No person shall dump or dispose non-biodegradable debris, plastic debris Such as discarded fishing nets and lines packing bands, straps, synthetic ropes plastic bags and wrappers, bottles, sheets, medical containers and equipment into riverbanks, streams, brooks, irrigation canals, sewage and sewerage canals and all public and private lands.
- b. No person shall dump or dispose water wastes into riverbanks, streams brooks, irrigation canals, sewage and sewerage canals and all public and private lands.
- c. No industrial or manufacturing facility shall be operated and given permit Without proper solid and water waste disposal system and facilities.
- d. Washing and cleaning of vehicles. and any other machineries in the rivers, streams, and brooks is hereby prohibited.

HON. PONCIANO E. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GAYEN L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN I. BIBAR  
SB Member

HON. MERVIN M. TORRIGIO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDERIAN  
SB Member

HON. RAUL M. BALIANO  
ABC Pfts./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member



CHAPTER IV  
DRINKING AND WATER SUPPLY FACILITIES

ARTICLE 1  
WATER SUPPLY

SECTION 47. REQUIREMENTS. All establishments covered by this Ordinance shall comply with the following requirements:

1. There must at all times an adequate, potable and sanitary water supply whether from a public or private water supply system. The water supply must be in accordance with the quality of water as provided in Chapter II of the Implementing Rules and Regulation PD 856.
2. The water system as source of the water supply must have a certificate of potability of drinking water issued by the Municipal Health Officer based on the recommendation of the Municipal Sanitary Inspector or the Sanitary Engineer of the Department of Health. The samples of the drinking water shall be submitted by the owner/s of the establishment to the Department of Health accredited laboratories for physical, chemical and bacteriological examinations at least once a year or as often as necessary as determined by the Municipal Health Office.

SECTION 48. DRINKING WATER FACILITIES. The following sanitary requirement shall be complied with by all establishment governed by this Ordinance:

- a. Facilities for drinking water shall be in accordance with approved sanitary design as prescribed by existing laws.
- b. Drinking water not sourced out from a piped water supply system shall be handled, transported and dispensed in a sanitary manner and stored in a separate tank, reservoir or container approved by the Municipal Health Office.
- c. If drinking fountains are to be installed, they shall be of approved angle -jet type, properly labelled and situated in convenient locations, and shall be designed so that drinking utensils are not required. If there is a need of drinking utensils, the same shall be disposable.
- d. Drinking fountains shall never be inside the comfort room.
- e. Non-drinking or non-potable water must be labelled properly as "Not for Drinking".
- f. Bottled and packaged drinking water shall be stored and handled properly to avoid being contaminated. They shall be secured from accredited source as prescribed by Department of Health Administrative Order No. 18-A series of 1993 "Bottled Drinking Water and likewise in accordance with PD 856, as prescribed by law, bottled water shall be served in its original sealed bottle to ensure safety and free from contamination/adulteration.

SECTION 49. APPROVAL OF PERMITS-The approval of the Municipal Health Officer or his/her duly authorized Representative shall be required under the following condition.

- c. Sites of water Supply Sources-Any person/unindividual who intends to construct or drill, alter or repair water supply system shall file an application for permit to drill with the National Water Resources Board and secure a Water Site Clearance from the Municipal Health Officer prior to the start of the construction.

The Municipal Health officer shall immediately conduct an inspection on the site of the water supply system after the completion of construction of water system to ensure that the requirements thereof have been satisfactorily complied with. If the work on the water supply given water site clearance failed to start within six (6) months from the date of issuance, the water site clearance shall automatically expire.

- d. Certification of the Potability of Dinking Water- A certificate of potability of drinking water by the Municipal Health Officer shall be required before a Water System is allowed to operate.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. HERRERA L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMIAN L. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. JEMIS L. BALDIERIAN  
SB Member

HON. RAUL P. BAYLANO  
ABC Pres./ Ex-Officio Member

HON. THEA M. SMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

HON. DANILO E. BALAIS  
SB Member

JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMIAN V. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JIMMY E. GAMEZ  
SB Member

HON. DENNIS L. BALDERIAN  
SB Member

HON. RAUL D. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

- e. Delivery of Water to Consumers from New or Recently Repaired Water System- Permit to deliver drinking water to consumers from new or recently repaired water system shall not be granted unless after the final inspection by the Municipal Health Officer or his/her duly authorized Representative proved that the water supply system was constructed in accordance with the submitted plans and specifications and the result of the laboratory analysis proved that the water quality meets the Philippine National Standards for Drinking Water.
- f. Resumption of the Operation of Water Supply - In cases when water supply is found unfit and unsafe for human consumption, a permit to re-operate from the Municipal Health Officer shall be given only when all the defects shall have been corrected and the water found safe for drinking and domestic use.

**ARTICLE 2  
SPECIFIC PROVISIONS**

**SECTION 50. STANDARD PARAMETERS AND VALUES OF DRINKING WATER** - Before water is used, distributed or sold for drinking, it should meet the criteria on standard parameters and values for bacteriological, physical, clinical, biological and radiological quality set by the Philippine National Drinking Water Standards. The treatment of water is to make it safe for drinking and the disinfection of contaminated source together with their distribution system shall be in accordance with the procedures prescribed by the Municipal Health office.

**SECTION 51. EXAMINING LABORATORIES AND SUBMISSION OF WATER SAMPLES.** The examination of drinking water shall be performed only in private or government laboratories duly accredited by the Department of Health. It is the responsibility of operators of water systems to submit to accredited laboratories water samples for examination in a manner and at such intervals prescribed by the Municipal Health Office.

**ARTICLE 3  
OTHER PROTECTIVE MEASURES**

**SECTION 52. OTHER PROTECTIVE MEASURES** -To protect drinking water from contamination, the following measures shall be observed:

- (a) Washing clothes or bathing within a radius of 25 meters from any well or other source of drinking water is prohibited.
- (b) No artesian, deep or shallow well shall be constructed within 25 meters from any source of pollution.
- (c) No radioactive sources or materials shall be stored within a radius of 25 meters from any well or source of drinking water unless the radioactive source is adequately and safely enclosed by proper shielding.
- (d) No person charged with the management of a public water supply system shall permit any physical connection between its distribution system and that of any other water supply, unless the latter is regularly examined as to its quality by those in charge of the public supply to which the connection is made and found to be safe and potable.
- (e) No person charged with the management of a public water supply system shall permit any physical connection between its distribution system and that of any other water supply, unless the latter is regularly examined as to its quality by those in charge of the public supply to which the connection is made and found to be safe and potable.
- (f) The installation of booster pump to boost water direct from the water distribution line of a water supply system, where low-water pressure prevails is prohibited.

HON. PONCIANO V. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

**CHAPTER V  
VERMIN CONTROL**

**ARTICLE 1  
VERMIN CONTROL AND ABATEMENT PROGRAM**

**SECTION 53. VERMIN ABATEMENT PROGRAM REQUIREMENTS-** A Vermin Abatement Program shall be maintained in all establishments by their operators/owners or administrators, which shall observe the following requirements:

- a. Rooms, toilets and other openings to outdoor spaces shall be effectively screened, unless air-conditioned.
- b. The growth of bush, weeds and grass shall be controlled to prevent harborage of ticks, bugs, and other noxious and harmful insects.
- c. The integrated control approach or alternative use of traditional pesticides in vermin control shall be developed and applied whenever feasible to reduce reliance on the use of dangerous pesticides and other toxic chemicals.
- d. It shall be unlawful to have, keep, maintain, maintain or cause or permit any collection of standing or flowing water, waste and other harborages in which vermin may be propagated.
- e. All disinfection and deratting operations using pesticides shall be handled by licensed urban pest control applicators. All food stuffs utensils, food preparation and cleaning equipment shall be properly covered to protect them from toxic substances.
- f. Operators/owners of establishments shall ensure that no astray animal loiters inside their establishments.

**SECTION 54. VERMIN CONTROL IN PUBLIC PLACES.** Vermin Control in Public Places shall be the responsibility of the Municipal Government including the Barangay Officials and must be:

- a. Community-wide and community based/ participated
- b. Technically coordinated/ supervised
- c. Be continuing
- d. Utilize indigenous and traditional technology and resources to attain self-sufficiency.

**SECTION 55. VERMIN CONTROL IN VACANT LOTs/ABANDONED BUILDINGS**

- a. Garbage or rubbish or waste of any kind shall not be placed, left, dumped or allowed to accumulate or remain in abandoned building and vacant lots or vicinity of the same in such a way as to provide food, harborage or building places for vermin.
- b. Premises of abandoned buildings and vacant lots shall be kept clean and free from accumulation of junks, debris and stagnant water.
- c. Branches of trees growing close to the building shall be trimmed or cut to prevent easy access of rodents.

**SECTION 56. BREEDING PLACES AND HARBORAGE OF VERMIN.** No person shall be allowed to use dangerous and toxic chemical in spray or mist form in concentrations exceeding the maximum permissible standard set by the Fertilizer and Pesticides Authority and other concerned regulatory bodies for the purpose of weed control.

**SECTION 57. PROCEDURE AND FREQUENCY.** The procedure and frequency of vermin abatement program shall be determined and approved by the Municipal Health Office.


**SECTION 58. LICENSING URBAN PEST CONTROL SERVICES.** Establishment engaged in Urban Pest Control using pesticides shall comply with the requirements in the issuance of a Sanitary Permit.


- a. Accredited in accordance with the requirements of PD 1144, as a requisite for the issuance of a license to operate by the Permit and Licenses Section of the Municipality for the main and branch offices as the case maybe.
- b. Required to hire an accredited urban pest control applicator in every main office or branch.

**HON. PONCIANO E. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

-over-

  
**HON. DANILO E. BALAIS**  
SB Member

  
**HON. JERRY GABE L. CONDE**  
SB Member

  
**HON. DANJEVIC S. REDOÑA**  
SB Member

  
**HON. FRANCISCO M. FERNANDEZ**  
SB Member

  
**HON. HERMAN Y. BIBAR**  
SB Member

  
**HON. MERVIN M. LOBRIGO**  
SB Member

  
**HON. JINKY E. GAMEZ**  
SB Member

  
**HON. DENNIS B. BALDERIAN**  
SB Member

  
**HON. PAUL D. PALANO**  
ABC Pfrs./ Ex-Oficio Member

  
**HON. THEA JASMINE A. PRISO**  
Mun. SK Fed. Pres./Ex-Oficio Member.



**SECTION 59. RESPONSIBILITY OF URBAN PEST CONTROL SERVICES.** The responsibilities of owners/operators of Urban Pest Control Services are as follows:

- a. An accredited urban pest control applicator must have direct supervision over the service technicians and workers. The actual presence of the accredited applicator shall be required during the application of pesticides by the technicians and workers.
- b. Establishment and institutions with in-house capability for urban pest control services as well national and local government agencies providing such services as part of their functions, program or strategies shall have their designated staff accredited as required.

**CHAPTER VI  
GROCERIES AND BAKERIES**

**ARTICLE 1  
REQUIREMENTS FOR GROCERIES**

**SECTION 60. SANITARY REQUIREMENT FOR GROCERIES**

- 1. No grocery shall be established within a distance of thirty (30) meters from any possible source of contamination such as dumping sites., poisonous chemical plants, manufacturing plants, sewage treatment plants and the like.
- 2. Groceries shall have a floor area of not less than eight (8) square meters exclusive of toilet and hand washing facilities.
- 3. All food which requires no further cooking shall be kept in counters or showcases or other similar devices to protect them from contamination.
- 4. Processed foods such as hotdogs, ham and other readily perishable foods offered for sale in sari-sari stores/groceries shall be refrigerated and maintained in correct temperature (7°C) to prevent food spoilage and contamination! Groceries or other categories of food establishments shall conform to the requirement governing such establishment.
- 5. All groceries, stores and establishments selling grocery items and other foods ready to eat shall from time to time be inspected to determine expired food items to be disposed off from the stock.

**ARTICLE 2  
SANITARY REQUIREMENTS FOR BAKERIES**

**SECTION 61. FOOD MATERIAL SOURCE**

- a. Baking materials such as flour, baking powder, cream and other necessary food ingredients needed in baking, etc: shall be obtained from safe and approved sources,
- b. All bakery products prepared in food services establishment or food processing shall comply with all the sanitation requirements of this ordinance.

**SECTION 62. STORE ROOMS/ CABINETS COMPARTMENTS**

- a. A separate dump-free room on compartment shall be provided for the storage of flour in bulk, in sacks or in bags.
- b. A separate store room on cabinet or cabinet or compartments shall be provided for butter, margarines, cooking oils, dried fruits, Jam, egg powder, milk, flavoring and coloring substances and other articles or food or ingredients to be used in baking.
- c. No person shall store or keep at the store rooms, cabinets or compartments any foodstuffs with chemicals, toxic substances and contaminants.

**SECTION 63. PREPARATIONS-**

- a. Trays, bins and other appliances and equipments, if fixed, shall be placed and fitted so as to leave no place below or at its sides or at the back which cannot be readily inspected and cleaned.
- b. Movable appliances and equipments shall be fitted with Wheel coasters or other Suitable fittings to facilitate removable for cleansing purposes.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

JERRY GWENT L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERRANDEZ  
SB Member

HON. HERMAN L. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS E. BALDEZ  
SB Member

HON. RAUL BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA MARINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

- c. Placing of foods in the ground, or in the floor shall be prohibited. Foods must be placed in table's pallet, racks or shelf which shall not be less than 20.3 centimetres (8 inches) above the ground or floor level.
- d. All cream-filled or custard-filled pastries shall be prepared and handled in accordance with the following requirements:
  - 1. Pastry fillings shall be placed in shells, crusts, or other baked goods either while hot (not less than 60 or 140 or immediately following preparations, if a cold process shall be used.
  - 2. Such fillings and puddings shall be refrigerated at 7 c (45 f) or below, in shallow pans, immediately- after cooking preparation and held thereat until combined into pastries or served.
  - 3. All completed custard-filled and cream-filled pastries shall unless served immediately following filing, be refrigerated at 7°c (45°f) or below promptly after preparation and held thereat pending service.

**SECTION 64. DISPLAY.** No person shall place or display or remove from any bakery, bakery house or cake kitchen, any bread, cakes, pasties, baker's small goods or sandwiches and other similar food for sale unless such foods are adequately protected from rain, dust, flies and other contaminants.

**SECTION 65. TRANSPORT OF BAKERY PRODUCTS**

- a. No person shall use any crate or container for the carriage or delivery of bread for sale unless the crate or container is so constructed in such a manner as to completely protect the bread from contamination.
- b. Crater and containers for use for the delivery of bread or bakers small goods from bakeries or bake houses to retail premises and consumers shall be cleaned and sanitized regularly as necessary keep it clean and sanitary. Crates and containers while not in used shall be stored in clean and sanitary place free from contamination.
- c. Delivery trucks, cart and other means of conveyance to the consumers and retailers must be enclosed and must be made of smooth, impervious and easily cleanable materials.

