

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
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EXCERPT FROM THE MINUTES OF THE 51st REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON DECEMBER 09, 2019 AT 9:05 IN THE MORNING

PRESENT:

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| HON. VIRGILIO T. TERUEL, | - Vice Mayor & Presiding Officer |
| HON. DENNIS T. VALENCIA | - S.B. Member |
| HON. NERI T. CAMIÑA | - S.B. Member |
| HON. SUZETTE MARIE HILADO-BANNO | - S.B. Member |
| HON. REYNALDO E. TUMABOTABO | - S.B. Member |
| HON. JULIUS T. LEDESMA | - S.B. Member |
| HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO | - S.B. Member |
| HON. NORBERTO T. TURALBA | - S.B. Member |
| HON. JERRY T. TUARES | - Liga President |
| HON. DYOSSA MARIE T. TERUÑEZ | - SKMF President |

OFFICIAL TRAVEL:

| | |
|------------------------|---------------|
| HON. MARLON R. TERUÑEZ | - S.B. Member |
|------------------------|---------------|

(To serve as National Technical Official in the SEAGAMES 2019 (Dragon Boat), Manila Philippines, Nov. 30-Dec. 12, 2019)

Municipal Ordinance No. 2019-011

2019 HEALTH AND SANITATION CODE OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO

Introduced by: HON. SUZETTE MARIE HILADO- BANNO

Sponsored by: Committee on Health and Sanitation

Chairperson: HON. SUZETTE MARIE HILADO- BANNO

Vice Chairperson: Hon. Julius T. Ledesma

Members: Hon. Marlon R. Teruñez, Hon. Norberto T. Turalba
and Hon. Jerry T. Tuares

Seconded by: Hon. Dennis T. Valencia, Hon. Neri T. Camina, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Ma. Gerrylin Santuyo-Camposagrado, Hon. Norberto T. Turalba, Hon. Jerry T. Tuares and Hon. Dyossa Marie T. Terunez.

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF TIGBAUAN IN SESSION ASSEMBLED:

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia
Hon. Neri T. Camiña
Hon. Marlon R. Teruñez

Hon. Suzette Marie Hilado-Banno, M.D.
Hon. Reynaldo E. Tumabotabo
Hon. Julius T. Ledesma, O.D.

Hon. Ma. Gerrylin Santuyo-Camposagrado, LLB,MPA
Hon. Norberto T. Turalba
Hon. Jerry T. Tuares, (LnB-Pres.)- Civil Engineer
Hon. Dyossa Marie Teruñez (SKMF-Pres.)

"Public office is a public trust. Public Officials must at all times be accountable to the people."

Chapter I

TITLE, POLICIES AND PRINCIPLES

Section 1. Title. This Ordinance shall be known as “**An Ordinance Providing for the Health and Sanitation Code of the Municipality of Tigbauan, Iloilo**” also known as the **Health and Sanitation Code of Tigbauan**.

Section 2. Declaration of Policies. The Health and Sanitation Code shall be the legal and policy framework for a holistic management of health and sanitation services of the municipality basing on Sections 16 and 17 (2)(iii) of Republic Act No. 7160. It shall be primarily aimed to contribute to the promotion and attainment of a Healthy Community by instituting legislative measures and reforms. Thus, fulfilling the Local Government Unit’s vision: of “Living in a Socially Protective Environment.”

Section 3. Operative Principles. This Code shall be based on the following basic principles:

- a) Integration – characterized by comprehensiveness of scope, coherent and consistent strategies, and cost-effectiveness of results of the policy making and implementation processes undertaken. Integration is the principle behind the mandate for local governments to implement and translate into their development initiatives the national policies, plans and programs.
- b) Interdisciplinarity – refers to the recognition of the need to a diverse field of knowledge to include natural, social and engineering sciences aside from available traditional knowledge.
- c) Precautionary Principle – wherein local decision makers take immediate preventive action, using the best available knowledge in situations where there is reason to think that something is causing a potentially severe or irreparable harm – even in the absence of conclusive scientific evidence establishing a causal link. This principle also applies in the formulation of predictive policies in Local Health Management.
- d) Intergenerational Equity – that means ensuring equal access to goods and resources for people in the present and future generations.
- e) Public Participation – that consists in the appropriate access to information held by public authorities and the participation of the general public in the decision making process. This is necessary for stakeholders to gain sense of ownership to the issues sought to be addressed, and to the interventions and solutions, which are decided upon as necessary. This is also a way to decentralize responsibility for health management and ultimately empower communities without using the coercive power of the state.

Section 4. Authority of the Municipal Mayor through the Municipal Health Officer [MHO]. The Municipal Mayor through the Municipal Health Officer shall Administer health functions in the area under his jurisdiction, enforce the provisions of this Code and its Implementing Rules and Regulations as promulgated by the Oversight Committee. In the implementation of this Code, the Municipal Mayor through the Municipal Health Officer shall observe the following:

- a) Rights and Proceedings. Any proceeding, which has commenced or any right which has accrued upon the effectivity of this Code shall not be affected by any of its provisions. However, matters of procedures and rights arising after the date of the effectivity of this Code shall conform to the provisions hereof.
- b) Delegation of Power and Assignment of Duty. Whenever a power is granted or a duty is assigned to any public health officer, the power may be exercised by the official deputy or agent of the officer pursuant to this Code.
- c) Language Required. Any notice, report, statement or record required as authorized by this Code, shall be written in English, Filipino or Kinaray-a.
- d) Mailing of Notice. Unless otherwise expressly provided, any notice required to be sent to any person by any provision of this Code, shall be sent through the postal service. The affidavit of the official or employee who mailed the notice shall suffice *prima facie evidence* proving that the notice was sent as prescribed herein.
- e) Condemnation and Seizure of Property. When any property is officially condemned or seized by government authorities in the interest of public health, the owner thereof shall not be entitled to compensation.
- f) Command Responsibility. When a duty is expressly vested to a Health Officer as provided in this Code, it shall be understood that it shall likewise be the concern of the Superior of the Health Officer under the principle of command responsibility.