**CHAPTER VII  
ICE-PLANTS/ ICE PRODUCING ESTABLISHMENT**

**ARTICLE**

**SANITATION REQUIREMENTS OF ICE-PLANTS & ICE PRODUCING ESTABLISHMENTS**

**SECTION 66. SANITARY REQUIREMENTS**

- a. The construction and operation of an ice plant/ ice producing establishment shall conform with the standards: prescribed by the implementing Rules and Regulations of Chapter III of PD 856 (Food Establishment). No ice plant, ice producing establishment shall be allowed to operate without a sanitary permit from the Municipal Health Officer and permit to operate from the Municipal Mayor.
- b. Food establishment of this kind shall not be constructed near source of contamination (not within 25 meters from source of contamination).
- c. Any establishment that manufacture ice shall be located in a building that protects the ice establishment and utensils from dust, dirt's, rodents, insects and other contaminants.
  - 1. The floor shall be constructed of concrete, easily cleaned materials and shall be adequately graded and drained.
  - 2. The walls of all rooms in which ice are processed, purchased and manufactured shall be of impervious, non-absorbent and dust proof materials to a height of no less than 2 meters (79 inches) from the floor.
  - 3. All ceilings shall be smooth, non-absorbent and dust-proof.
  - 4. There shall be at least ten (10) foot candles of light in all rooms except in the storage rooms which requires five (5) foot candles only.
  - 5. There shall be sufficient ventilation of ballrooms to ensure sanitary condition.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GAVEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BIBAR  
SB Member

HON. TERVITA M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS R. FIDERIAN  
SB Member

HON. MYLEN R. LADAN  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

HON. DANILO E. BALAIS  
SB Member

HON. GLEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JIMMY E. GAMEZ  
SB Member

HON. DENNIS L. BULDERIAN  
SB Member

HON. RAUL B. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA MARINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

- d. No person afflicted with the communicable disease shall work in any area of an ice plant.
- e. All employees shall wear clean protective garments and shoes and conform to the hygienic practices, as prescribed in this Ordinance.
- f. All ice-products shall meet the bacteriological, physical and chemical standards of the Philippines standards for drinking water.
- g. Water Supply for ice production including those selling in the barangays shall be potable and from approved public or private water supply system. All water filters, setting tanks and other treatment facilities shall be cleaned as often as necessary.
- h. Liquid waste shall be disposed in public sewers or other approved disposal system.
- i. Air For Agitation

Air used for water agitation shall be filtered or treated and render it free from dust, dirt, insects and extraneous materials. filters shall be removable for cleaning and replacement purposes. The blower or compressor for Supplying a for water agitation shall be designed so as for deliver oil-free air.

Oil-Free air may be produced by the following methods of its equivalent:

- 1. Use of carbon ring piston compress
- 2. Use of oil lubricated compressor with effective provision for the removal of any oil vapor.
- 3. High pressure Water lubricated or nor-lubricated blowers.

**SECTION 67. SANITARY FACILITIES**

- 1. Ice contact surfaces, including loading platforms, conveyors and chutes shall be easily cleaned and kept in good condition.
- 2. Freezing Tank covers shall be made of impervious materials to protect ice containers from splash, drip and contamination. The covers shall be equipped with rings or similar devices, thereby minimizing splintering of covers when hooks are use for pulling.
- 3. All portable can or tank filters, core suckers, needles, core filters, drop tubes, pipes, tongs picks and covers shall be used as needed to produce a product free of rust or other foreign materials.

**SECTION 68. OPERATION**

- 1. It shall be the responsibility to the owner/operator of an ice plant to provide the necessary personnel, equipment and supplies tor cleaning and maintenance of the establishment and its premises.
- 2. Operators/owners shall provide sufficient equipment and utensils to process, handle and transport ice in a clean and sanitary manner. The equipment shall be properly cleaned and sanitized after every use.
- 3. Garbage or trash shall be temporarily stored in containers with tight covers and collected regularly by the Garbage Collection of the Municipality. All Ice blocks shall be thoroughly washed with potable water as they come in contact with delivery platform prior to distribution.

**SECTION 69. TRANSPORT/DELIVERY OF ICE**

- 1. In transporting and delivering ice intended for public consumption, precautionary measures shall be taken to protect the ice from contamination.
- 2. Vehicles used for transporting or delivering ice shall be of closed construction with tight fitting covers.
- 3. The ice compartment of which used in transporting or delivering ice shall be of easily cleanable materials.
- 4. All vehicles hauling packaged or unpackaged ice shall be thoroughly washed immediately prior to loading of ice.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

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MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan



**CHAPTER VIII  
COMPREHENSIVE SOLID WASTE MANAGEMENT SYSTEM**

**ARTICLE 1  
AUTHORITY**

**SECTION 70. AUTHORITY.** RA 7160 otherwise known as the Local Government Code of 1991 specifically Section 447 (a) 5 (XII) mandates the Sangguniang Bayan to provide for an efficient and effective system of solid waste and garbage collection and disposal and prohibit littering and the placing or throwing of garbage, refuse and other filth and waste. This is to promote and enhance ecological balance of the community through sustainable and integrated solid waste management program.

**SECTION 71. OPERATIVE PRINCIPLES**

- a. The actual participation and involvement of the people is the key to the attainment of sustainable development.
- b. The people are the stewards of God's gift of nature for sustainable livelihood.
- c. The use of environment-friendly technique shall be a basic foundation for a healthy and progressive generation.
- d. All development programs, projects and activities shall give respect and importance to the indigenous Culture and practices of the people consistent with ecological practices.
- e. The right to clean air, water, land and environment.

**SECTION 72. REFORESTATION-** Tree planting and reforestation shall be a continuing activity of the people of the municipality. Priority areas for tree-planting shall be:

- a. Along provincial, municipal and barangay roads.
- b. Within twenty (20) meters of either side of river, stream or brook.
- c. Areas With historical values.
- d. Eroded slopes
- e. Open spaces within the municipality, especially in residential and commercial areas including promenades, parking area peripheries, and in wide sidewalks, as may be suitable.

**SECTION 73. ACTS PROHIBITED AND PUNISHABLE** under this Code shall include but not limited to the following:

- a. Indiscriminate cutting of trees in both private and public lands
- b. Hunting, destroying or mere possession of any plant, animals or other forest product both living and non-living and other species considered endangered or threatened pursuant for existing laws shall be banned and prohibited.
- c. The use of unregistered and unlicensed hunting paraphernalia such as guns, air guns, shot guns and the like shall be banned and prohibited, unless a current and valid permit for the use thereof as issued by the proper authority and subject to prior clearance and permit by the Municipal Mayor.
- d. Slash and bum farming kaingin
- e. Cutting of bamboo shoots and selling at the public market and anywhere.

**SECTION 74. PRODUCTIVE LAND USE.** The municipality shall encourage and promote improved farm practices, sustainable farming practices, maximize the conversion of wastes into compact-organic fertilizer, attain food security, avoid soil erosion and land-based pollution.

**SECTION 75. CLEANING AND GREENING OF STREET SHOULDERS AND PATHWAYS-** The municipality spearheaded by the Kapaligiran Task Force shall undertake the cleaning and greening of street shoulders and pathways in cooperation with the municipal and barangay governments, SK, National Government Offices and NGO's.

  
**HON. PONCIANO R. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

  
**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

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**HON. DANILLO E. BALAIS**  
SB Member

  
**HON. MERRY GWENT L. SONDE**  
SB Member

  
**HON. DAN JERIC S. REDONA**  
SB Member

  
**HON. FRANCISCO M. FERNANDEZ**  
SB Member

  
**HON. HERMAN J. BIRA**  
SB Member

  
**HON. MERITA M. LOBRIGO**  
SB Member

  
**HON. JINKY E. GAMEZ**  
SB Member

  
**HON. DENNIS J. BALDERIAN**  
SB Member

  
**HON. RAUL D. PALANO**  
ABC Pres./ Ex-Officio Member

  
**HON. THE JASMINE A. PRISO**  
Mun. SK Fed. Pres./ Ex-Officio Member.

**SECTION 76. PROVISION OF TRASH CANS AND GARBAGE BINS**

- a. The municipal government shall provide trash cans and garbage bins in strategic places in order to discourage the wanton discarding of trash and waste materials.
- b. Business establishments and households are required to make available their own trash cans/trash boxes inside or outside their household, place of business or operation.
- c. All public utility vehicles are required to provide and make available trash boxes/cans inside their vehicles.
- d. Solid waste at all source must be properly segregated into degradable and non-degradable (plastic, cans and bottles) Solid waste shall not be collected if they are not properly segregated at source. (Refer to the Schedule of Garbage Collection)

**SECTION 77. ANTI-LITTERING-** Maintenance of cleanliness and sanitation is the primary concern of the municipality. It shall be unlawful for any person to:

- a. Litter on streets/roads, scenic spots, tourist areas, rivers, irrigation canals and ditches, parks, plaza, playground, market, schools, municipal building, and all public and private places.
- b. Urinate on the streets, scenic spots, tourist areas, rivers, irrigation canals and ditches, parks, plaza, playground, market, municipal building and public places.
- c. Throw cigarette butts, chewing gums, bubble gums and the like.
- d. Spit phlegm or saliva in public places.
- e. Pile or burn garbage and waste along the street/road.
- f. Disposal or littering out thru the roads with excess water from wells, pumps, bathroom and kitchen, and;
- g. Dump and burn rice hulls, rice straws and other agricultural products waste and materials along the road.

**SECTION 78. VANDALISM.** It is hereby declared unlawful for any person to deface any public or private building, edifices or parts thereof such as walls, fences, facades, floors, pavements, or other parts liable to be defaced by means of writing, painting or other similar ways.

**SECTION 79. BANNING/RESTRICTING THE USE OF DANGEROUS INSECTICIDES/PESTICIDES.** Due to hazards that they pause to public health, crops and environment, the municipality shall.

- a. Ban the use of organotin compounds, such as Brestan, Aquatin, Telustan 60 WP and Torque 50 WP, Asinphos ethyl such as Gusathion 40EC, Marsathion 40EC and Bionex and methyl parathion such as Folidol M50, Methyl/Fosterno 50EC, Methion 50EC, Meptox 50EC, Parapest M50EC, Penncap M and Wofatox 50.
- b. Endosolfan and its derivatives shall be used only to non-palay and corn production.
- c. DDT and other chemicals and other agricultural pesticides that are hazardous to human health are hereby banned for use anywhere in the municipality.

**SECTION 80. DISPOSAL OF HOSPITAL, CLINICS, FUNERAL PARLORS, SLAUGHTERHOUSE AND GASOLINE STATION WASTES.** All hospitals, clinics, funeral parlors, slaughter house and gasoline station shall be required to provide their own waste treatment and disposal system to safeguard public health and safety and prevent environmental damage and unnecessary loss of valuable resources.

In particular, clinics and hospitals shall be required to put up incinerating plants, funeral parlors are required to set up crematorium, gasoline station shall be required to have oil-water separation facilities. Slaughterhouse shall be equipped with similar incinerators for its discard as well as disinfection system for the maintenance of hygienic condition within its premises.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

--over-

HON. DANILO E. BALAIS  
SB Member

JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCIS O M. FERNANDEZ  
SB Member

HON. HERMAN V. BIBAR  
SB Member

HON. MARVIN A. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDIERA  
SB Member

HON. RAUL J. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASVINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

**SECTION 81. HOG RAISING.** Hog raisers in urban centers and rural areas shall follow the following requirements:

- a. The number of hogs to be raised in every household in urban center shall be limited to 1 sow/boar and two (2) fatteners and
- b. All pig pens in urban and rural areas shall be provided with septic tanks to ensure that it will not emit foul odor.

**SECTION 82. DISPOSAL OF LARGE SCALE POULTRY AND PIGGERY WASTES** Large and medium scale poultry and piggery establishments shall put up their own waste disposal system and disinfection system for the maintenance of hygienic conditions within its premises. Non-provision of approved waste disposal and disinfection system shall cause the cancellation of business permit to operate. Conveyance of waste matter and water waste from large and medium scale poultry and piggery establishments including all pigpens within the municipality to rivers., canals, roads, streets and other public places shall be strictly prohibited.

**SECTION 83. PERMIT.** Permit to operate the establishments; in the two (2) immediately preceding sections shall be granted only upon showing of proof that the waste disposal system and disinfection systems have been established.

**SECTION 84. DISTANCE REQUIREMENT.** All owners and operators intending to construct medium and large scale poultry and piggery projects are ordered to construct their projects not less than TWO HUNDRED FIFTY (250) meters radius from residential areas, schools, clinics, hospitals and other private and public institution. Existing medium and large-scale poultry and piggery projects are allowed to continue their operations provided they comply strictly with the rules and regulations on sanitation.

**SECTION 85. RECEPACLE REQUIREMENT OF CALESA OR BULL CART -** Owners of calesa or bull cart are required to provide receptacles for animal refuse placed behind the animals that pulls a calesa or bull cart.

**SECTION 86. PERFORMANCE STANDARDS-** All land user development or construction shall conform with the following standards:

- a. Noise and vibrations -All noise and vibration producing machinery shall be enclosed by sound proof structure and shall be provided with effective noise-absorbing materials, noise silencer and mufflers or adjoin it to property planted to dense trees as buffers.
- b. Dust, dirt and fly ash from any source or activity (ex-furniture shops, rice mills, lumber yards and the like) which shall pollute the air and render it unclear, detrimental, unhealthful or hazardous or cause visibility to be impaired shall not be permitted.
- c. Odors and Gasses - The emission of odors and gasses harmful to public health, safety hygienic condition and general welfare shall not be permitted. Business and other activity emitting foul odors obnoxious gases shall be enclosed by airtight structure provided with air conditioning systems, filters, deodorizers and other air cleaning equipments.
- d. Glare and Heat - Glare and Heat from any operation or activity will not be allowed to be radiated or seen or felt from any point beyond the limit of the property.
- e. Sewerage Disposal - No sewerage dangerous to public health, safety and general welfare shall be discharged into any public sewer system or any drainage channel.

**SECTION 87. COLLECTION AND DISPOSAL OF GARBAGE -** All household owners are ordered to dispose of their segregated garbage in plastic bags or sacks properly tied to be collected by the garbage collector in the designated place and date schedule. (Refer to the Schedule of Collection).

**SECTION 88. WASTE GENERATION AND STORAGE**

- A. **Residential Waste** - Residents shall choose proper containers such as cans, sacks, bags, bins, etc. that will facilitate sanitary handling, storage, collection, transport or disposal at least cost. Food waste shall be placed in covered can or pails, garden and animal including poultry and hogs waste In sacks, cans and bags and the non-combustibles in bags, sacks or boxes.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIS REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMIAN J. BIBAR  
SB Member

HON. MERVIN W. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. ANNALYN ALBERIAN  
SB Member

HON. RAUL P. BALANO  
ABC Pys./ Ex-Oficio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pys./ Ex-Oficio Member.



**B. Commercial Waste/Market Waste:**

1. The storage containers for segregated commercial wastes shall be communal or individual with cover depending on its location for collection and transport purposes.
2. The covered communal receptacle possibly on wheels shall be located along the collection route where the generated waste shall be brought and stored by the stall lessee.

**C. Institutional/Industrial Wastes.** Waters from institution and industries shall be properly disposed by provisions of solid wastes and other wastes receptacles as prescribed in this ordinance.

**SECTION 89. PREVENTION OF OPEN BURNING** - No person, natural or juridical shall ignite, cause to be ignited or maintain any open fires except on the following as provided in RA 9003 and Municipal Ordinance No. 2001-530.

- a. Open fire for cooking of food for human consumption.
- b. Fires for recreational or ceremonial purposes.
- c. Fires for the prevention and control of pest and diseases
- d. Fires for the disposal of dangerous materials or wastes provided that a clearance and permit is secured from the Municipal Mayor.

**SECTION 90. PRIMARY RESPONSIBILITY.** In the pursuit of these policies, it is recognized that the citizens, on one hand, shall have the primary responsibility of achieving and maintaining cleanliness in their place of abode while the municipal government, on the other hand, shall be responsible in establishing and maintaining an orderly and modern program for the collection and disposal of garbage, rubbish, swill, trash and other forms of waste and waste materials.

**SECTION 91. MUNICIPAL SOLID WASTE MANAGEMENT BOARD.** The Municipal Solid Waste Management Board is hereby created and it shall be composed of the following:

1. The Local Chief Executive Chairman of the Board
2. The Municipal Health Officer-Vice Chairman
3. SB Chairman, Committee on Environment and Health-Member
4. NGO- Business Sector-2 representatives-Members
5. NGO- Religious Sector-2 representatives-Members

This board may, from time to time call any form of assistance or input on any concerned agencies or sectors as it may deem necessary.

**SECTION 92. DUTIES AND RESPONSIBILITIES.** The Municipal Solid Waste Management Board shall have the following duties and responsibilities.

1. Develop the Municipal Solid Waste Management Plan that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the barangays in its area of jurisdiction. In the development of the plan, it shall continually conduct consultations with the various sectors of the community;
2. Adopt measures to promote and ensure the viability and effective implementation of solid waste management programs, projects and activities in its component barangays;
3. Monitor the successful implementation of the plan through its various political subdivisions and in cooperation with the private sector and the NGO'S;
4. Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan;
5. Convene regular meetings for purposes of planning and coordinating the implementation of the solid waste management plan of the respective component barangays;
6. Oversee the implementation of the Municipal Solid Waste Management Plan;
7. Review every two (2) years or as the need arises the Municipal Solid Waste Management Plan for purposes of ensuring its sustainability, Viability, effectiveness and relevance in relation to local, national and international developments in the field of solid waste management;

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANIL O. E. BALAIS  
SB Member

HON. GERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN V. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS D. PERRIAN  
SB Member

HON. RAUL J. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

**CHAPTER IX  
AIR AND NOISE**

**ARTICLE 1  
POLICY DECLARATION**

**SECTION 93. STATEMENT OF POLICY-** It is hereby declared a policy of the municipality to prevent the degradation of air quality thru the prevention, control and abatement of air pollution.

**SECTION 94. ZONING CLEARANCES AND BUILDING PERMITS.** The municipal government shall be responsible in evaluating and assessing the noise generating potential of infrastructure projects as part of the processing of zoning clearance and building permits. All projects which generate potential noise and vibration levels contrary to ambient noise standards established by the Department of Health shall be required to install sound proofing and eliminate vibration.

**SECTION 95. INDUSTRIAL POLLUTION CONTROL -** The municipal government in close coordination with the DENR shall ensure that industrial firms operating in the municipality comply with the air quality standards, periodically test the emission of industrial firm and establish capability to respond to related citizen's complaints oh air and noise pollution.

**ARTICLE 2  
AMBIENT AIR QUALITY**

**SECTION 96. PREVENTING, REDUCING THE PROLIFERATION OF SUBSTANCES THAT DEplete THE OZONE LAYER.** The depletion of the ozone layer is caused by chlorofluorocarbon (cfc) halon and other ozone depleting substances. These substances are widely used in refrigeration and air conditioning as propellants and as metal cleaning substances. In order to prevent proliferation of such substances, all persons shall observe the following guidelines:

- a. Minimize or completely stop the use of aerosols and chlorofluorocarbon (CFC).
- b. When buying air conditioners, purchase newer models that do not use chlorofluorocarbon (CFC).
- c. When air conditioning units are serviced, the technician shall capture the CFC instead of releasing it directly into the atmosphere.
- d. CFC's is prohibited for use in metal cleaning activities such as cleaning wrist watches, cameras and electronic equipments.
- e. Patronize foam furnishing and mattresses that do not contain CFC's and;
- f. Phase out yellow fire extinguishers containing halon and replace them with extinguishers which use dry powder or carbon dioxide (CO2).

**SECTION 97. ACTS PROHIBITED AND PUNISHABLE-** Acts prohibited and punishable under this Code shall include but not limited to the following:

- a. Erection, use, installation and operation of any article, plant, machinery or any contrivance which would release air pollution into the atmosphere and would result to ambient air concentration greater than the quality standards set by the DENR.
- b. Causing, permitting or allowing the emission of particulate matters from any source whatsoever, including but not limited to vehicular movements, construction alteration, demolition on wrecking or industry related activities as loading, storing or handling without giving reasonable precautions to prevent the occurrence of such condition.
- c. Storing, dumping, handling, processing, unloading or using in any process or installation volatile compounds or organic solvents without supplying known vapor emission control devices or systems.
- d. It shall be unlawful for any operation of a vehicle to allow it to discharge air pollutants at levels greater than the acceptable concentration standard prescribed by the DENR.

**SECTION 98. SMOKE BELCHING VEHICLES.** All smoke belching vehicles are hereby prohibited to operate or ply along the thoroughfares of the municipality.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DEANYS BAIDERIAN  
SB Member

HON. RAUL D. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

HON. DANILO E. BALAIS  
SB Member

**SECTION 99. NO SMOKING.** Smoking shall be prohibited in the following areas of the municipality:

- a. Government Buildings and Offices, hospitals, clinics, dispensaries including its premises;
- b. Parks, plaza, and playgrounds;
- c. Public and private school classrooms and its premises;
- d. Inside any public utility conveyance, provided further those owners/occupants and administrators of such areas shall cause to be posted a "No Smoking" sign for the information and compliance of the public provided finally that a "Smoking Area" equipped with the proper ventilation and garbage disposal facilities shall be clearly designated for smokers.

HON. MERVIN M. LOBRIGO  
SB Member

**SECTION 100. CLEANLINESS OF PREMISES**

- a. All households are required to keep their premises including roads adjoining their houses clean and sanitary.
- b. Owners of idle lands are required to keep their idle lots clean to protect them from becoming breeding places of mosquitoes, flies, mice, snakes, rats, and other scavengers which are detrimental to public health and safety. In case of failure or inability to comply with this provision, the municipal government shall undertake the cleaning at the expense of the owner.

HON. JINKY E. GAMEZ  
SB Member

**CHAPTER X  
ILLEGAL DRUGS/DRUG ADDICTION**

**SECTION 101. GENERAL OBJECTIVES.** The basic concepts on which the "Task Force on Drug Addiction" is anchored and mobilized are: "Education and information dissemination to the populace, especially the parents, about the ills and dangers of the drug menace which injuriously inflict serious physical deterioration to unsuspecting victims, like the youths; it also strives to undertake a serious crackdown on illegal drug traffickers, pushers and users, even as it believes that no one is above the law; such that violators, regardless of position and rank are regarded as enemies of society and shall suffer the full force of law. Specifically, this task force is created to achieve the following specific aims:

HON. DENNIS L. ALDERIAN  
SB Member

- a. To inform, alert and monitor the public about the seriousness of the drug abuse problems, the operational enforcements of all the anti-drug laws of this country, as well as those related local legislative and executive issuances and directives to fight this drug problem;
- b. To help educate the people about the dangers of illegal drugs and the ills that destroy the moral fibers of the young people.
- c. To help provide incentives, such as cash and merit awards and commendations to the persons who can give leads in the arrest and prosecution of the malefactors.
- d. To coordinate and conduct consultations with private and government agencies, in the promotion and implementation of its anti-illegal drug campaign activities.
- e. To help the government in formulating policies that would make the task force effective in its endeavour to lessen if not totally eradicate the drug abuse problem in the municipality.

HON. RAUL P. BALIANO  
ABC Pres./ Ex-Officio Member

**SECTION 102. TASK FORCE ON DRUG ADDICTION.** There is hereby created Municipality of Tabontabon a "Task Force on Drug Addiction undertake a no-nonsense campaign against illegal drug proliferation and addiction within the municipality. The Task Force on Drug Addiction, is composed of the following:

- Chairman: Municipal Mayor
- Vice Chairman: Chief PNP
- Members: SB Chairman on Peace and Order  
All PNP Members  
School Heads (Public and Private)  
District Supervisor, DepEd Tabontabon  
Principals, Secondary Schools, Public and Private  
NGO/Religious Sector Representative

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

The members shall be appointed by the Municipal Mayor thru an Executive Order.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

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MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan



**SECTION 103. PROGRAMS.** The team will also be undertaking the following important steps in attaining very comprehensive anti-drug abuse related prevention programs, viz:

- a. Guidance Counselling
- b. Facilitation in committing drug dependents to special centers and rehabilitation facilities.
- c. Youth encounters
- d. Sports and recreational activities
- e. Fellowship and leadership motivation
- f. Skills training
- g. Others

**SECTION 104. ILLEGAL DRUGS.** No person shall use, administer, sell and give away illegal drugs such as shabu, marijuana, cocaine and other prohibited drugs.

**SECTION 105. SERVING/SELLING INTOXICATING LIQUORS TO MINORS** - Owners, operators and sellers of business establishments are strictly prohibited to sell or serve intoxicating liquors to persons below eighteen (18) years of age.

**SECTION 106. SELLING CIGARETTES TO MINORS-** Owners, operators and sellers of business establishments are strictly prohibited to sell cigarettes to persons below eighteen (18) years of age.

**CHAPTER XI  
MARKETS & SLAUGHTERHOUSE**

**ARTICLE I  
MARKET**

**SECTION 107. MAINTENANCE OF MARKETS** -The following provisions for the maintenance of the public market shall strictly be complied with:


1. The Market Supervisor, MHO/Sanitary Inspector and other local authorities shall make periodic inspections to ascertain the maintenance of adequate sanitary conditions of markets and their premises, including the aisles, stalls, floors, walls and equipments as well as the whole premises of the public market; the cleaning of the market premises shall be done before the buyers start coming to the market. The market buildings and grounds should at all times be kept from garbage and rubbish.
2. No construction of living quarters within the market and, its premises.
3. Toilets and Washing Facilities. Public toilets and washing facilities shall be kept at all times in clean and sanitary condition.
4. General Lighting Facilities. Adequate general lighting facilities shall be provided in the markets. However, stallholders shall provide their own light in their respective stalls at their own expense, subject to existing regulations and contract of lease;
5. Cooked/Raw Foods Protection. Cooked/raw foods shall be prepared and served in accordance with the provisions of this ordinance.
6. Construction/Care of Stalls, Tables and Other Fixtures. All foods shall be sold from stalls, tables or fixtures made of or constructed in accordance with the provisions of P.D.856 and RA.6541. All fixtures should be scrubbed nightly and their surfaces kept smooth always so that food or particles thereof will not lodge in cracks or in rough places to decompose.
7. Cleaning of Stalls/Spaces at the End of Business of the Day. At the close of each day's business and before leaving, stall leesees and transient vendors shall clean their stall/s, space/s. They shall also remove all dirty materials and place rubbish and garbage in containers placed for the purpose in the market.
8. There shall be proper and adequate drainage and sewerage system in the public market to ensure cleanliness and sanitation, appropriate facilities to abate pollution shall be installed.
9. No littering signs shall be posted in conspicuous places to warn vendors and buyers that same is punishable.
10. The public market shall be provided with large receptacles of fly and rat proof type for the collection of all garbage and rubbish in the market and its premises. Additional receptacles to be placed also in strategic places within the market premises.

**HON. PONCIANO R. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

--over-

**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

  
**HON. DANILLO E. BALAIS**  
SB Member

  
**HON. JERRY GWEN L. CONDE**  
SB Member

  
**HON. DAN JURIC S. REDOÑA**  
SB Member


  
**HON. FRANCISCO M. FERRANDEZ**  
SB Member


  
**HON. HERMAN I. BIBAR**  
SB Member

  
**HON. MERVIN M. TORBRIGO**  
SB Member

  
**HON. JINKY E. GAMEZ**  
SB Member

  
**HON. DENNIS L. BALDERIAN**  
SB Member

  
**HON. RAUL R. BALANO**  
ABC Pres./ Ex-Oficio Member

  
**HON. THEA JASMINE A. PRISNO**  
Mun. SK Fed. Pres./ Ex-Oficio Member.

**SECTION 108. PERISHABLE FOOD SECTION.** The following shall be the minimum standards and sanitary requirements, for the perishable food sections in the market as provided in the following section.

**SECTION 109. QUALITY AND PROTECTION OF FOOD**

1. All foods for sale and/or distribution shall come from approved sources such as licensed slaughterhouse, licensed food manufacturing and processing plants, licensed poultry farms, shellfish farms, fish, grains, vegetables, fruits, and food materials, including perishable foods with transfer permit issued by the Local Health Office of the place of origin.
  - a. All meat shall come from the Municipal Slaughterhouse and properly stamped or branded.
  - b. Fish, shrimps, prawns, shellfish, seaweeds and other sea foods, brackish water foods, surface water foods and foods from aquaculture farms or ponds shall not come from sources polluted, in any manner, by sewage, chemicals, radioactive wastes and other toxic substances.
  - c. Vegetables and fruits shall come from safe sources where the soil is not contaminated by night soil, sewage and toxic chemicals.
  - d. No meat products, fish, vegetables and other foods shall be procured from sources 'or areas known to have been affected by radioactivity, subject to the standards set forth by the agencies concerned.
  - e. All milk and milk products shall come from approved sources and shall meet the standards and quality established by the regulatory authority.
2. All foods displayed for sale shall be fresh, having no indication of spoilage or contamination, not adulterated nor misbranded.
3. All display products shall be elevated by at least six (6) inches from the floor to protect the same from being contaminated.
4. All food contact surfaces such as tables, chopping blocks, cutting boards and others shall be made of even, impervious and easily cleaned materials, free of cracks and crevices, which shall be cleaned and disinfected before and after use.
5. Food that is being sold raw such as meat, fish, vegetables and all articles of confectionery, bakery, dairy, ice cream and similar items shall be protected from vermin.
6. All kinds of raw foods shall not be handled unnecessarily by vendors and consumers.
7. The sale of any kind of damaged food or food in bad state of preservation, including expired food, shall not be permitted in the Municipal Market and other business establishments in the municipality. Such food shall be condemned and destroyed by the Municipal Market Supervisor. The Municipal Market Supervisor or his/her duly authorized representative shall issue the owner the prescribed receipt stating the kind and quantity of the confiscated food, keeping at the same time a record of such in the Municipal Market Supervisor's Office.
8. In selling consumable commodities, the "First In, First Out" policy shall apply.
9. The sale of fruits artificially ripened by calcium carbide (*carburo*) shall be prohibited.
10. Dried fish and sliced/cut vegetables shall always be covered, wrapped or packed so as to be protected from contamination.
11. Potable water shall be used in sprinkling commodities such as vegetables, fish, shellfish, seaweeds, etc. to maintain its freshness.
12. Workers engaged in handling processed foods shall always wear caps or hairnets.
13. The use of soiled or rusty containers (e.g. *bañera*, *limon*, *bilao*, styro foam boxes) shall be prohibited.
14. The practice of injecting water to poultry products particularly the chicken to make it heavier shall be prohibited.
15. The application of coloring agents to livestock, poultry products and fish to make them appear fresh shall be prohibited.
16. The use of color enhancing lights to deceive the consumers as to the freshness of the livestock, poultry products and fish being sold shall be prohibited.
17. Printed or used paper or other similar articles shall not be used directly for wrapping or covering any kind of foods if that does not need to be washed when eaten (e.g. tinapa, dried fish, etc), bakery or confectionery products.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY C. L. CONDE  
SB Member

HON. DAN JERIC K. REDOÑA  
SB Member

HON. FRANCISCO M. FERRANDEZ  
SB Member

HON. HERMANI BIBAR  
SB Member

HON. MERVIN TORRIGIO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS BAIDERIAN  
SB Member

HON. RAUL BALANO  
ABC Pres./ Ex-Oficio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Oficio Member

**SECTION 110. TRANSPORTING/HANDLING OF FOOD AND FOOD MATERIALS**  
Transporting/handling of food and food materials in the market shall be in accordance with Chapter II of this code (Food Establishments) and the provisions of P.D. 856.