Chapter II

DEFINITION OF TERMS

- 1. **Acquired Immune Deficiency Syndrome (AIDS)** - a condition characterized by a combination of not specific signs and symptoms, caused by HIV contracted from another person which attacks and weakens the body's immune system, making the afflicted individual susceptible to other life threatening infections.
- 2. **Anonymous Testing** - refers to an HIV testing procedure whereby the individual being tested does not reveal his/her true identity. An identifying number or symbol is used to substitute for the name and allows the laboratory conducting the test and the person on whom the test is conducted to match the test results with the identifying number or symbol.
- 3. **Administrative Fine** – is a financial penalty imposed on individuals who violates this Ordinance without need of litigation.
- 4. **Advertising and promotion** - means any form of commercial communication, recommendation or action with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly. For purposes of this ordinance, it shall likewise apply to Electronic Nicotine Delivery System (ENDS).
- 5. **Apartment-** a house or building containing a number of separate residential suites.
- 6. **Aedes aegypti** - is a mosquito that can spread the Dengue Virus, Zika Virus, Chikungunya Virus and Yellow Fever Viruses and other diseases. The mosquito can be recognized by white markings on its legs and markings in the form of a lyre on the thorax.
- 7. **Aedes albopictus** - also known as the Asian Tiger mosquito, a specie indigenous in the Asia Pacific Region, secondary vector and common in rural areas.

- 8. Business Establishment** – any business or commercial concern, operating within the Province and required to secure business permit and license to operate, sanitary permit and other permits or clearances from any agency of the Municipality of Tigbauan.
- 9. Boarding House** - A house or building where selected persons, for a fixed period of time, are provided board and lodging for fee.
- 10. Bus Terminal or Bus Station** - a passenger station and place for the final stop over or a permanent station, office and yard of buses, which may also serve as loading and unloading area for passengers.
- 11. Certification** - the official confirmation and recognition of Zero Open Defecation status.
- 12. Citation Ticket** – is a summons issued by the Smoke-free Task Force or its agents to a person violating the Smoke-free Ordinance. It is a piece of paper that describes one or more violations that the person may have committed.
- 13. Civil Society Organization (CSO)** - refers to a legally constituted voluntary civic and social organization or institution created with no participation of government, including but not limited to, charities, development non-governmental organizations (NGOs), community groups, women's organizations, faith-based organizations, professional associations, coalitions and advocacy groups duly recognized by the Office and advocacy groups duly recognized by the Office of the Mayor. As used in this Ordinance, CSO does not include organizations or associations related to or connected with, the tobacco industry.
- 14. Contact Tracing** - refers to the method of finding and counseling the sexual partner(s) of a person who has been diagnosed of as having sexually transmitted infection;
- 15. Compulsory HIV Testing** - refers to HIV testing imposed upon a person attended or characterized by lack of consent, use of physical force, intimidation or any form of compulsion;
- 16. Defecate** – to excrete/discharge fecal waste from the body or to have a bowel movement.
- 17. Designated Smoking Area** - refers to an outdoor space, duly approved by the Municipal Mayor, or his duly designated representative, where smoking and/or vaping may be allowed without violating this ordinance that meets the following requirements:
 - a) It shall be located in an open-space outside the building with no permanent or temporary roof or walls in an outdoor area.
 - b) It is not located in or within ten (10) meters from entrances, exits, or any place where people pass or congregate.
 - c) It shall not have an area larger than 10 square meters.
 - d) Food or drinks are not served in the designated smoking area.
 - e) No building shall have more than one designated smoking area.
 - f) Minors or persons below the age of 18 shall not be allowed within the designated area.
 - g) The designated smoking area has the following signage highly visible and prominently displayed:

- “Smoking Area” signage with message showing “Minors not allowed within these premises”
 - Graphic health warnings on the effects of tobacco use.
- h) It shall not be located in places where absolute smoking bans are in effect, such as, but not limited to: centers of youth activity such as playschools, preparatory schools, elementary schools, high schools, colleges and universities, youth hostels and recreational facilities for persons under eighteen (18) years old; elevators and stairwells; locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible materials; within the buildings and premises of public and private hospitals, medical, dental, and optical clinics, health centers, nursing homes, dispensaries and laboratories; public conveyances; food preparation areas; public conveyances and in enclosed partially enclosed and outdoor areas of transport terminals that are near entrances and exits or where people congregate; within the buildings of all government facilities and premises of all offices of the Department of Health, Department of Education, Commission on Higher Education, Department of Social Welfare and Development and the Civil Service Commission, and shall likewise include parks, plazas, playgrounds, sports and recreational facilities, and other facilities where an absolute smoking ban is imposed under special laws, administrative and executive orders, memorandum circulars and related policies.

- 18. Electronic Nicotine Delivery Systems (ENDS)** - means any device such as electronic cigarettes (e-cigarettes), electronic shisha (e-shisha), and other similar devices, whether or not it is used to deliver nicotine to the user through the act of *vaping*, that resemble the outward appearance of real smoking products.
- 19. Enclosed or partially enclosed** - means being covered by a roof or enclosed by one or more walls or sides, regardless of the type of material used for the roof, wall or sides, and regardless of whether the structure is permanent or temporary.
- 20. Endemic** - is an outbreak of disease that is prevalence in a particular area, region or people.
- 21. Excreta Disposal Facilities of Barangays as of 2018:**
- a. Sanitary Disposal - flush and pour-flush toilet bowls
 - b. Insanitary Disposal – open hole type; covered or not covered; pit privy type
- 22. Informed Consent** - refers to the voluntary agreement of a person to undergo or be subjected to a procedure based on full information, whether such permission is written, conveyed verbally, or expressed indirectly.
- 23. Indiscriminate Fogging** - the use of fogging by someone not an exterminator.
- 24. Impervious Materials** - hardware materials that are impenetrable by solids, liquid or gas, nor capable of being tarnished by harsh elements of nature, flame or ordinary friction, and with smooth surfaces that are durable and resist to wear, tear, water and corrosion. Sample of impervious materials are stainless steel plates, ceramic tiles, formica sheets, porcelain plates, marble slabs and the like smooth non-porous materials.

- 25. Integrate** - to connect or combine two or more things in order to form a single unit or system.
- 26. Food Establishment** – a business that caters, serves, or sells food to the public, like restaurants, food stalls, cafes, including those that are located in vessels.
- 27. Fogging** - the method of creating chemical steam or mist to drive away mosquitoes.
- 28. Household Establishment** – shall refer to all domestic homes or abodes within Municipality of Tigbauan, occupied primarily for residential purposes.
- 29. Voluntary HIV Testing** - refers to HIV testing done on an individual who, after having undergone pre-test counseling, willingly submits himself/herself to such test.
- 30. Human Immunodeficiency Virus (HIV)** - refers to the virus which causes AIDS.
- 31. HIV Transmission** - refers to the transfer of HIV from one infected person to an uninfected individual, most commonly through sexual intercourse, blood transfusion, sharing of intravenous needles and during pregnancy;
- 32. HIV/AIDS Monitoring** - refers to the documentation and analysis of the number of HIV/AIDS infections and the pattern of its spread.
- 33. HIV/AIDS Prevention and Control** - refers to measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV.
- 34. HIV positive** - refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested.
- 35. HIV-negative** - denotes the absence of HIV or HIV antibodies upon HIV testing.
- 36. HIV Testing** - refers to any laboratory procedure done on an individual to determine the presence or absence of HIV infection.
- 37. High-Risk Behavior** - refers to a person's frequent involvement in certain activities which-increase the risk of transmitting or acquiring HIV.
- 38. Health Certificate** - is a certification, in the form of an identification card, issued by the MHO to a person who shall have passed the required physical and medical examinations and immunization, seminars, including chest x- ray.
- 39. Hotel**- a building where transient guests are received and are supplied with and charged for meals, lodging and other services.
- 40. Kaya-Kulob** - a system of turning over vessels or containers which contain stagnant water which could be the breeding places of Aedes mosquitoes.
- 41. Massage**- a method involving the rubbing, stroking or kneading of the superficial soft parts of the body for remedial, or aesthetic or hygienic relief purposes.
- 42. Massage Clinic** - an establishment where massage is administered to customers
- 43. Minor** - refers to any person below eighteen (18) years old.

- 44. Monitor** - to regularly check something or watch someone in order to find out what is happening.
- 45. Mortality** - the number of deaths within a particular area.
- 46. Morbidity** - relating to or characterized by disease.
- 47. None Disposal** – sharing type
- 48. Nuisances** - refers to anything that is hazardous to health, endangers life, offends the senses or produces discomforts to the community, while “offending trades or occupations” refer to all man-made activities that create or cause nuisances.
- 49. Open Defecation** - the manner of excreting/discharging human fecal waste in a certain location other than the toilet/comfort room or restroom and leaving it exposed to the environment.
- 50. Outdoor advertisement** - refers to any sign, model, placard, board, billboard, banner, bunting, poster, streamer, paint-on, light display, device, structure or representation employed outdoors or visible from outside, wholly or partially to advertise or promote a tobacco product or ENDS to the public.
- 51. Physical Therapy Clinics** – an establishment where physical therapy is administered to customers.
- 52. Potability** - the quality of being suitable, safe, or prepared for drinking.
- 53. Person-in-charge** - refers to: in case of public places, public outdoor spaces and workplaces and point-of-sale, the president/manager; in case of a company, corporation or association, the owner/proprietor/operator; in case of a single proprietorship, the administrator; in case of government property, facility, office or building; in case of public conveyances, the owner, driver, operator, conductor, or the captain of the public conveyance; in case of schools, the municipal schools superintendent, school president, dean or the principal.
- 54. Point-of-sale** - refers to any location at which an individual can purchase or otherwise obtain tobacco products and/or ENDS.
- 55. Public conveyances** - refers to modes of transportation servicing the general population, such as, but not limited to, elevators, airplanes, ships, jeepneys, buses, taxicabs, trains, light rail transits, tricycles and other similar vehicles.
- 56. Public places** - means all places, fixed or mobile, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including but not limited to, schools, workplaces, government facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, playgrounds, sports grounds or centers, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways/sidewalks, entrance ways, waiting areas, and the like.

- 57. Refuse** - refers to all solid waste products consisting of garbage, rubbish, litters, street sweeping, manure, carcasses and dead animals, and industrial wastes and the like.
- 58. Service Facilities** - parts of bus terminals or bus stations, airports and seaports that provide sanitary facilities, washing bays, parking areas and repair stations.
- 59. Service Stations or Gasoline Stations** - establishments where motor vehicles may obtain fuel, oil, water, air for tires, greasing and repair services.
- 60. Sanitary Order** - a citation or document notifying an offender of a particular violation of existing law or regulation on sanitation.
- 61. Sanitary Permit** - a printed a document issued by the MHO/ CHO to an individual or establishment certifying that the latter, after sanitary inspection, has complied with and passed all the requisites and requirements of sanitation laws and regulations.
- 62. Sanitation** - refers to the hygienic and proper management, collection, disposal of human excreta (feces and urine) and domestic wastewater to safeguard the health of individuals and communities. This is concerned with preventing diseases by hindering pathogens or disease-causing organisms found in excreta and wastewater from entering the environment and coming into contact with people and communities.
- 63. Spa Clinic**- a commercial establishment that offers ways of improving health and fitness such as controlled diet, exercise and massage.
- 64. Syndrome (GBS = Guillain Barre Syndrome)** - a condition wherein the immune system of the patient attacks its own nerve cells after a bite of Aedes mosquitoes.
- 65. Sustainable Sanitation** - the process of empowering families and communities to partner with local governments and other stakeholders to address sanitation issues and problems using affordable, appropriate and dynamic sanitation technologies and supported by enabling legal regulatory framework, management systems, technical assistance from various sources for the protection of the environment and people's health.
- 66. Second-hand smoke** - means the smoke emitted from the burning end of a cigarette or from other tobacco products usually in combination with the smoke exhaled by the smoker.
- 67. Smoke-free air** - (for purposes of this ordinance) is air that is 100% free from tobacco smoke. This definition includes, but is not limited to, air in which tobacco smoke cannot be seen, smelled, sensed or measured.
- 68. Smoking** - means being in possession or control of a lit tobacco product regardless of whether the smoke is being actively inhaled or exhaled.
- 69. Sponsorship** – means any form of contribution to any event, activity or individual with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly.