**SECTION 111. EQUIPMENT, CONTAINERS AND UTENSILS**

1. Requirements regarding equipment, containers and utensils used in food handling, dry-storage of non-perishable foods, and refrigerated storage of readily perishable: foods shall be in accordance with Chapter III on Food Establishments of this ordinance.
2. Washing utensils:
  - a. Utensils shall be scraped all food particles into trash bags before washing.
  - b. Utensils shall be thoroughly cleansed in warm water at 49°C (120°F) with soap or detergent.
  - c. If running water is not used, the wash-water shall be changed frequently.
  - d. Bactericidal Treatment. Utensils and equipment shall be subjected to method approved by the Municipal Health Office.

**SECTION 112. MEAT STALLS**

- a. Meat stalls shall be located separately from fish stalls.
- b. The evisceration, skinning, or any operation other than the cutting of meat to facilitate sale shall be strictly prohibited in the market.
- c. Chopping blocks shall be mad of even, impervious and easily cleaned materials, and free of cracks and crevices which shall be cleaned and disinfected before and after use.
- d. Meat shall be hang by means of a hanging rail and shall not be kept lying on the counter.
- e. Signboard is showing the kind of meat sold ii every stall shall be provided in conspicuous place.
- f. Meat stalls shall be kept clean, sanitary and free from vermin at all times.
- g. There shall be separate display of carabeef from that of beef to make it easy to identification of meat to be Bought by the buyers.

**SECTION 113. FISH STALLS**

- a. Fish stalls shall be located separately from the meat section.
- b. The selling of fish caught through the use of explosives, chemicals and other unapproved manners shall be prohibited.
- c. Chopping blocks shall be made of even, impervious and easily cleaned materials and free of cracks and cervices, which shall be cleaned and disinfected before and after use.
- d. Fish stalls shall be kept clean and sanitized at all times.
- e. All wasta generated by the fish vendors at the fish stall section shall be properly segregated and stored and disposed in appropriate containers located within the market premises.

**SECTION 114. HYGIENIC PRACTICES FOR MARKET VENDORS.** Market vendors shall at all times observe hygienic practices, such as but not limited to the following:

1. Wearing of clean appropriate selling garments ang hair net, if applicable.
2. Washing of hands with soap and water before and after selling, after using the toilet, after coughing or sneezing into hands, or as often as necessary to remove dirt and contaminants.
3. Smoking tobacco in any form while selling is not allowed.
4. Drinking of alcoholic beverage while selling or while in the premises of the market shall not be allowed.
5. Market vendors suffering from a communicable or contagious disease shall be immediately reported for the Municipal Market Supervisor and referred for treatment.
6. No vendor with open wounds or break on skin found on exposed areas of the body shall be allowed to sell nor shall be allowed to come directly or indirectly in contact with food or equipment in the selling place, as the case may be, until the lesions have properly healed.
7. Other hygienic and personal health and safety practices called for in selling in the market as well as those that may be required by the Municipal Health Office.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMANI BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS T. GALDERIAN  
SB Member

HON. RAUL D. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.



**SECTION 115. DRY GOODS SECTION.** The following shall be the minimum standards and sanitary requirements for the dry goods section in the market:

- a. All merchandise displayed for sale in the dry good section of the market shall be so arranged that the aisles and passageways will not be obstructed to allow smooth flow of customers.
- b. All articles offered for sale shall be properly displayed and protected from dust and other contaminants.
- c. All stalls and equipment or tools used in the dry goods section shall be kept clean, sanitary and free from vermin at all times.

**SECTION 116. COOKED FOOD SECTION.** The following shall be the minimum standards and sanitary requirements for the cooked food section in the market.

- a. Vendors shall have sufficient equipment. and utensils to handle and display food materials in a clean and sanitary manners.
- b. Equipment and utensils shall be sanitized before and after use.
- c. All prepared and cooked foods shall be served by means of forks, spoons, ladles or similar utensils and not with bare hands.

**SECTION 117. OTHER MERCRANDISE.** Household cleaning materials, hardware plastic products, glassware, kitchenware, cosmetics and other merchandise shall be properly placed in designated areas separately from other sections in the market. They shall be properly arranged and kept in dean and sanitary condition including its premises at all times.

**SECTION 118. LUMBER AND HARDWARESI APPLIANCES STORES**

- 1. No lumber and hardware/appliances stores shall be allowed to operate without a Sanitary Permit being granted by the municipality.
- 2. These establishments shall avoid unnecessary noise, smoke belching in using machines in their operation.
- 3. Cleanliness and sanitary conditions shall be maintained at all times in the establishments and its premises. Proper garbage disposal in accordance with this code shall be properly observed.

**ARTICLE 2  
SLAUGHTERHOUSE**

**SECTION 119. REQUIREMENTS FOR SANITATION.**

- a. Maintenance of adequate sanitation and cleanliness at the slaughterhouse shall be enforced at all times.
- b. There must be strict enforcement on the examination of meat to be sold at the public market.
- c. The slaughter of any kind of animal for sale or for consumption of the public shall be done only in the municipal slaughterhouse.
- d. Slaughtered animals for home consumption maybe done elsewhere except cattle provided that the animal slaughtered shall not be sold or offered for sale. Permit to slaughter animals for public consumption maybe granted in certain exigencies provided public health is adequately protected.
- e. Sanitary disposal of waste generated out of the operations of the municipal slaughterhouse shall be strictly enforced in' accordance with existing laws and ordinances relative to solid waste management.
- f. Only healthy animals shall be slaughtered and that the method of slaughtering, the techniques of dressing and the storing, handling and transporting procedures are in accordance with prescribed standards.

**SECTION 120. PROPER DISPÓSAL OF WASTES.** The slaughterhouse shall provide receptacles for the proper collection and disposal of waste materials on the establishment and its premises.

HON. PONCIANO R. JUSTIMBASTE, JR  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. FERRY GWENTIL CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS T. J. MERIAN  
SB Member

HON. RAUL D. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

CHAPTER XII  
PUBLIC LAUNDRY

ARTICLE 1  
REQUIREMENTS

**SECTION 121. SANITARY PERMIT.** No public laundry shall operate without a sanitary permit from the Municipal Health Officer.

**SECTION 122. GENERAL REQUIREMENTS.** The construction and operation of a public laundry shall be governed by the following requirements:

**a. Structural Requirements**

1. The site should be distant from sources of nuisance.
2. Only durable construction materials shall be used.
3. Smooth and water-tight materials shall be used for flooring.
4. All work rooms shall be properly ventilated and provided with 10 foot-candles of lighting.
5. Adequate drying facilities shall be provided and articles for drying protected from sources of contamination.

**b. Sanitary Requirements**

1. Laundry supplies in both liquid and solid state shall be properly stored, prepared and handled. Containers of chemical shall be properly labelled.
2. Employees shall be provided with potable drinking water, toilets, bathing and washing facilities.
3. Employees shall be provided with lockers for their working garments.
4. The plant and its premises and equipment shall be maintained clean and sanitary at all times.

**SECTION 123. SPECIAL REQUIREMENTS.** The following requirements shall be enforced:

- a) All articles to be laundered coming from hospitals and infected sources shall be treated by exposure to a sufficient quantity of hot water detergents or by other effective means of disinfection.
- b) All linen, bed clothes, pajamas, towels, bedsheets, pillowcases, etc. that have come in contact with any form of radioactivity should be isolated in a certain area and monitored by Radiation Safety personnel before sending these articles for laundry. If any amount of radioactive contamination is found, the affected article should be set aside, and the radioactivity allowed to completely decay before said article is sent for laundry.
- c) All articles for delivery to the laundry shall be kept in containers which shall be kept closed until the articles are removed at the laundry.
- d) Laundry vehicles shall be kept clean and sanitary at all times.
- e) A separate room shall be used solely for receiving, sorting, marking or handling unwashed articles.
- f) Diapers must be protected from pathogenic organisms and from chemical substances which are irritating to skin of the infant. Laundered diapers for delivery shall be packed in sealed sanitary containers.
- g) Laundry water wastes and other garbage and rubbish shall be properly disposed in accordance with this code and other existing laws and ordinances.
- h) Water requirements. Sources either from private or public water supplies shall be potable and capable of supplying the following minimum demand on laundering:
  - Complete Washing: thirty-seven (37) to fifty (50) liters of water per kilogram of clothes or linens.
  - For Steam Laundry: thirteen (13); to seventeen (17) liters of water per kilogram of clothes or linens.

**SECTION 124. LAUNDERING PROCESSES.** The proper and suitable laundering and ironing instructions recommended and printed in the care label of each garment shall be strictly followed and shall comply with the following:

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY OWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BARR  
SB Member

HON. MELVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. MERRIAN  
SB Member

HON. RAUL B. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

- a. Soak first in clean potable water for at least thirty (30) minutes all the soiled linens before the washing process. Rub liquid detergent on badly soiled areas before soaking. Remove stains as early as possible before the application of hot water.
- b. There shall be proper training and awareness of counter personnel and technicians of the establishment regarding the identification of stain and stain removal process.

**CHAPTER XIII  
CAR WASHING ESTABLISHMENTS**

**SECTION 125. SANITARY PERMIT.** No person shall be allowed to operate a car-washing establishment without a sanitary permit granted by the Municipal Health Officer.

**SECTION 126. REQUIREMENTS FOR SANITATION**

- (a) Car washing establishment shall observe cleanliness and sanitation in the establishment including its premises.
- (b) All equipment, tools and other materials shall be kept clean.
- (c) All car washing wastewater shall be properly disposed in a safe area. These waste waters with soap detergents shall not be disposed in bodies of water to avoid contamination.
- (d) All proper solid wastes and other waste matter disposal shall be strictly in accordance with existing solid waste management laws and ordinances.

**CHAPTER XIV  
SCHOOL SANITATION AND HEALTH SERVICES**

**ARTICLE 1  
REQUIREMENTS FOR SITE, BUILDING AND PREMISES**

**SECTION 127. THE PHYSICAL ENVIRONMENT.** In the design and-construction of the school plant, the following factors shall be considered.

- (a) Site - Traffic hazards are to be avoided but not to the point of sacrificing accessibility to public transportation. It shall be distant from sources of nuisances.
- (b) Grounds - The acreage shall be large enough to permit playgrounds, athletic fields and school gardens.
- (c) Building -Preferably it shall be constructed of strong and durable materials and designed along functional lines. For the prevention of fire hazards, the requirements of the local fire department shall be observed. Sufficient ventilation shall be provided. Wall and ceiling finishes should be chosen so as to give optimum lighting with minimum glare. Artificial lighting with: louvered fluorescent or incandescent fixture shall be used to supply a minimum lighting of 25 foot-candles in the darkest corner. For flooring, suitable materials shall be used which will give maximum durability without creating a slippery surface.
- (d) Sanitary Facilities - The school population shall be provided with potable water, sewage and waste disposal systems "shall likewise conform to the requirements prescribed in this Code.

**SECTION 128. THE EMOTIONAL ENVIRONMENT:** For the promotion of emotional health of the school population the following requirements shall be observed:

- (a) Suitable Location. The school site shall be located away from disturbances and places which give undesirable influence.
- (b) Recreational Facilities. The school must have safe and attractive playgrounds and adequate facilities for suitable sports and games.
- (c) Rest Rooms Facilities shall be provided where faculty members can rest and get short respite from teaching chores.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GAVEN I. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. B. BAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. MRS. E. BALDIERIAN  
SB Member

HON. RAUL D. BALIANO  
ABC Pres./ Ex. Dir./ SB Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.



**SECTION 129. HEALTH SERVICES.** Trained personnel and adequate facilities should be available so that students may be afforded the following health services:

- (a) Periodic physical and medical examination;
- (b) Periodic immunization;
- (c) Medical and dental treatment;
- (d) Treatment for common emergencies; and
- (e) Counselling and guidance.

**CHAPTER XV  
INDUSTRIAL HYGIENE**

**SECTION 130. SANITARY REQUIREMENTS FOR OPERATING INDUSTRIAL ESTABLISHMENT.** The following sanitary requirements shall be applicable to industrial establishments within the Municipality of Tabontabon, Leyte.

- (a) No person, firm, corporation, Or. entity shall operate any industrial establishment without first obtaining a sanitary permit from the Municipal Health Officer of Tabontabon, Leyte and a permit to operate a business from the Municipal Mayor.
- (b) Industrial establishments shall be allowed to operate only in places or zones assigned for the kind of industry by existing zoning laws, ordinances, or policies. The local health authority shall determine the suitability of location where no zoning law or ordinance is applicable.
- (c) Adequate water supply shall be provided to employees and approved drinking water facilities with one facility for every fifty (50) employees.
- (d) Adequate restrooms and mess halls shall be provided to employees.
- (e) Work rooms and work employment All places of employment and all workrooms, including facilities and equipment, shall be kept clean and sanitary.

**SECTION 131. LOCATION**

- A. The location of industrial establishments shall comply with the following:
  - 1. No industrial establishment shall be allowed to be constructed in a non-industrial zone.
  - 2. Highly toxic and hazardous processes/operations shall be segregated or separated from non-hazardous treatment.
  - 3. In the case of old establishments which were not covered by existing provisions of the Zoning Ordinance, periodic and occupational health monitoring shall be conducted by the Municipal Health Office.

**CHAPTER XVI  
PUBLIC SWIMMING OR BATHING PLACES**

**ARTICLE 1  
SANITARY REQUIREMENTS FOR PUBLIC SWIMMING OR BATHING PLACES**

**SECTION 132. WATER SUPPLY.** All portions of the water distribution system serving the swimming pool and auxiliary facilities shall be protected against backflow. Water introduced into the pool, either directly or to the recirculation system, shall be supplied through an air gap. When such connections are not possible, the supply shall be protected by a suitable backflow prevented installed in the discharge side of the last control valve to tie fixture, device, or appurtenances. No public swimming or bathing places shall operate unless a sanitary permit is issued by the Municipal Health Officer and a permit to operate a business by the Municipal Mayor.

**SECTION 133. DRESSING ROOMS**

- 1. All public swimming and bathing places shall have a separate dressing room and bathhouse for each ender and facilities for checking of clothes. Entrances and exits of dressing rooms shall be located to break the line of sight.
- 2. Partitions between dressing. compartments shall terminate not less than ten (10) centimeters (4 inches) above the floor to permit flushing of the entire floor area.

Mun. Vice Mayor/Presiding Officer

--over--

Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWEN-L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. BARR  
SB Member

HON. MERVIN M. TORRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS R. BALDIERIAN  
SB Member

HON. RAUL D. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

**SECTION 134. WATER CLOSETS, SHOWERS, URINALS, AND LAVATORIES**

1. All public swimming or bathing places with outdoor bathing facilities shall have at least one (1) shower for every twenty (20) persons.
2. Urinals shall be a type that will not cause splashing of urine on the legs and feet of bathers. Urinals shall also be located that bathers will use them before entering the showers on their way to the swimming pool.

**SECTION 135. SOLID WASTE MANAGEMENT**

Throwing of fruit peelings, processed food wrappers and other garbage or solid waste in water shall be prohibited. Disposal of waste shall be in accordance with the provisions of this code.

**SECTION 136. RULES AND REGULATIONS FOR THE PROTECTION OF CUSTOMER**

1. Correct sanitary practices for persons swimming or bathing to prevent the transmission of communicable diseases;
2. Correct sanitary procedures for personnel working in those places to maintain their adequate sanitation and cleanliness of accessories used by customers;
3. Adequate number of trained personnel and necessary equipment needed for life-saving and rescue work;
4. Post conspicuous signs to warn the public of the presence of artificial or natural hazards;
5. Rented bathing suits, towels, linens or similar articles shall be washed with water and soap, thoroughly rinsed with clean water, soaked in boiling water and dried each time they are used.
6. Clean suits and towels shall be kept strictly separated from those that have been used and unlaundered. Clean suits and towels shall not be stored on shelves, handled in baskets, or passed out over counters where dirty suits have been placed.
7. The pumps, appurtenances shall be kept in operation at all times when the swimming pool is in safe and for such additional period as needed to keep the pool water clear and of satisfactory bacteriological quality: Continuous operation of the recirculation system shall be maintained in swimming pools having a capacity of 757 cubic meters (200,000 gallons) or more during season of regular use.
8. Visible dirt on the bottom of the swimming pool shall be removed every twenty four (24) hours or more requisitely as required.
9. Visible scum or floating matter on the swimming pool surface shall be removed by flushing within twenty-four (24) hours or any other effective means filters, disinfectant aid chemical feeders, and related.