- 70. Surveillance** - close observation of the Dengue, Zika or Chikungunya situation in the municipality.
- 71. Tobacco Industry Interference** - refers to a broad array of tactics and strategies used by the tobacco industry to interfere with the setting and implementation of tobacco control measures.
- 72. Tobacco Products** - mean products entirely or partly made of the leaf tobacco as a raw material which are manufactured to be used for smoking, sucking, chewing or snuffing, such as but not limited to cigarette, cigar, pipe, shisha/hookah and chew tobacco.
- 73. Tobacco Industry** - refers to organizations, entities, associations, and individuals that work for on in behalf of the tobacco industry, such as, but not limited to, tobacco manufactures, wholesale distributors, importers of tobacco products, tobacco retailers, front groups and any other individuals or organizations, including, but not limited to lawyers, scientists and lobbyists that work to further the interests of the tobacco industry that compete with those of tobacco control.
- 74. Vaping** - refers to the act of inhaling and exhaling vapor produced by any Electronic Nicotine Delivery System (ENDS) or other electronic device whether or not it is used to deliver nicotine to the user, and mimics the act of smoking.
- 75. Vaccination** - is the administration of antigenic material (a vaccine) to produce immunity to a disease.
- 76. Vector** - an organism such as a mosquito that carries disease-causing microorganisms from one host to another.
- 77. Vermin** - refer to a group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bed bugs, mice, rats, and other germ carrying pests and insects.
- 78. Verification of the ZOD status of the barangays** - entails spot check of at least 10% of households in the barangay to assess whether they have truly achieved ZOD.
- 79. Water booster pump** – an electrically- operated mechanical motor that sucks water from main waterlines to create strong water pressure, and drains other connected water line.
- 80. Water sites and sources** – artesian or deep wells, river dams, or main water pipelines where water can be obtained.
- 81. Water supplier, hauler or distributor of refilling station** – a person or entity, whether government- or privately- owned, duly authorized to supply, haul, and distribute water for human consumption.
- 82. Water test clearance certificate** – a printed document certifying that the water submitted as sample have been analyzed and examined for potability. Water Bacteriological exam = charge of P500/ test.
- 83. Waiting area** - a designated place for waiting passengers located inside the bus terminals, airports and seaports.

- 84. Workplace** - means any place used by people during their employment or work, whether done for compensation or voluntarily, including all attached or associated places commonly used by the workers in the course of their work (for example, corridors, elevators, stairwells, toilets, lobbies, lounges). Vehicles used in the course of work are considered workplaces.
- 85. Young Key Population** - includes children (below 18 years old) and adolescents (18-24 years old);
- 86. ZIKA DISEASE** - a flu-like viral disease characterized by headache, fever, pink eye (conjunctivitis) joint pains, muscle ache and maculo-papular rash. Serious complication is Guillaine Barre Disease.
- 87. Zero Open Defecation** - refers to a situation when no feces are openly visible or exposed to the public.
- 88. TB Diagnostic Committee** - a Committee composed of panel of specialized physicians deciding to treat TB patients based only on X-ray positive results.
- 89. PPMD** – Public-Private Mixed DOTS – known as PPM-DOTS or PPMD, is a program geared for collaboration and partnership of the public agencies and private sector for the achievement of the NTP’s goals and objectives; it is a strategy that is designed to increase case detection and synchronize the management of TB by various TB care providers.
- 90. TB-DOTS** – Tuberculosis Directly Observed Treatment Short-Course
- 91. TB Quality Assurance Personnel** – personnel who validates the smear of TB sputum positive patients.
- 92. Animal Wastes** –means a material composed of excreta, with or without bedding materials and/or animal dungs, collected from poultry, ruminants or other animals except humans.
- 93. Body of Water** –most often refers to large accumulations of water, such as oceans, seas, and lakes, rivers but it includes smaller pools of water such as ponds, wetlands, or more rarely, puddles.
- 94. Commercial Piggery Farms** – shall refer to any parcel of land devoted to the raising or breeding, depasturing, feeding or watering of pigs/swine, generally under the management of a tenant or owner, used for commercial purposes.
- 95. Densely Populated Area** – residential zone area of single-family, single-detached dwellings with usual community auxiliary uses on a neighborhood scale and a gross population of about 50PPH to 150PPH.
- 96. Heads** – include weanings, growers and fatteners.
- 97. Irrigation Canal** – an artificial waterway or artificially improved river used for travel, shipping, or irrigation.
- 98. Large Scale Piggery**- refers to more than 2 sows and more than 20 heads.
- 99. Licensee** – person, group or corporation applying for the Municipal Piggery License.

- 100. MAO** – Municipal Agriculture Office
- 101. Medium Scale Piggery** – refers to 2 sows and 11-20 heads.
- 102. MEO** – Municipal Engineering Office
- 103. MHO** – Municipal Health Office
- 104. MPDO** - Municipal Planning and Development Office
- 105. Nearest Groundwater** – the nearest water beneath the earth's surface, often between saturated soil and rock, that supplies wells and springs.
- 106. Piggery** - a farm where pigs are bred or kept.
- 107. Pigpen** – a pen or enclosure for a pig or pigs.
- 108. Riverbanks** – the bank of a river.
- 109. Small Scale Piggery** – refers to raising of 1 sow and more than 2 but not more than 10 heads.
- 110. Sow** – shall refer to a female swine.
- 111. Standard Septic Tank** – a watertight, multi-chambered receptacle, constructed within the set standards that receives sewage from houses or other buildings and is designed to separate and store the solids and partially digest the organic matter in the sewage.
- 112. Swine Raisers** – individuals or persons engaging in raising swine.
- 113. Urban Areas** – include all barangay(s) or portion(s) of which comprising the poblacion, and other built up areas including the urbanizable land in and adjacent to said areas and where at least 50% of the population is engaged in non-agricultural activities.
- 114. Waste Discharge** – Something that flows out or forth, especially an outflow from a sewer or sewage system. It also refers to the sewage or other liquid waste that is discharged, as into a body of water.
- 115. Backyard Swine Raising** – refers to raising of swine in household backyard. It involves 2 heads and allowed only in identified urban areas and densely populated areas in the municipality.
- 116. Diagnostic Pharmaceutical Agents (DPA), and other preventive or corrective measures or procedures for the aid, correction, rehabilitation or relief of the human eye, or to attain maximum vision and comfort.**
- 117. OPTOMETRIST.** A person who has been certified by the Board of Optometry and registered with the Professional Regulation Commission (PRC) as being qualified to practice Optometry in the Philippines.
- 118. OPTOMETRIST IN GOOD STANDING.** A registered optometrist who is authorized to practice the profession in the Philippines by virtue of a valid Certificate of Registration and valid Professional License issued by the PRC for the purpose.

- 119. CERTIFICATE OF REGISTRATION.** A document signed by the Commissioner of the PRC and all the members of the Board of Optometry and bearing its seal, issued to an applicant who has satisfied the requirements for the practice of Optometry.
- 120. PROFESSIONAL LICENSE.** A renewal card, issued by the PRC to a registered Optometrist, indicating that he/she is competent and authorized to practice Optometry in the Philippines. Until the loss of its validity or its expiration, such license shall serve as evidence that its bearer is an Optometrist in good standing.
- 121. CODE OF ETHICS.** A set of standards relating to the conduct, integrity and moral duties of optometrist, as prescribed by the duly integrated accredited National Organization of Optometrists and adopted and promulgated by the Board of Optometry upon approval by the PRC.
- 122. ILLEGAL PRACTICE** – The performance of any act/s constituting the practice of OPTOMETRY in the Philippines without having been first admitted to the practice of this profession as certified by the Board of Optometry and registered with the Professional Regulation Commission (PRC).
- 123. OPTICAL CLINIC** – A facility that provides services related to eyes or vision and performing routine eye examinations.
- 124. OPTICAL SUPPLIES-** Equipments, stocks and other related objects needed for optical uses. Ordinary sunglasses shall not be considered as optical supplies.
- 125. OPTICAL SUPPLIERS OR DISTRIBUTORS** – A person or entity that supplies goods and services particularly for optical purposes.

Chapter III

WATER SUPPLY

Section 5. Prescribed Standards and Procedures. Standards for drinking water and their bacteriological and chemical examinations, together with the evaluation of results, shall conform with the criteria set by the Philippine National Standards for Drinking Water. The treatment of water to render it safe for drinking, and the disinfection of the contaminated water sources, together with their distribution systems, shall be in accordance with procedures prescribed by the Department of Health [DOH].

Section 6. Jurisdiction of the Municipal Health Officer or his duly Deputized Agent. The approval of the Municipal Health Officer is required in the following cases:

- a) Site of water supply sources before their construction;
- b) Delivery of water to consumers from new or recently repaired water systems;
- c) Operation of water supply systems after an order of closure was issued by the Department of Health or the Office of the Municipal Mayor;
- d) Plans and specifications of water supply systems of subdivisions and projects prior to the constructions of housing units thereat and

e) Certification of Potability of drinking water.

Section 7. Types of Water Examinations Required. The following examinations are required for drinking water:

- a) Initial Examination. The physical, chemical and bacteriological examinations of water from newly constructed systems or sources are required before they are operated and opened for public use. Examination of water for possible radioactive contamination should also be done initially per recommendation of the MHO.
- b) Periodic Examination. Water from existing sources shall, likewise, be subject to bacteriological examination as often as possible, but the interval shall not be longer than six (6) months, while this may generally be conducted yearly for possible radioactive contamination.

Section 8. Examining Laboratories and Submission of Water Samples. The Examination of drinking water shall be performed in government laboratories. It shall be the responsibility of water systems operators to submit to accredited laboratories water samples for examination in a manner and at such intervals prescribed by the Department of Health.

Section 9. Sanitary Inspection-Monthly Water Samples. The sanitation inspectors of the component LGU shall conduct periodic on -the -spot inspections of the facilities of water suppliers or haulers.

Section 10. Laboratory Examination. All drinking water suppliers and water haulers operating within the component LGU are required to submit samples only to laboratories duly licensed and accredited by the Department of Health on specified schedules of examination.

Section 11. Certificate of Potability. The MHO shall issue a Certificate of Potability of Drinking Water if the water sample passed the required examinations in accordance with the Philippine National Standard for Drinking Water.

Section 12. Transport of Water. All mobile tank and bulk water delivery equipment shall be subject to inspection and issuance of Sanitary Clearances per Implementing Rules and Regulations (IRR) on Water Supply of P.D. 856. All refilled water shall be transported in sanitary transporting facilities inspected and approved by the Municipal Health Officer who shall issue Sanitary Clearance which shall be conspicuously displayed on the vehicle for public view.