**SECTION 137. WATER QUALITY OF PUBLIC SWIMMING AND BATHING PLACES.**

Water quality of public swimming and bathing places shall be in accordance with the provisions of the implementing rules and regulations of Chapter VIII- "Public. Swimming or Bathing Places of P.D.856.

**SECTION 138. REQUIREMENT FOR BATHERS**

1. All persons using the swimming pool or bathhouse shall be required to take a cleansing shower bath by using soap and thoroughly rinsing off soap suds before entering the pool or bathhouse.
2. Every bather shall be instructed to use the toilet and urinate first before taking a cleansing bath and entering the pool. A bather leaving the pool or bathhouse to use the toilet shall be required to take a second cleansing bath before returning.
3. Any person having a skin, disease, sore or inflamed eyes, cold, nasal or ear discharges, or any communicable disease must be excluded from using a public swimming pool or bathhouse.
4. Spitting, spouting of water, blowing of nose, etc. in the pool shall be strictly prohibited. Bathers shall be instructed that overflow gutter is provided for expectoration.
5. All bathers shall be instructed the blowing of nose to remove water is likely to force infectious matter into the sinus and inner cavities and possibly cause serious consequences.
6. Suitable placard embodying bather's regulations and those relating to suits and towels shall be, conspicuously posted in the pool room or enclosure and in the dressing rooms and office's at all swimming pools and bathhouses
7. Bringing of food and liquor in the swimming area shall be prohibited.
8. Persons intending to use the swimming pool shall wear proper swimming attire approved by the establishment.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

--over-

  
HON. DANILLO E. BALAIS  
SB Member

  
HON. MERRY GWEN L. CONDE  
SB Member

  
HON. DAN JERIC S. REDONA  
SB Member

  
HON. FRANCISCO M. FERNANDEZ  
SB Member

  
HON. HERMAN L. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDIARIAN  
SB Member

HON. RAUL I. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

**CHAPTER XVII  
REST AREAS, BUS/JEEPNEY TERMINALS, BUS STOPS,  
AND GAS SERVICE STATIONS**

**ARTICLE 1  
SANITARY REQUIREMENTS & FACILITIES**

**SECTION 139. SANITARY REQUIREMENTS AND FACILITIES.** Rest areas, bus terminals, bus stops and service station areas with one or more permanent, sheds, buildings and service facilities for motor vehicles shall operate only after a sanitary permit is issued by the MHO and a permit to operate a business by the Municipal Mayor provided with sanitary facilities for the Convenience and personal necessities of the travelling public.

- (1) Comfort rooms shall be provided with adequate water supply to ensure sanitation in the establishment.
- (2) Proper sewage, garbage and refuse collection and disposal by providing covered cans, sacks or other garbage/refuse receptacles.
- (3) Waiting sheds for commuters shall be adequately provided.
- (4) Sale of foodstuffs in the area shall be regulated in accordance with the provisions of this code.

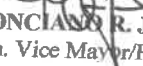
**ARTICLE 2  
SANITARY REQUIREMENTS FOR GASOLINE SERVICE STATION**

**SECTION 140. SANITARY REQUIREMENTS.** All gasoline service stations within the jurisdiction of the Municipality shall:

- 1. Provide for a convenient container in their premises to store their used oil, grease or other used liquids in such a manner that such will not leak into the floor or drain into the canal or storm drains proximate to open spaces.
- 2. Stored used liquids shall be disposed only, if not recycled, for legitimate purposes, by dumping the same into a private facility owned by the establishment conveniently structured away from populated areas, duly approved by the Community Environment and Natural Resources Office (CENRO) I Provincial Environment and Natural Resources Office (PENRO).
- 3. Storage containers shall not be allowed to overflow into canals, rivers, creeks or any public place like roads and streets and must be protected from being hit by flames or combustible objects.
- 4. No gasoline station shall operate without securing a sanitary permit from the Municipal Health Officer and a permit to operate a business from the Municipal Mayor.

**SECTION 141. PROHIBITED PRACTICES.** All owners, operators, and employees of gasoline service stations and all other similar establishments are strictly prohibited to:

- 1) Pour into a drainage canal, storm drain or any channel, covered or otherwise, any quantity of used oil, used grease, or other petroleum products or wastewater and any other toxic or polluting liquid coming directly from vehicles being cleaned, repaired or washed or from any storage container of said used petroleum products.
- 2) Sweep or lead large quantities of used oil, grease and wastewater from the floor of the establishment and directly channel said used or waste liquids into the drainage canals or storm drains allowing the same to flow into the said channels and ultimately into bodies of water within the Municipality.

  
HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

  
MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

  
HON. DANILLO E. BALAIS  
SB Member

  
HON. JERRY OWEN L. CONDE  
SB Member

  
HON. DAN JERIC S. REDOÑA  
SB Member

  
HON. FRANCISCO M. FERNANDEZ  
SB Member

  
HON. HERMAN I. BAR  
SB Member

HON. MERVIN M. LOBRICO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS S. BALDERIAN  
SB Member

HON. RAUL J. RALINO  
ABC Pres./ Ex-Oficio Member

HON. THEA LASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Oficio Member.



CHAPTER XVIII  
NIGHTCLUBS/VIDEOKE BARS

ARTICLE 1  
REQUIREMENTS

SECTION 142. SANITARY PERMIT AND SANITATION

1. These establishments shall be operated and opened only when a Sanitary Permit is issued by the Municipal Health Officer and Permit to Operate a Business is issued by the Municipal Mayor.
2. These business establishments and their premises shall be kept clean and sanitary at all times.
3. Customers shall be provided with adequate potable waters and toilet facilities.
4. There shall be no private rooms or separate compartments for public use except those used for lavatories, dressing rooms, bars and kitchen.
5. No person shall be employed as waiter/waitress, bartender, hostess, guest relation officer (GRO) of the establishments without first securing a health certificate from the MHO.
6. The preparation, storage, handling and serving of foods shall be in accordance with the provisions of this code.
7. Unnecessary sounds and noise must be regulated in the establishment.
8. Proper waste disposal must be strictly in accordance with the provisions of this Code.

CHAPTER XIX  
CAMPS/PICNIC GROUNDS

ARTICLE 1  
REQUIREMENTS

SECTION 143. No camps and picnic grounds shall be open for public patronage without a sanitary permit issued by the Municipal Health Officer or his duly authorized representative and a permit to operate a business issued by the Municipal Mayor.

- (a) Camps and picnic ground sites shall not be subject of flooding, must be well-drained, distant from any source of nuisance and will not endanger sources of any public water supply.
- (b) Camp and picnic houses shall be provided with adequate lighting and ventilation where tents are used, flooring shall be at least 4 inches above the ground.
- (c) Adequate and safe drinking water shall be available at all times in accordance with the provisions of this Code.
- (d) Adequate number of sanitary facilities shall be provided.
- (e) Proper sewage disposal shall be in accordance with the provisions of this Code.
- (f) Proper preparation, storage and serving of food shall be in accordance with the provisions of this Code.

CHAPTER XX  
TONSORIAL AND BEAUTY PARLORS/ESTABLISHMENTS

ARTICLE 1  
REQUIREMENTS

SECTION 144. REQUIREMENTS. These establishments are subject to the following requirements:

1. A sanitary permit shall be procured from the local health authority and a permit to operate a business by the Municipal Mayor before their operation.
2. They shall be maintained clean and sanitary at all times.
3. No person shall be employed to service customers without a health certificate issued by the local health authority.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. BIBAR  
SB Member

HON. MELVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAM  
HC SB Member

HON. DENNIS L. BADERIAN  
SB Member

HON. RAUL D. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

**SECTION 145. CORRECT SANITARY PRACTICES.** The following sanitary practices shall be observed.

- 1) Working personnel shall wash their hands with soap and water before servicing customers.
- 2) They shall wear clean working garments.
- 3) They shall not smoke nor eat while working.
- 4) Equipment of the trade shall be cleared and disinfected before and after their use.
- 5) Customers shall be supplied with clean and fresh towels, drapes and other necessary linen.
- 6) Precautionary measures to prevent disease transmission shall be observed when serving customers showing any form of dermatoses.

**SECTION 146. PROHIBITED PRACTICES FOR BARBER SHOPS AND BEAUTY PARLORS.**

1. It is prohibited to use rotary hair brush, sponge, powder puff, neck duster, substances in block form or any other thing or substance likely to transfer infection to the customer.
2. It is prohibited for a barber, hairdresser or beautician to apply to the skin or face of a customer any powder rouge or similar cosmetics other than by means of a clean applicator.

**SECTION 147. SANITARY PRACTICES FOR CONTROL OF COMMUNICABLE DISEASES.** The following shall be complied with:

1. Every barber or beautician shall provide service with extra care to a client who is suffering from an infectious skin disease or is infested with head lice or some other parasitic infestation of the skin or hair. The client shall be advised to see a physician or a dermatologist.
2. After completion of every service, the barber/beautician shall:
  - a. Immediately gather all readily movable equipment and things used in the service of a customer and disinfect such equipment in the manner prescribed in this code.
  - b. Immediately destroy, disinfect or dispose of in waste receptacle every paper, pad, swab and things used in the service of such customer and in the case of towels, cloths and any coat or overall worn by the hairdresser or barber, place such towels, clothes and coat or overall in a sealed container and at the first practicable opportunity, disinfect the same in a manner prescribed in this code.
  - c. Clean his/her hands by scrubbing them with a suitable hairbrush and water and soap or antibacterial cleansing agent of a type specified in this code.
  - d. Clean and disinfect all nippers, nail cutters, nail files, brushes, scissors, emery boards and similar instruments.
3. Every barber or beautician shall use personal protection equipment like surgical or face mask for protection against air-borne particles when undertaking acrylic nail polishing or similar procedures.
4. All equipment shall be cleaned and disinfected as specified in this code.

**SECTION 148. DISINFECTION.** A barber or beautician shall disinfect his/her equipment and other things used in the following manner:

1. Razors, scissors, shears and combs, nippers, nail cutters, nail files:
  - a. Washing with water or soap or a suitable detergent.
  - b. Drying with a clean cloth and towel.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. FERRY GWEN I. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMIANI MIBAR  
SB Member

HON. MELVIN L. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDERIAN  
SB Member

HON. RAUL T. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GAVEN L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN I. BIBAR  
SB Member

2. Clippers
  - a. Brushing the clipper teeth with a clean brush to remove all hair and dipped in a disinfectant solution.
  - b. Wiping the blades in a clean swab or cloth with a solution.
3. Hair and shaving brushes
  - a. Washing with water or soap or a suitable detergent.
  - b. Immersing in a solution.
4. Towels, cloths, aprons or wraps and other washable fabrics. Immersing in a solution specified in this chapter or soaking in water at a temperature of at least 71°C for at least ten (10) minutes then washing in water and soap followed by drying and ironing at a temperature of at least 71°C.
5. Plastic aprons or wraps
  - a. Washing with water or soap or a suitable detergent.
  - b. Drying with a clean cloth and towel.
6. Hair clips and rollers used in hair waxing or styling and which come in contact with the customer's hair.
  - a. Washing with water or soap or a suitable detergent.
  - b. Drying with a clean cloth and towel.
  - c. Immersing in a solution.
7. Electric heating caps and tongs used in hair waving or styling shall be wiped with a clean swab or cloth impregnated in a solution.
8. All equipment that can be immersed in a liquid shall be disinfected by immersion in a solution.

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS J. BAYADERIAN  
SB Member

HON. RAUL J. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

CHAPTER XXI  
MESSAGE CLINICS AND SAUNA BATH ESTABLISHMENTS

ARTICLE 1  
REQUIREMENTS

SECTION 149. SANITARY PERMIT. No person or entity shall operate a massage clinic and/or a sauna bath establishment without first securing a sanitary permit from the local health authority and a business permit to operate from the Municipal Mayor.

SECTION 150. SANITARY REQUIREMENTS. The following requirements shall be enforced:  
(a) Massage Clinic

1. The reception and office rooms shall be properly lighted and ventilated.
2. Every massage room shall be adequately ventilated, provided with a sliding curtain at the entrance and equipped with a suitable and clean massage table.
3. Sanitary and adequate handwashing, bath and toilet facilities shall be available.
4. Customers shall be provided with soap, clean towels sanitized rubber or plastic slippers. They shall be required to take a thorough bath before massage.
5. Masseur and masseur attendant shall wash their hands with soap and water before and after massaging a customer.
6. The establishment and its premises shall be maintained clean and sanitary at all times.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan



(b) Sauna Bath Establishment

1. The reception arnd office rooms shall be properly lighted and adequately ventilated.
2. The sauna bath room shall be properly lighted, provided with themometers, and maintained clean and sanitaly at all times.
3. Sanitary and adequate haridwashirig, bath and toilet facilities shall be available.
4. Customers shall be provided with soap, clean towels and sanitized rubber or plastic slippers.

**SECTION 151. SANITARY REQUIREMENTS FOR PERSONNEL**

(a) Masseur

1. The person must have a certificate as a registered masseur, issued by the Committee on Examiners for Masseur of the Department of Health.
2. He must possess an up-to-date health certificate issued by the local health authority.
3. The masseur shall wash his/her hands thoroughly with soap and water and 70% isopropyl alcohol before and after massaging a customer.
4. The masseur shall not be allowed to take a bath with the customers whether in the shower or in the tub or hydro massage tub/tower.
5. A copy of the certificate of registration of masseur issued by the committee including its renewal shall be displayed at conspicuous place in the clinic in full view of the public, a copy of which shall be provided to the Municipal Health Office.
6. The masseur shall wear a clean working garment when attending to a customer or when supervising massage clinic attendant.

(b) Sauna Bath Attendant

1. Attendant must possess an up-to-date health certificate issued by the Municipal Health Officer.
2. The person must wear clean working garments when attending to customers.

**CHAPTER XXII  
HOTELS, MOTELS, LODGING, BOARDING OR  
TENEMENT HOUSES AND CONDOMINIUMS**

**ARTICLE I  
REQUIREMENTS**

**SECTION 152. GENERAL PROVISIONS.** The following are required for the establishments referred to in this chapter.

- (a) No establishment shall be operated and opened for public patronage without a Sanitary Permit issued by the Municipal Health Officer and a Permit to Operate a Business by the Municipal Mayor.
- (b) All establishments shall provide their patrons with adequate water supply, toilet and bath facilities in accordance with standards prescribed in this Code.
- (c) Establishments and their premises shall be kept clean and sanitary at all times.
- (d) Periodic insect and vermin control measures shall be undertaken to eradicate vectors of diseases.
- (e) No person shall be employed in establishments without first procuring a health certificate from the Municipal Health Officer.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GIBEN L. CONDE  
SB Member

HON. DAN JURIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS T. TADERRAN  
SB Member

HON. RAUL P. BALANO  
ABC Pres./ Ex-Oficio Member

HON. THEA MARINNE A. PRISNO  
Mun. SIK Fed. Pres./ Ex-Oficio Member

**SECTION 153. SITE REQUIREMENT**

1. It shall be accessible to transportation.
2. There shall be adequate parking area for personnel and guests/occupants.
3. The establishment shall be kept free from domesticated animals and fowls.
4. Communal cooking and dining facilities in guest/sleeping rooms are prohibited.

**ARTICLE 2  
SANITARY REQUIREMENTS**

**SECTION 154. WATER SUPPLY.** In addition to the water supply requirements provided in this ordinance, a minimum of forty (40) liters per capita per day shall be maintained.

**SECTION 155. DRINKING WATER FACILITIES.** Aside from the drinking water facilities requirements provided in this code, all guest rooms of hotels, motels, or boarding places shall be provided with glasses and potable water in pitchers (or multi-use tubes) or single service cups. Multi-use utensils shall be washed thoroughly and subjected for approved bactericidal treatment and stored and handled in a sanitary manner before being given to succeeding guest. Clean glasses shall be individually wrapped.

**SECTION 156. TOILET, BATHROOM AND HAND WASHING FACILITIES.** Every room of hotels/motels and other similar establishments shall be provided with toilet, lavatory and bathing facilities in accordance with the following:

1. The toilet shall be seat type made of vitreous china or equivalent materials.
2. The sink shall be of vitreous china or enameled cast iron or other approved material and provided with tap and sufficient water.
3. Bath tub and/or shower shall be provided. The bath tub shall be made of smooth, non-absorbent material and shall be free from concealed fouling surface.
4. The bathroom shall always have toilet tissue and one (1) set of towels and soap per guest per day.
5. Water pressure of 1.406 kg. (20 psi) must be available twenty four (24) hours for both the lavatories and shower/bathtub. Hot water with not less than 49°C (120°F) in temperature shall be provided at least four (4) hours in the morning and three (3) hours at night. Schedule of hot water service shall be posted in all bathrooms.
6. The bathroom shall be sanitized before the guest room is rented to the next guest.
7. For a common bathroom, the male guest room shall have a minimum of one (1) toilet, one (1) urinal, one (1) sink, one (1) shower head for every five (5) lettable rooms while the female guest room shall have a minimum of one (1) toilet, one (1) sink, one (1) shower head for every three (3) lettable room.
8. Toilet and urinal shall be provided with anti-odor or absorptive material.

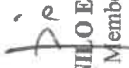
**SECTION 157. BEDDING.** Furniture, shades, curtains, carpets, and other similar accessories and articles of bedding shall be cleaned and sanitized at reasonable intervals, maintained and kept in good condition and shall be replaced, daily and after every checkout of guest and/or as requested..

**SECTION 158. REFUSE RECEPTACLES.** Every room must be provided with at least two (2) refuse receptacles made of impervious materials, one for biodegradable wastes and one for non-biodegradable waste. All public areas in the establishment such as lobby, elevator, foyer, floor landing of stairs and other appropriate areas shall be provided with refuse receptacles with separate compartment for cigarette butts.

  
HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

  
MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

  
HON. DANILLO E. BALAIS  
SB Member

  
HON. JERRY GWENT-CONDE  
SB Member

  
HON. DAN JERIC S. REDOÑA  
SB Member

  
HON. FRANCISCO M. FERNANDEZ  
SB Member

  
HON. HERMYAN BIBAR  
SB Member

HON. MERYL M. OBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS I. BALDEMAN  
SB Member

HON. RAUL P. BALANO  
ABC Prgs./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

**SECTION 139. NO SMOKING** signs shall be conspicuously posted in designated areas. Smoking area shall be designated in the establishment.

**CHAPTER XXIII  
SEWAGE COLLECTION AND DISPOSAL,  
EXCRETA DISPOSAL AND DRAINAGE**

**ARTICLE 1  
REQUIREMENTS**

**SECTION 160. REQUIREMENTS IN THE OPERATION OF SEWERAGE WORKS AND SEWAGE TREATMENT PLANTS.** The following are required for sewerage works and sewage treatment plants.

- (a) All houses covered by the system shall be connected to the sewer in areas where a sewerage system is available.
- (b) Outfalls discharging effluent from a treatment plant shall be carried to the channel of the stream or to deep water where the outlet is discharged.
- (c) Storm water shall be discharged to a storm sewer, sanitary sewage shall be discharged to a sewerage system carrying sanitary sewage only, but this should not prevent the installation of a combined system.
- (d) Properly designed grease traps shall be provided for sewers from restaurants or other establishments where the sewage carries a large amount of grease.

**SECTION 161. SEPTIC TANKS.** Where a public sewerage system is not available, sewer outfalls from residences, schools, and other buildings shall be discharged into a septic tank to be constructed in accordance with the following minimum requirements:

- (a) It shall be generally rectangular in shape. When a number of compartments are used, the first compartment shall have the capacity from one-half to two-thirds of the total volume of the tank.
- (b) It shall be built of concrete, whether pre-cast or poured in place. Brick, concrete blocks or adobe may be used.
- (c) It shall not be constructed under any building and within 25 meters from any source of water supply.

**SECTION 162. OPERATION OF SEWAGE TREATMENT WORKS.** Private or public sewerage systems shall:

- (a) Provide laboratory facilities for control tests and other examinations needed.
- (b) Forward to the local health authority operating data, control tests and such other records and information as may be required;
- (c) Inform the local health authority in case of break-down or improper functioning of the sewage treatment works, and
- (d) Provide for the treatment of all sewage entering the treatment plant.

**SECTION 163. DISPOSAL OF SEPTIC TANK EFFLUENT.** The effluent from septic tanks shall be discharged into a sub-surface soil absorption field where applicable or shall be treated with some type of a purification device. The treated effluent may be discharged into a stream or body of water if it conforms to the quality standards prescribed by the National Water and Air Pollution Control Commission.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GWENT L. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BIBAR  
SB Member

HON. MERVIN M. LOBRIGO  
SB Member

HON. JINKEY E. GAMEZ  
SB Member

HON. DENNIS L. BALDIERIAN  
SB Member

HON. RAUL T. BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA YASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.



**SECTION 164. SANITARY PRIVIES.** The privy recommended for use is the sanitary privy. It shall conform with the following minimum requirements:

- a. It shall consist of an earthen pit, a floor covering the pit, and a water-sealed bowl. It shall be so constructed in order that fecal matter and urine will be deposited into the earthen pt which shall be completely fly-proof.
- b. The pit shall be at least one square meter.
- c. The floor should cover the pit tightly to prevent the entrance of flies. It shall be constructed of concrete or other impervious material.
- d. The water-sealed bowl shall be joined to the floor so as to form a water-tight and insect proof joint.
- e. A suitable building, shall be constructed to provide comfort and privacy for the Users of the pivy.
- f. Wooden floors and seat risers shall not be used.

**SECTION 165. DRAINAGE**

(a) Responsibility of the municipality. It shall be the responsibility of the municipality to provide and maintain in a sanitary state and repair a satisfactory system of drainage in all inhabited areas where waste water from buildings and premises could empty without causing nuisance to the community and danger to public health.

**CHAPTER XXIV  
REFUSE DISPOSAL**

**ARTICLE 1  
REQUIREMENTS**

**SECTION 166. SCOPE OF SUPERVISION OF THE DEPARTMENT.** The approval of the Secretary of the Department of Health or the Municipal Health Officer or his/her duly authorized representative is required in the following matters:

- (a) Construction of any approved typé of toilet for every house including community toilet which may be allowed for a group of small. houses of light materials or temporary in nature
- (b) Plans of individual sewage disposal system and the sub-surface absorption system, or other treatment device;
- (c) Location of any toilet or sewage disposal system in relation to a source of water supply;
- (d) Plans, design data and specifications of a new or existing sewerage system or sewage treatment plant;


**SECTION 167. RESPONSIBILITY OF THE MUNICIPALITY.** The Municipality shall provide an adequate and efficient system of collecting, transporting and disposing refuse in their areas of jurisdiction in a manner approved by the local health authority.

**SECTION 168. ADDITIONAL REQUIREMENTS.**

- (a) Occupants of buildings and residences shall; provide a sufficient number of receptacles for refuse. Refuse in receptacles shall be protected against vermin and other animals.
- (b) Refuse shall be disposed through a municipal collection service. If this service is not available, disposal shall be by incineration, burying, sanitary landfill or any method approved by the local health authority.
- (c) Refuse shall not be thrown, in any street, sidewalk, yard, park or any body of water. It shall be stored in a suitable container while awaiting its final disposal.
- (d) Streets shall be kept clean by occupants or owners of properties lining the street from the line of the property to the middlej of the street and from one property to the other.
- (e) Parks, plazas and streets adjacent to public buildings shall be kept clean by the local government.

  
**HON. PONCIANO R. JUSTIMBASTE, JR.**  
Mun. Vice Mayor/Presiding Officer

-over-

  
**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan

  
**HON. DANILO E. BALAIS**  
SB Member

  
**HON. GERRY GWEN-L. CONDE**  
SB Member

  
**HON. DAN JERIC S. REDOÑA**  
SB Member

  
**HON. FRANCISCO M. FERNANDEZ**  
SB Member

  
**HON. HERMAN M. BIBAR**  
SB Member

  
**HON. MERILYN M. IBRIGO**  
SB Member

  
**HON. JINKY E. GAMEZ**  
SB Member

  
**HON. DENNIS L. CALDERIAN**  
SB Member

  
**HON. RAUL J. BALANO**  
ABC Pres./ Ex-Officio Member

  
**HON. THEA-JASMINE A. PRISNO**  
Mun. SK Fed. Pres./E-Officio Member.

**SECTION 169. ACCUMULATION OF REFUSE.** Storing and drying of manure shall be made at a minimum distance of five hundred, (500) meters away from residential, commercial or industrial area or as approved by the Municipal Health Officer, considering that objectionable odors emitted from the establishment shall not cause annoyance to the people residing within the area.

**SECTION 170. NOXIOUS MATTER**

1. There shall be no noxious matter or any harmful substance that shall be disposed off unto streets, alleys, canals, bodies of water or any pathways or place not approved by the Municipal health officer or other concerned regulatory agencies or offices. The sanitary requirement for the disposal shall be in accordance with Chapter XVIII "Refuse Disposal" of the Code on Sanitation of the Philippines (PD 856) and implementing rules and regulations and all other pertinent laws, rules, and regulations and ordinances of the municipality.

2. Sewage or any waste water that are discharged without prior treatment, unto streets, roads, alleys, canals, bodies of water, or in any pathways or place, or is used to water streets plants that is likely to affect health, cause pollutions or contamination of wells, springs or any source of drinking water, shall be declared nuisance and shall be acted upon, corrected or removed by the owner or operator of the establishment within twenty four (24) hours upon receipt of the notice.

**SECTION 171. ANIMAL STOCKADE**

1. All animal stockade shall be kept clean and free from accumulation of manure and other refuse.

2. All animal stockade, whether temporary or permanent shall be repaired to have flooring which is impervious, free from cracks and crevices and properly sloped (2%) to provide good drainage.

3. Every animal stockade or other animal enclosures shall be provided with a water tight, easy to carry, and vermin proofed receptacle for manure and others.

4. All domestic animals such as those kept as pet or used in livestock industry and for other purposes shall be under the care and control of the owner. All astray animals shall be impounded by the LGU and pay the corresponding fees as provided by municipal ordinance.

5. All livestock which are temporarily stocked in slaughterhouse shall be covered by Chapter IV "Market and Abattoirs of PD 856 and implementing rules and regulations.

6. All animals and poultry feeds shall be kept and stored in such conditions that will limit the attraction and harborage of vermin.

7. Whenever an animal or animal stockade is a nuisance and is the subject of complaint of the residents within the area, the people may file written complaint to the Municipal Health Officer who in return will notify and suggest sanitary measures to the owner/operator to correct such nuisance. If the operator fails or neglects or refuses to correct or abate such nuisance within thirty (30) days after notification or within a short time, the Municipal Health Officer shall ban the keeping of such animal on the further use of such stockade.

**SECTION 172. ANIMAL USED FOR COMMERCIAL PURPOSES**

1. Establishment engaged in livestock industry shall be located only in places or areas designated in accordance with the Comprehensive Land Use Plan.

2. Livestock stockades shall not be located within' twenty five (25) meters from any ground and surface drinking water sources nor shall it be near flood-prone areas or in depressions where heavy water run-off may occur.

3. There shall be no livestock stockade intended for commercial purposes which shall be constructed, operated, and maintained at a point 100 meter (328 feet) from any place of human habitation.

4. There shall be a buffer zone of at least five (5) meters in which around the Dundaries of the lot, and if possible be planted with trees or shrubs.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC F. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN I. BIBAR  
SB Member

HON. MERYLLA M. FORBIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS I. BALDIWIN  
SB Member

HON. RAUL D. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member

HON. DANILLO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. REDONA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN J. BIBAR  
SB Member

5. The location of any livestock industry shall be at least 500 meters away from national roads and highways.
6. All Stables, barns, loafing or loitering area and other enclosure where animals are raised or kept shall be constructed of such material and in such a manner that it can be kept reasonably clean and sanitary at all times.
7. Satisfactory space requirement in each domestic animal stockade shall be observed to prevent overcrowding.
8. Any establishment engaged in the sale of pet animals such as dogs, cats, reptiles, fishes, doves, rabbits, mice, and others, located within a commercial area shall be at least twenty five (25) meters away from any food establishment.
9. The frequency of disinfection of every animal stockade and every premises of such establishment that is likely to be contaminated shall be maintained at least three (3) times a week or as frequent as necessary as the Municipal Health Officer may direct.

**CHAPTER XXV  
POLLUTION OF THE ENVIRONMENT**

**ARTICLE 1  
GENERAL PROVISIONS**

For the purpose of this Chapter, the provisions of Republic Act No. 3931, the rules and regulations of the National Water and Air Pollution Control Commission promulgated in accordance with the provisions of Section 6(a) 2 of the said Act, the provisions of Presidential Decree No. 480, and the rules and regulations of the Radiation Health Office of the Department of Health shall be applied and enforced.

**SECTION 173. AUTHORITY OF THE SECRETARY.** The Secretary of Health or his or her authorized representative is authorized to promulgate rules and regulations for the control and prevention of the following types of pollution:

- a) Pollution of pesticides and heavy metals;
- b) Pollution of food caused by electronic products such as laser beams on microwaves.
- c) Pollution of food caused by chemicals, biological agents, radioactive materials, and excessive or improper use of food additives.
- d) Noise pollution caused by industry, land transportation and building construction.
- e) Biological pollutants including the causative agents of intestinal infections;
- f) Pollution of agricultural products through the use of chemical fertilizers and plant pesticides containing toxic chemical substances and unsanitary agricultural practices and;
- g) Any other type of pollution which is not covered by the provisions of Republic Act 3931, the Rules and Regulations of the National Water and Air Pollution Control Commission, the provisions of Presidential Decree No. 480 and the rules and regulations of the Radiation Health Office of the Department of Health which is likely to affect community Health adversely.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

—over—

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. MERVIN M. FORRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDEMIAN  
SB Member

HON. RAUL B. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member



ARTICLE 2  
DISPOSAL OF DEAD PERSONS

SECTION 174. BURIAL GROUNDS REQUIREMENTS. The following requirements shall be applied and enforced:

- a) It shall be unlawful for any person to bury remains in places other than those legally authorized in conformity with the provisions of this Chapter.
- b) A burial ground shall at least be 25 meters distant from any dwelling house and no house shall be constructed within the same distance from any burial ground.
- c) No burial ground shall be located within 50 meters from either side of a river or within 50 meters from any source of water supply.