Section 13. Water Peddlers and Haulers. All mobile water tankers and bulk water delivery providers shall secure a sanitary permit from the MHO. Water containers should be made of plastic or tin materials designed to facilitate easy cleaning.

Section 14. Water Plant and Retail Water Station Operators. Water plant and retail water station operators or person directly involved in the management and supervision of water stations shall undergo a 40-hour basic certification course specified in the implementing Rules and Regulations (IRR) for Water Supply of P.D. 856, conducted by DOH- accredited institution or professional organization. They shall also secure sanitary permit from the MHO.

Section 15. Personnel of Retail and Refilling Water Station. All personnel of retail water refilling stations, including those operating water- vending machines and dispensers shall secure health certificate from the municipal/ city health office. They are

also required to attend a 20-hour water sanitation classes to be conducted by an accredited organization, as a pre-requisite to the issuance of Health Certificate.

Section 16. Bottled Drinking Water; FDA Registration. No bottled drinking water product shall be distributed and sold without a certificate of registration from the FDA.

Section 17. Water Supply of Food Serving and Food Processing Establishments. All food serving and food processing establishments operating within the Province are required to submit sample of their water supply to accredited laboratories of the Department of Health for microbiological analysis every month. Physical and chemical analysis of their water supply shall likewise be conducted every six (6) months and results of which shall be submitted to the MHO.

Section 18. Other Water Protection Measures. To protect drinking water from contamination, the following measures shall be observed:

- a.) Washing clothes or bathing within a 15- meter radius from any well other source of drinking water is prohibited.
- b.) No artesian well, deep or shallow, shall be constructed within 15 meters from any source of pollution.
- c.) No septic tank shall be placed or constructed within 25 meters from any well, spring, cistern or other sources of drinking water, or not less than 1.5 meters from any water service line, or not less than 3.0 meters away from a water main.
- d.) No radio-active sources or materials shall be stored within a radius of 25 meters from any well or source of drinking water, unless the radioactive source or materials is enclosed by proper shielding.
- e.) No person in charge in 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 is found to be potable.
- f.) The installation of booster pumps direct from the water distribution line of a water supply system shall be prohibited.

Section 19. Drinking Water Quality Monitoring Committee. There shall be created a Municipal Drinking Water Quality Monitoring Committee which shall be tasked to conduct surveillance programs to oversee the operation of water systems and the quality of water produced and distributed by drinking water haulers and distributors.

Section 20. Other Protective Measures. To protect drinking water from contamination, the following measures shall be observed:

- a) Washing clothes or bathing within a radius of twenty five (25) meters from any well or other sources of drinking water is prohibited.
- b) No artesian, deep or shallow well shall be constructed within twenty five (25) meters from any source of pollution.
- c) No radioactive sources or materials shall be stored within a radius of twenty five (25) meters from any well or source of drinking water unless the radioactive is adequately and safely enclosed by proper shielding, as determined by the Department of Environment and Natural Resources [DENR].
- d) No person charged with the management of the public water supply system shall permit any physical connection system 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) The installation of a booster pump to draw water direct from the water distribution line of a water supply system where low-water supply system pressure prevails is prohibited.
- f) No person shall keep any horses, cattle, swine, goat or livestock of any kind, penned, corralled, or over, or in the borders of any such spring, stream, pond, lake or reservoir within a distance of twenty-five (25) meter radius.
- g) No unnecessary tampering and or removing of any or all parts of the water supply shall be allowed without first securing permission from the Municipal Health Office.

Section 21. Penalty. A maximum fine of Two Thousand Five Hundred Pesos (PhP2,500.00) shall be imposed or an imprisonment for a period not exceeding Six (6) Months, or both at the discretion of the court, for the violation of Sections 6, 7 and 9 of this Code.

Chapter IV

MARKET AND SLAUGHTERHOUSE

Section 22. Prescribed Standards of Construction. The construction of market and slaughterhouse shall conform to standards prescribed by the Department of Health in accordance with the Building Code. These standards shall be set along with the following guidelines:

- 1) Suitability of site insofar as elimination of nuisance conditions and prevention of contamination are concerned;
- 2) Availability of ample water supply for cleaning;
- 3) Presence of adequate drainage facilities;
- 4) Durability of construction to protect vendors and costumers from any hazard and exposures to the elements and
- 5) Facilities for maintenance of sanitation, such as cleaning and elimination of harborages of vermin.

Section 23. Responsibility of the Municipal Market Administrator/Market Administrator Designate in coordination with the Municipal Health Office.

- a) On Market.
 - 1) Make periodic inspections to ascertain the maintenance of adequate sanitary conditions of the market and its premises;
 - 2) Supervise and control the proper care and use of market stalls;
 - 3) Prohibit the construction of living quarters within the market and its premises;
 - 4) Enforce the ban on construction of partitions, sheds or booths within the market area.
- b) On Slaughterhouse.
 - 1) Supervise the maintenance of adequate sanitation in the slaughterhouse and its premises;
 - 2) Enforce the requirements on the examination of meat as provided in existing laws;
 - 3) Permit the slaughter of animals for public consumption in other designated areas of certain exigencies, provided public health is

adequately protected and the guidelines stipulated in the Municipal Revenue Code are strictly observed.

- 4) Supervise the sanitary disposal of all the slaughterhouse waste and
- 5) Ensure that 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 by the National Meat Inspection Commission [NMIC].

Section 24. Responsibility of the Local Government and Private Operators.

The local government and private operators of public market respectively and slaughterhouse shall employ adequate number of personnel to ensure their efficient operation and hygienic maintenance.

Chapter V

FOOD ESTABLISHMENTS

Section 25. Sanitary Permit.

- a) No person or entity shall operate a food establishment for public patronage without first securing a sanitary permit from the Municipal Mayor through the Municipal Health Office. The phrase "Food Establishment" as used in this Chapter means an establishment where food or drinks are manufactured, processed, stored, sold or served;
- b) Sanitary permits shall be posted in conspicuous places of any food establishment.
- c) The fees payable for permits, and upon the issuances, renewal and noting of such certificates, shall be in such amount as the existing Municipal Revenue Code may impose;
- d) Within fourteen (14) days after any change in the ownership or occupancy of any establishment, the new occupant shall apply to the Municipal Health Officer to have such change noted in the records and on the sanitary permit certificate, which he shall produce for the purpose and shall pay the corresponding fee in respect of such noting.
- e) The Municipality shall keep a record of establishments with which permits have been issued and of all permit certificates and renewals thereof.
- f) The record shall in every case show the following:
 - 1) The name and address of the holder of the permit who, in every case, shall be the actual occupant of the establishment;
 - 2) The location of the establishment;
 - 3) The purpose or purposes for which the permit has been issued;
 - 4) The date the first permit was issued and the dates of any renewal thereof;
 - 5) Every change of occupation and management of the establishment since the first permit was issued;
 - 6) Conditions under which the permit was issued or any renewal thereof granted and
 - 7) The record shall be available at all times for inspection by the Municipal Health Office.

Section 26. Structures for Storage, Preparation, Handling or Sale of any Food Article.

No person shall use any kitchen or place intended for the preparation, storage, handling or sale of any article of food:

- a.) Which is at any time used or adjacent to a sleeping quarter or toilet;
- b.) Where any animal is kept;
- c.) Which is or has been used for any other purpose which would likely contaminate the food or adversely affect its wholesomeness or cleanliness;
- d.) Which does not have ample supply of clean potable water.

Section 27. Floors. No sanitary permit shall be issued for premises intended to be used for the preparation, handling and sale food unless the flooring is constructed in accordance with the following requirements:

- a.) Constructed with concrete or other impervious and easily- cleaned material resistant to wear and tear, corrosion and adequately graded and drained;
- b.) Constructed with wood with dovetail or tongue- and- groove floor boards laid on a firm foundation and clamped tightly;
- c.) Constructed with laid covered linoleum, smooth and surfaced rubber tiles or similar material permanently fixed to the floor with cement or like adhesive.
- d.) Made of concrete or other impervious and easily cleaned material 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 three (3') inches (7.62 cm) from the floor;
- e.) Made of wood with dove-tailed or tongue and grooved floor boards laid on a firm foundation and tightly clamped together with all angles between the floor and walls rounded off to a height of three (3) inches (7.62 cm) or
- f.) Constructed in accordance with the requirements of sub-clause i) and ii) of the clause and covered with linoleum, smooth surface rubber or other similar material fixed to the floor with cement or suitable adhesive.

Provided, that, with approval in writing of the local authority, floors may be covered with carpets or other floor covering in those parts of the premises where such carpets or coverings can be satisfactorily cleaned and maintained.

Section 28. Walls. Neither shall sanitary permits be issued for such premises unless the walls are constructed with the following requirements:

- a.) The internal surface of walls have smooth , even, non- absorbent surface capable of being readily cleaned without damage to the surface and constructed with dust- proof materials;
- b.) Walls that are subject of getting wet or splashing be constructed of impervious, non- absorbent materials;
- c.) Walls constructed of bamboo, "sawali", or other wooden materials be varnished or painted for dust- proof smooth surface finish.
- d.) The internal walls be painted with colors or treated with such wall finish, as the MHO may prescribed;
- e.) The use of other materials, other than the above, shall be subject to the written approval of the MHO.
- f.) have a smooth, even and non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials;
- g.) The walls, where subject to wetting or splashing, shall be made of impervious, non-absorbent materials to a height of not less than seventy nine (79) inches (2 meters) from the floor and

- h.) The internal walls shall be painted in light colors or treated with such other wall finish as the health authority may prescribe.

Section 29. Floor Space. There shall be sufficient floor space to enable every person working in the establishment to carry out his duties efficiently and to permit easy access for cleaning. Working spaces, aisles, or passageways and areas to which customers have access shall be unobstructed and sufficient to permit convenient movement of employees and customers without contamination of food by clothing or personal contact.

Section 30. Ventilation. Ventilation shall be provided which shall be effective and suitable to maintain comfortable temperature condition. Mechanical ventilation, canopies, air ducts, fans and other air- ventilating appliances may be installed, subject to the required provision of Implementing Rules and Regulations of P.D. 856.

Section 31. Food Service Spaces. Spaces for food service shall not be used as living or sleeping quarters. Clothing or personal effects shall be kept away from there and no animal or live fowl shall be allowed in such spaces. Persons not directly connected with food preparation and serving shall not be allowed nor handle any food preparation.

- 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) Persons not directly connected with food preparation and serving shall not be allowed to stay in food-serving spaces.

Foods in storage or in preparation must not be handled by anyone other than the preparation and serving staff

Section 32. Change Rooms and Lockers. There shall be provided adequate and suitable lockers and other facilities for storage of personnel clothing and belongings. Such facilities shall not be so situated as to contaminate food through contact by clothing.

Section 33. Wash Hand Basins. Wash hands basins shall be installed under the specifications prescribed by the National Plumbing Code of the Philippines. No was basin shall be installed adjacent to places of food preparation. Washing basin shall be installed, as near as practicable, to toilet facilities. Wash basin shall have an adequate supply of soap and clean towels, and shall, at all times, be maintained in good and clean condition. Wash basins water outlets shall be installed with p-traps. The number of wash hand basins shall be in accordance with the requirements of P.D. 856.

Section 34. Toilets and Rest Rooms. Adequate and clean toilets or restrooms for male and female customers and personnel shall be provided in properly located areas and shall be provided with ample water supply. The rooms shall have wash basins with soap and liquid detergent, single-service tissue paper or cloth towel dispenser, or a hand drying device. The toilets shall not open directly into spaces where food is prepared, stored or served. The number of toilets shall be in accordance with the requirements of P.D. 856. The installation of portable toilets shall be allowed only on open amusement grounds or parks. The number of portable toilets shall be in accordance with the requirements of P.D. 856.