SECTION 175. BURIAL REQUIREMENTS. The burial of remains is subject to the following requirements:

- a) No remains shall be buried without a Death Certificate. This certificate shall be issued by the attending physician.
- b) Shipment of remains abroad shall be governed by the rules and regulations of the Bureau of Quarantine.
- c) Graves where remains are buried shall be at least one and one-half meters deep and filled well and firmly.
- d) The cost of burial of a dead person shall be borne by the nearest kin. If the kin is not financially capable of defraying the expenses or if the deceased had no kin, the cost shall be borne by the municipal government.
- e) The burial of remains in municipal burial grounds, shall not be prohibited on account of race, nationality, religion or political persuasion.
- f) Except when required by legal investigation or when permitted by the local health authority, no unembalmed remains shall remain unburied longer than 48 hours after death.
- g) When the cause of death is a dangerous communicable disease, the remains shall be buried within 12 hours after death. They shall not be taken to any place of public assembly. Only the adult members of the family of the deceased may be permitted to attend the funeral.

SECTION 176 DISINTERMENT REQUIREMENTS. Disinterment of remains is subject to the following requirements:

- (a) Permission to disinter remains of persons who died of non-dangerous communicable diseases may be granted after a burial period of three years.
- (b) Permission to disinter remains of person who died of dangerous communicable diseases may be granted after a burial period of five years.
- (c) Disinterment of remains covered in paragraphs "a" and "b" of this Section may be permitted within a shorter time than that prescribed in special cases, subject to the approval of the Regional Director (DOH) concerned or his duly authorized representative.
- (d) In all cases of disinterment, the remains shall be disinfected and placed in a durable and sealed container prior to their final disposal.

HON. PONCIANO R. JUSTIMBASTE, JR  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

HON. MERRY GWENTL. CONDE  
SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

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HON. HERMAN L. BIBAR  
SB Member

HON. MERVYN M. LOBRIGO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDIAN  
SB Member

HON. RAUL D. BALANO  
ABC P.P.S./Ex-Oficio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed Pres./Ex-Oficio Member.

**SECTION 177. FUNERAL AND EMBALMING ESTABLISHMENTS.** These establishments are subject to the following requirements:

(a) Sanitary permit- No establishment mentioned in the preceding paragraph shall be operated without a sanitary permit issued by the Secretary or his duly authorized representative and a permit to operate a business by the Municipal Mayor. This permit shall be revoked in case of any violation of the provisions of this Chapter and the rules and regulations promulgated by the Secretary or his/her duly authorized Representative.

(b) Classification Funeral establishment shall be classified in three (3) categories which are described as follows;

1. Category I Establishments with chapels, and embalming facilities and offering funeral services.
2. Category II Establishments with chapels, and offering funeral services but without embalming facilities.
3. Category III Establishments offering only funeral services from the house of the deceased to the burial ground.

**SECTION 178. SANITARY REQUIREMENTS.** For funeral chapels and Embalming establishments. The requirements shall be as follows:

For embalming and dressing rooms

- 1) They should be constructed of concrete or semi-concrete materials with sufficient space to accommodate five bodies at one time.
- 2) The floors and walls shall be made of concrete or other durable impervious materials.
- 3) Ventilation and lighting should be adequately provided.
- 4) Embalming shall be performed on a table made of a single marble slab or other equally impervious materials. It shall be so constructed that all washings and body fluids shall flow to a drain connected to the waste piping system of the building.
- 5) Embalmers and assistants shall use rubber gloves when working.
- 6) Washing facilities with soaps, detergents and germicidal solutions shall be provided for use of the following personnel.

**SECTION 178. LICENSING AND REGISTRATION PROCEDURES.** The licensing and registration of undertakers and embalmers are subject to the following requirements:

(a) Issuance of license to practice

1. Any person who desires to practice undertaking or embalming shall be licensed to practice only after passing an examination conducted by the Department (DOH).
2. Licensed undertakers or embalmers shall practice undertaking or embalming in accordance with requirements prescribed by the Department (DOH).
3. Licensed undertakers or embalmers shall display their licenses conspicuously in the establishments where they work.

(b) Issuance of certificates of registration

1. Undertakers or embalmer shall apply annually for a registration certificate and pay the corresponding annual registration fee to the Department of Health.
2. The registration certificate shall be posted Conspicuously in the establishment.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

-over-

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Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWEN L. CONDE  
SB Member

HON. DAN JERIC S. KEDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN I. BIBAR  
SB Member

HON. MARIAN V. TORRIGIO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS D. BALDIKIAN  
SB Member

HON. RAUL D. BALANO  
ABC Pps./ Ex. Office Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Office Member.

- (c) Exemptions. Government or private physician may perform embalming without license and registration certificate as exgency requires.

**SECTION 180. AUTOPSY AND DISSECTION OF REMAINS.** The autopsy and dissection of remains are subject to the following requirements:

- (a) Person authorized to perform these are:

1. Health officers;
2. Medical officers of law enforcement agencies, and
3. Members of the medical staff of accredited hospitals.

- (b) Autopsies shall be performed in the following cases:

1. Whenever required by special laws;
2. Upon orders of a competent court, a mayor and a provincial or city fiscal;
3. Upon written request of police authorities;
4. Whenever the Solicitor General, provincial or city fiscal as authorized by existing laws, shall deem it necessary to disinter and take possession of remains or examination to determine the cause of death; and
5. Whenever the nearest kin shall request in writing-the authorities concerned to ascertain the cause of death.

- (c) Autopsies may be performed on patients who die in accredited hospitals subject to the following requirements;

1. The Director of the hospital shall notify the next of kin of the death of the deceased and request permission to perform an autopsy.
2. Autopsy can be performed when the permission is granted or no objection is raised to such autopsy within 48 hours after death.
3. In cases where the deceased has no next of kin, the permission shall be secured from the local health authority.
4. Burial of remains after autopsy. After an autopsy, the remains shall be interred in accordance with the provisibns ih this Chapter.

**SECTION 181. DONATION OF REMAINS, HUMAN ORGANS FOR MEDICAL STUDIES.**

Medical, Surgical on Scientific Studies and Research, shall be in accordance to the provisions of Section 96 and 97 of PD 856 or Code on Sanitation of the Philippine.

**SECTION 182. SPECIAL PRECAUTIONS FOR SAFE HANDLING OF CADAVERS CONTAINING RADIOACTIVE ISOTOPES**

- (a) Cadavers containing only traces (very small dose) of radioactive isotope do not require any special handling precautions.

- (b) Cadavers containing large amounts of radioactive isotopes should be labeled properly identifying the type and amount of radioactive isotopes present and the date of its administration.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over-

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HON. DAN JERIC S. REDONA  
SB Member

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SB Member

HON. HERMAN I. BIBAR  
SB Member

HON. MERYNIA TORRIGIO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS F. BARRERIAN  
SB Member

HON. RAUL BAIANO  
ABC Pres./ Ex-Officio Member

HON. THEA YASMINE A. PRISNO  
Mun. SK Fed. Pres./Ex-Officio Member.



- (c) Before autopsy is performed, the Radiation Health Officer or his duly authorized representative should be notified for proper advice. The pathologist and/or embalmer should be warned accordingly of the radioactivity of the cadaver so that radiation precautions can be properly enforced.
- (d) Normal burial procedures, rules and regulations may be carried out on the above mentioned cadavers provided that their amount of radioactivity has decayed to a safe level which will be determined by the Radiation Health Officer or his authorized representative.
- (e) Cremation of remains shall be performed in duly authorized and registered crematory establishment.

**SECTION 183. RESPONSIBILITY OF THE MUNICIPAL HEALTH OFFICER**

- a. Issue permit to enter, disinter or transfer remains
- b. Apply prescribed measures when cause of death is due to a dangerous communicable disease
- c. Keep records of death within his/her area of jurisdiction.

**SECTION 184. RESPONSIBILITY OF THE MUNICIPAL GOVERNMENT OF TABONTABON, LEYTE**

- a. Provide appropriate lot for cemeteries subject to approval by the Regional Director of DOH.
- b. Close cemeteries within its jurisdiction which are operated not in accordance with this code is subject to the approval of the Regional Director of the DOH.

**CHAPTER XXVI  
SARS CONTROL AND ABATEMENT**

**SECTION 185. QUARANTINE OF SUSPECTED SARS VICTIM.** Any person identified by the local health officials to be suffering from SARS, shall be advised to undergo testing and be quarantined in places/institutions designated as quarantine areas by the Department of Health or local health officials, until such time that they are declared SARS-negative by DOH.

All family members and/or other persons who have been in contact with the suspected SARS patient, shall be required to undergo home confinement or be quarantined in places/institutions designated as quarantine areas, until such time that the Local Health Authorities or the DOH issues a SARS-Negative Clearance. For the effective implementation of this provision, the Mayor may call on the Local PNP to ensure that the above persons shall remain in the Quarantine Areas until the necessary clearance is issued by the DOH.

**SECTION 186. OTHER PREVENTIVE MEASURE AGAINST SARS.** In order to prevent the entry and spread of SARS, the LCE/ MHO shall adopt the following measures:

- a. Advocacy Measures. He shall hold massive information drive to raise consciousness on SARS. The LCE/MHO may tap the schools and barangay officials, the NGO's and PO's, to help disseminate the information on important preventive measures.
- b. The LCE/MHO shall require all personnel and staff of public and private clinics to wear protective device such as mask, gloves, and other apparel while on duty.
- c. The LCE/MHO shall require all owners' proprietors/administrators of private and public establishments to formulate safety measures to protect their employees and the general public from SARS.
- d. The LCE/MHO require funeral embalming establishments to provide immediate service with proper safety measures to any person confirmed or suspected to have died of SARS. These establishments must coordinate with DOH and/or local health authorities in formulating measures for the safe handling of the persons confirmed or suspected to have died of SARS.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

—over—

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

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SB Member

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HON. HERMAN I. BIBAR  
SB Member

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SB Member

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SB Member

HON. DENNIS T. MERRIAN  
SB Member

HON. RAUL B. BALANO  
ABC Pres./ Ex-Officio Member

HON. THEA JASTINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.

- e. The LCE/MHO shall require barangay officials to conduct massive and regular clean-up operations (once a month) in their barangays.
- f. The LCE/MHO require barangay officials and all civic and religious leaders to report to the Municipal Health Officer the arrival or presence of persons (Balik-Bayans or Visitors) in their community coming from other countries especially from countries affected with the killer disease.
- g. The Mayor shall create task force on SARS Free Tabontabon to monitor, control and undertake pro-active measures to prevent SARS incidence in the municipality.

**SECTION 187. COMPOSITION.** The following persons shall compose the Task Force SARS-FREE Tabontabon.

- Chairman: Municipal Mayor
- Vice-Chairman: Municipal Health Officer
- Members - SB Chairman Committee on Health
- All Brgy. Chairmen
- All RHU Employees

**CHAPTER XXVII  
AVIAN INFLUENZA**

**SECTION 188. CREATION OF THE MUNICIPAL AVIAN INFLUENZA TASK FORCE (MAITF).** The Municipal Avian Influenza Prevention and Control Task Force shall be formed and shall be the main authority to oversee the implementation of the provisions of this ordinance and other related activities as maybe provided by the rules and regulations and guidelines promulgated by higher authority or mandated by the national laws. The task force is hereby constituted as follows:

- Chairperson: Municipal Mayor
- Co-Chairperson: Municipal Vice Mayor
- Members: All Sangguniang Bayan Members
- Municipal Health Officer
- Municipal Disaster Coordinating Council Representative
- PNP Representative
- Municipal Agriculturist
- LNB President (1 Representative from each Barangay)
- BHWs
- LGO Officer (DILG))
- Poultry Raisers Association President
- Meat Vendors Association President

**SECTION 189. CONDUCT OF CENSUS.** The Task Force shall conduct a census of all livestock and poultry holding facility, poultry species, poultry population density, facility owner/operator, location, poultry disease profile, biosecurity practices, vaccination programs and veterinarians in charge.

**SECTION 190. NEGATIVE REPORTING.** The Task Force shall assist the national/regional surveillance group in the conduct of surveillance in their locality. They shall help in the identification of poultry holding facilities and encourage participation in holding facility owners/operators in the surveillance and reporting. Serological Surveillance must be conducted twice a year in the backyard/commercial farms and other susceptible fowls.

**SECTION 191. INFORMATION DISSEMINATION.** The Task Force shall conduct regular information campaigns.

**SECTION 192. MOBILIZATION OF BARANGAY HEALTH EMERGENCY RESPONSE TEAM (BHERT).** To maximize the efforts at the grassroots level the organized BHERT, pursuant to DILG Memorandum Circular No. 2003-95 dated May 7, 2003 shall be mobilized to provide assistance to LGUs in the implementation of the Local Avian Influenza Prevention Program.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

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SB Member

HON. DAN JERIC S. REDOÑA  
SB Member

HON. FRANCISCO M. FERNANDEZ  
SB Member

HON. HERMAN L. BIBAR  
SB Member

HON. MERVIN T. TORRIGIO  
SB Member

HON. JINKY E. GAMEZ  
SB Member

HON. DENNIS L. BALDIARIAN  
SB Member

HON. LAUL BALIANO  
ABC Pres./ Ex-Officio Member

HON. THEA-JASMINE A. PRISNO  
Mun. SK Fed. Pres. Ex-Officio Member.

**CHAPTER XXVIII  
DENGUE BRIGADE**

**SECTION 193. CREATION OF MUNICIPAL DENGUE BRIGADE.** There shall be created a Municipal Dengue Brigade in the Municipality of Tabontabon. The duties, functions, plans and programs of which shall be determined by the Local Chief Executive being the Chairman.

**SECTION 194. COMPOSITION.** The Municipal Dengue Brigade shall be composed of the following:

- Chairman: The Municipal Mayor
- Vice Chairman: Municipal Health Officer
- Members: All Sangguniarig Bayan Members
- All Barangay Health Workers
- All Punong Barangays

**SECTION 195. BARANGAY DENGUE BRIGADE.** All barangays in the Municipality of Tabontabon is hereby required to create their own Barangay Dengue Brigade in support to the implementation of the plans and programs of the Municipal Dengue Brigade.

**CHAPTER XXIX  
AIDS**

**SECTION 196. LOCAL AIDS COUNCIL.** There shall be a Local Aids Council in the Municipality that shall address the concerns and issues on Aids as called for under RA 8504 and conceptualize and implement projects to protect the residents and tourists from threat of Aids through a more responsive health care system and programs for the upliftment of persons with the aforesaid disease. Such duties and functions shall be determined by the Chairman of the council.

**SECTION 197. COMPOSITION.** The Local AIDS council shall be composed of the following:

- Chairman: Municipal Mayor
- Vice-Chairman: Sangguniang Bayan Chairman Committee on Health
- Members: Municipal Health Officer
- Chief of Police
- DSWD Officer
- BHW President
- President, Liga ng mga Barangay

**CHAPTER XXX  
PHILHEALTH PROGRAM**

**SECTION 198. PHILHEALTH.** The municipality hereby creates and establishes the PhilHealth Capitation Fund for the qualified indigent families of Tabontabon, Leyte under the indigent section component of the National Health Insurance Program or NHIP.

**SECTION 199. PURPOSE AND COVERAGE.** The paradigm purpose of the establishment of this fund is to grant unto qualified indigent families of Tabontabon membership to the National Health Insurance Program (NHIP) so that they can access to the hospital services in all NHIP accredited providers. This process is designed to improve vastly the over-all health status as well as the quality of life among these indigent families and ultimately revive their self-esteem and human dignity.

MSWDO is required to reevaluate the list of indigents regularly every six months and provide copies of the updated listing of indigents to the Municipal Mayor.

**SECTION 200. IMPLEMENTING UNITS.** The RHU of Tabontabon shall be the main implementing unit and the first line of provider. They shall be accredited as such based on the PhilHealth's accreditation guidelines.

HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

--over--

*No faults*  
MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILO E. BALAIS  
SB Member

HON. JERRY GWYN L. CONDE  
SB Member

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HON. HERMAN J. BIBAR  
SB Member

HON. MELBA M. TORRIBIO  
SB Member

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SB Member

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ABC Pres./ Ex-Officio Member

HON. THEA JASMINE A. PRISNO  
Mun. SK Fed. Pres./ Ex-Officio Member.



**SECTION 201. AVAILMENT.** The indigent members and their dependents are entitled to avail of the package upon presentation of PhilHealth identification cards. Outpatient benefits are not portable and may be availed of only in the specific rural health units where the indigent members assigned.

All out patient benefit package availment must follow PhilHealth's availment procedure and referral system.

**CHAPTER XXXI  
SPECIAL PROVISIONS**

**SECTION 202. ILLEGAL SHANTIES IN PUBLIC OR PRIVATE PROPERTIES.**

a. The construction, erection, or extension of any public or private building or structure, whether temporary or permanent, for the purpose of habitation, storage, recreation, commercial or business purposes and other uses outside the owners or operator's perimeter of jurisdiction or apart from his legally declared property line shall be considered as a nuisance.

b. The utilization of a public or private place, whether temporary or permanent, for pathway or access of any person or motorist, for parking of a vehicle or for other purposes without the consent of the owner of the property shall be considered as a nuisance.

**SECTION 203. OTHER TYPES OF NUISANCE.**

a. Other types of nuisance such as, but not limited to, objectionable odor, unnecessary vibration and radiation; noxious weeds and shrubs in a public place; decayed, unwholesome, or contaminated food or drinks offered for sale or for distribution to the public; any person or animal inflicted with a contagious or communicable disease which is exposed to the public; the distribution or sale of medicines, drugs or cosmetics which are not approved by the Bureau of Food and Drugs, articles such as clothes, shoes, linens, towels, bedding materials, blankets, pillows, and anything used for sleeping or resting, which are second hand or made of second and materials that are offered for sale to the public; and others which are the subject or complaint of the residents within the area, which jeopardize the health, sanitation and safety of the community shall be investigated by the Municipal Health Officer, who shall notify and prescribe sanitary procedures to the owner or operator, to correct or remove such nuisance.

b. If the owner or operator fails, neglects or refuses to abate such nuisance within thirty (30) days after such notification or within a shorter time prescribed by the local health officer, the latter shall prohibit such nuisance or provide measures to stop or prevent such nuisance at the expense of the owner or operator concerned.

**CHAPTER XXXII  
PENALTIES**

**SECTION 204. PENALTIES.** Any person who shall violate, disobey, refuse and/or neglect to comply with any of the provision of this ordinance shall be fined as follows:

- a. *First Offense*-A fine of Five Hundred Pesos (P 500.00)
- b. *Second Offense*- A fine of Seven Hundred Fifty Pesos (P750.00) and compulsory seminar on sanitation.
- c. *Third and Subsequent Offense*- A fine of One Thousand Five Hundred Pesos (P1, 500.00) or a clean and green community service for sixteen hours (16) hours and compulsory Seminar on Sanitation.

**CHAPTER XXXIII  
REPEALING, SEPARABILITY, EFFECTIVITY CLAUSES**

**SECTION 205. REPEALING CLAUSE.** All ordinances, resolutions and rules and regulations inconsistent or contrary to this Ordinance is hereby repealed accordingly.

HON. PONCIANO R. JUSTIMBASTE, JR. --over-  
Mun. Vice Mayor/Presiding Officer

MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

HON. DANILLO E. BALAIS  
SB Member

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SB Member

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SB Member

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Mun. SK Fed. Pres./ Ex-Officio Member



Republic of the Philippines  
Province of Leyte  
Municipality of Tabontabon

**SECTION 206. SEPARABILITY CLAUSE.** If for any reason or another, any provision, part or parts of this ordinance is declared contrary to law, morals, public order or public policy, all other provision shall remain valid and in effect.


**SECTION 207. EFFECTIVITY CLAUSE.** This Ordinance shall take effect immediately upon approval and provided the public hearing and posting in three (3) conspicuous places in the municipality for not less than twenty one (21) days have been complied with.

ENACTED unanimously, December 18, 2023.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
MARIA CORAZON E. BAUTISTA  
Secretary to the Sangguniang Bayan

ATTESTED:

  
HON. HERMAN I. BIBAR  
SB Member

  
HON. FRANCISCO M. FERNANDEZ  
SB Member

  
HON. DAN JERIC S. REDOÑA  
SB Member


  
HON. JERRY GWEN L. CONDE  
SB Member

  
HON. DANILO E. BALAIS  
SB Member

  
HON. MERVIN M. LOBRIGO  
SB Member

  
HON. JINKY E. GAMEZ  
SB Member

  
HON. DENNIS L. BALDERIAN  
SB Member

  
HON. KAUL D. BALANO  
ABC Pres./Ex-Officio Member

  
HON. THEA JASMINE A. PRISNO  
SK Fed. Pres./Ex-Officio Member

  
HON. PONCIANO R. JUSTIMBASTE, JR.  
Mun. Vice Mayor/Presiding Officer

APPROVED:

  
HON. EPREN D. REDOÑA  
Municipal Mayor

Date: January 19, 2024



Republic of the Philippines  
Province of Leyte  
Municipality of Tabontabon  
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

**ATTENDANCE**

**PUBLIC HEARING OF DRAFT MUNICIPAL ORDINANCE NOS. 04, 05,  
06, 08, 09 & 13 SERIES 2023**

December 06, 2023

2<sup>nd</sup> Floor Municipal Lobby, Tabontabon, Leyte

NAME	OFFICE/ORGANIZATION / ASSOCIATION	POSITION/ DESIGNATION	SIGNATURE
1. Kristine may Oliva	San Pablo	SK Chairperson	
2. Nova P. Bibar	District 1	Brgy. Kagawad	
3. Graciano Balderrama	Dist. 1	Brgy. Kagawad	
4. NILO G. CINCO	CAPAHUAN	SK CHAIRMAN	
5. RENMAY C. MROUTE	CAPAHUAN	BRGY. KAGAWAD	
6. MICHAEL B. RAQUIL	JABONG	BRGY	
7. Shonie May Alice B. Kragle	District I	SK Chairperson	
8. Marvin T. De Paz	Belicong	Brgy. Kagawad	
9. Jenny M. Albano	Dist. IV	Pres. Women's	
10. MAKIAFE D. TONIDO	SAN PABLO	Brgy. Kagawad	
11. Clara A. Buena	Dist. II	Brgy. Treasurer	
12. Christian Dale Cuayon	Cambucan	sk chairperson	
13. Josephine D. Bernal	Cambucan	sk chairperson	
14. VILMA A. Bera	Capahuan	kagawad	
15. Roger D. Gancela	CAMBUCAN	KAGAWAD	
16. VOLEN GUTAPERO	POST-9	II	
17. LAVINIA JANDOC	ASLUM	KAGAWAD	
18. VILMA B. RETAMA	ASLUM	KAGAWAD	



19. JOSEPHINE E. GAMEZ	DIST. III	P. B	Sen.
20. Virginia C. Buena	Amandangay	Kagawad	Amoros
21. Elena C. Calda	Amandangay	Kagawad	Blayda
22. Felizardo, Kin II	District II	SK chairman	
23. PRISNO, THEA JACIMINE A.	IV MAC ARTHUR	SK CHAIRPERSON	
24. GONZALES, JUDY F.	" "	PEW / UYUO	
25. TINBOY, LEONIBES I.	JABONG	P-10	
26. Camino, John Elmer T.	Guinaganan	Kagawad	
27. CATHOY, RUEL G.	GUNSAMAN	KG.	
28. QUINTA, NICA JADE	JABONG	SK CHAIR	Jinda
29. Anido, Loren T.	San Victor	SSLG President	Janice
30. JEMUEL D. TONIDO	MERCADUHAY	KISAWAD	
31. ARIEL T. CAMOSE	BELISONG	KAGAWAD	
32. Lorena F. Tomas	Belisong	Kagawad	L. Tomas
33. Angelina S. Tejedor	Mercaduhay	SK chairman	Jefe
34. EDWIN S. GARCIA	CAPALUAN	CAFA PRES.	
35. <del>CHARLES</del> EL G. TAGANA	POB. 4	MAO	
36. Romeo C. Cañdog	POB 4	P.B	
37. RAUL O. BOLAÑ	CUNCAUAN	P.B	Raul Bolan
38. NICANOR S. REGOROS	MERCADUHAY	DEPT. KAGAWAD	
39. RUBEN S. DOLOR	MERCADUHAY	P.B	
40. SOFRONIO T. DERVANTES	DIST. II POB.	BIRGY. KAGAWAD	
41. Engr. Amelita C. Abnis	MEU		
42. DEBORAH E. ACULLADO	JRNHS	MT-1	Deborah
43. ROGER S. RIMOS	LE TABONTABON	MPRE	
44. ORLANDO A. SULTAN	Mayor's Office	Supply Officer	
45. PHILIP L. MANGAY	CATBOCI	CAGAWAD	
46. Amelita C. Garcia	Cambarcoo	P. B	Amelita

47. MARIE T. TORRES	MEMBER STAFF		
48. ROMEA M. PABLO	KAGAWAD	BRG 4	
49. REGIE C. TRESA	KAGAWAD	DIST III	
50. Regina N. Abalos	bap	ZONE 2	
51. EDGAR B. TATTY	SK CHAIRMAN FICG	SK PROD	
52. Susan G. Cas.	KAGAWAD		
53. JONARD E. DIAZ	KAGAWAD	DIST III	
54. MA. LERACE S. MARINA	PSDS	REPTD	
55. Arlene O. Meludo	SAS COO	REPTD	
56. RASMOE R. DE LA CRUZ	TCS PRINCIPAL	REPTD	
57. NIDA M. NINON	RGI	RHU/LGU	
58. UCLIA H. TORRES	KAGAWAD	Mohan	
59. WARREN L. ESPINOSA	SK CHAIRMAN	AMANDAMBAY	W.R
60. Evelina C. Aduncula	AFA	Amardangay	
61. Ma. Theresa Keluban	SK Chairperson	CUNGANAN	
62. Erlene S. Elcano	DILG	DILG	
63. Charie T. Pagalan	Kagawad	II-Rizal	
64. VIRGINIA C. LABITAN	MTO/BPLO	-	
65. MARY JANE M. TINDY	NIBC	DM-NC	
66. RUI S. CABELAN	KAGAWAD	MERING	
67. WELYN G. ORANMAYO	MUGO STAFF		
68. Jessie G. Gansin	KAPAWA	Capatman	
69. Lemy C. Camon	KAGAWAD	Bm incams	
70. Giselle A. Acala	SK Chairperson	Balingasag	
71. Mrs. NORA ANCO CAMON	PHH-LEU	NRAJ	
72. RICHARD JANE		III-ZONE	
73. Josefina B. Florendo	Pres.	Beksong	
74. IRENE A. FERNANDEZ	KAGAWAD	II-RIZAL	

75. TEREUCO N ROTA	P.B.	ASLUTA	Tereuco
76. Marnel R. Lorio		Guingaman	Marnel
77. Jerome V. Acompañado			JV
78. JULDA T. GAMEZ			JT
79. SENADO, MANILYN			SM
80. AMELITO C. ABANIS	ME	LGU - TOLONTOBON	AM
81. OSCAR C. SERUANAN	P.B	BLGU Tolontobon	OS
82. Richard Copino	Btc Staff		RC
83. Ruel O. Yepes	Mayor's office Staff		RY
84. Mariel M. Luango	"		ML
85. Resma, Hary	Mayor's office staff		RH
86. ANNA, JIMEL	MAYOR'S OFFICE		AN
87. LAMING, JANICE	MAYOR'S OFFICE		JL
88. DAZO, ZHARIENA V.	MAYOR'S OFFICE		DZ
89. BISWICHO, JOSEPH	Mayor's Office		BJ
90. Nera D. Remandaban	Mayor's office		NR
91. Miriam Malate	Accounting office		MM
92. LEONARDO M. BARRIA	MAN-ACCOUNTANT		LB
93. Joyfer Niñado	Acctg office		JN
94. Marites B. Lamiy	HRMS Staff		ML
95. Margarita L. Esay	M.O		ME
96. LUCAS DONDON B. BIBAR III	M.T.O		LB
97. JOAN CALARDA	MTRD		JC
98. EONA A. PARONI	MCR		EP
99. ESTRELLA E. LAMAC	MCRD		EL
100. STELLA M. INALISAN	MBSO		SI
101. LILIA L. TEUDME, Ph.D.	OSCA		LT
102. Gemma U. Cabonera	Mayor's office		GC



103.	Gregorio A. Cerezo	Mayor Office	
104.	Renato M. Jansin	JO	
105.	NICKO JOHN LAZARTE	MAYORS OFFICE	
106.	AC NARDO	HA	
107.	MARY JANE N. OCAÑA	BPIO OFFICE	
108.	CATHERINE O. NARVA	DN OFFICE	
109.	APOLONIO S. MANTILAN	MCRD	
110.	Arceo, Maria Jane B.	JO	
111.	LOPARGO, MERVIN	SB	
112.	DANNO E. PALAS	SB	
113.	JERRY GUY COLE	SB	
114.	DAN JERIC PERONA	SB	
115.	Hon. Porciano R. Julimbaste Jr.	Mun. Vice Mayor	
116.	Dennis Balderian	SB	
117.	HERNAN BIRBA	SB	
118.	MARIA GRACIA E. BAUTISTA	SB SEC.	
119.	JACKLYN JOYCE CANONIGO	JO	
120.	Remedios U. Parasi	SB	
121.	Jessamine R. Ramos	SB	
122.	Mark Jason T. Oda	"	
123.	TRENTAN PAUL M. PRIMO	SB	
124.	Roy De la Cruz	SB OFFICE	
125.	JAKE E. TRIMAN		
126.	Hon. Francisco M. Fernandez		
127.	Ms. Dulca Coronado Madua	SB Sec. Office	
128.	VITENYL P. OMBEL	A. A. V	
129.	CHRISTOPHER ED P. CAHANI	SCHOOL PER TAPONTATION CENTRAL	
130.	WAGO SEMANTES	"	

131.	EMILY B. BOH	Legislative	AW	
132.	Cochevieve Gayon	1 Quezon		
133.	MICGY ARCEO	1 Quezon		
134.	Ericane Bitro	Quezon		
135.	ROMULO NUEVA			
136.	JANET XENCENA			
137.	JUAN ARCEO			
138.	VENUZ QSMENIA			
139.	SANIA MARAMBETU			
140.	Jorelyn Perida			
141.	JOAN O. DIVINO			
142.	Nicholas T. Oda			
143.	JOHN ALFRED LIM			
144.	CARLO JULIANO GO			
145.	Jayhu Cabanero			
146.	SEN VILLANUEVA			
147.	Annifer Garcia			
148.	Reynald Corrales			
149.	MARICEL PALAÑA			
150.	Felipe Busano			



Republic of the Philippines  
Province of Leyte  
Municipality of Tabontabon

## OFFICE OF THE SANGGUNIANG BAYAN

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### CERTIFICATION

TO WHOM IT MAY CONCERN:

**THIS IS TO CERTIFY** that the **Municipal Ordinance No. 13 Series 2023** entitled **“AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF MUNICIPALITY OF TABONTABON, LEYTE”** had been posted in conspicuous places in the municipality, and all bulletin areas in the barangays.

ISSUED this 22<sup>nd</sup> day of January, 2024 at Tabontabon, Leyte.

  
**MARIA CORAZON E. BAUTISTA**  
Secretary to the Sangguniang Bayan