Section 35. Lighting. The general standard of illumination shall be observed in lighting the establishments or any premises thereof. The lighting should be designed in such a way as would not deter or obstruct electrical inspection and would not affect

cleaning. All lighting installation shall be inspected and approved by the Bureau of Fire Protection of the Municipality of Tigbauan.

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.

- a. In rooms where food is prepared or packed or in which utensils or hands are washed, there shall be a minimum illumination intensity of twenty-foot (20) candles, in premises where food is consumed, there shall be a minimum illumination intensity of five-foot (5) candles. Intensities of illumination shall be measured at a point thirty (30) inches (76.20 cm) from the floor line;
- b. All lightings shall be reasonably free from glare and distributed evenly so as to avoid shadows;
- c. Canopies, air ducts, fans and other appliances shall be provided as required by the health authority in particular circumstances;
- d. Effective provision shall be made for securing and maintaining a reasonable temperature.

Section 36. The Ceilings. All ceilings or, if no ceilings are provided, the entire under surface of the roof shall be dust-proof and washable.

The ceiling or under surface of the roof or in which utensils or hands are washed, shall be smooth, non-absorbent and light colored.

Section 37. Outlets of Waste Water. All kitchen sinks, wash basins, sewage, aqueducts and outlets for waste water of restaurants, eateries and food catering establishments are required to be installed with grease traps or p-traps for filtration purposes.

Section 38. Separation of Solid Waste from Liquid Wastes. Solid waste shall be separated from liquid wastes. Solid waste shall be segregated as biodegradable or non-biodegradable and placed in two separate plastic bags. Used cooking oil shall not be disposed in any sink or outlet but shall be poured or stored in a separate container to await collection.

Section 39. Septic Tank Requirements. There shall be an airtight two-chambered septic tank, designed and built in accordance with the requirements of Plumbing Code of the Philippines where waste water and liquid waste shall be discharged.

Section 40. Health Certificates. No person shall be employed in any food establishment without a health certificate issued by the Local Health Authority. This certificate shall be issued only after the required physical, medical and laboratory examinations are performed and immunizations are administered at prescribed intervals.

Section 41. Quality and Protection of Food. All foods must be obtained from sources approved by the Municipal Health Officer. In this regard, the following requirements are applicable;

- a) Meats, meat products and fish shall be procured from the sources under sanitary or veterinary supervision.
- b) All meats and fish shall be properly cooked before serving.

- c) No meat products, fish, vegetables and other food sources shall be procured from sources whose areas are known to have been affected by radioactivity as, for example, areas contaminated with a very large amount of radioactive fallout.
- d) Milk and fluid products shall be sterilized, pasteurized or otherwise heated.
- e) Milk shall be stored in a refrigerator. Canned or packaged milk, other than dry milk powders, shall be refrigerated after the container has been opened.
- f) All perishable and potentially hazardous foods shall be stored at 45 °C (7 °C) or below.
- g) Cooked food intended to be served hot shall be kept at a temperature not lower than 14 °F (60 °C).
- h) Raw fruits and vegetables shall be thoroughly washed before they are used.

Section 42. Food Handlers.

- a) No person shall be employed in any food establishment without a Health Certificate issued by the local health authority.
- b) Food handlers shall undergo food handlers' training.
- c) Food handlers shall at all times:
 - i) Wear clean working garments. The cook shall wear prescribed caps and female employee's caps or hairnets.
 - ii) Observe proper personal hygiene.
 - iii) Wash their hands thoroughly with soap, water, and dry them with a clean or disposable towel or a suitable hand-drying device immediately before working, or after visiting the toilet and after doing dirty works.

Section 43. Vermin Control. *Vermin* is a group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice and rats that are vectors of diseases.

- a) Spaces where food and drinks are stored, prepared and/or served shall be constructed and maintained as to exclude vermin.
- b) All openings which connect spaces to the outer air shall be effectively protected with screen of non-corrosive wire sixteen (16) meshes or finer. Door screens shall be tight-fitting.
- c) A Vermin Abatement Program shall be maintained in the establishments by their owners, operators, or administrators. If they fail, neglect or refuse to maintain a vermin abatement program, the local health agency will undertake the work at their expense.
- d) During deratting or disinfecting operations, all foodstuffs, utensils, food preparation and cleaning equipment shall be covered to protect them from toxic medical substances.
- e) Vermin control in public places shall be the responsibility of the municipal government which has jurisdiction over them.
- f) The procedure and frequency of Vermin Abatement Program shall be determined and approved by the local health authority.

Section 44. Toilet and Washing Facilities.

- a) Adequate and clean toilet facilities for male and female customers and personnels shall be provided.
- b) Toilet rooms shall not be opened directly into spaces where food is prepared, stored or served. Where such toilet exist, the doors shall be tight-fitting and self-closing.
- c) Adequate hand-washing facilities shall be provided within or adjacent to the toilet room.

- d) Facilities shall include hot and cold running water, soap and detergent; single-service paper or cloth towel dispenser or a drying device.

Section 45. Disposal of Refuse.

- a) Refuse containers may be used in food-preparation areas for immediate use only.
- b) Storage refuse containers, filled and empty, shall be in a designated space separated from food handling operations.
- c) These cans shall be so constructed and maintained as to be vermin-proof and easily cleaned.
- d) Cans containing refuse in food handling areas shall be tightly covered at all times, except during actual use.
- e) Holding bins may likewise be used, provided they are constructed of impervious, readily-cleaned materials, and fitted with tight-fitting covers.
- f) Where refuse cans are used, a space separate from the food-handling spaces and adjacent to the refuse can storage, shall be provided for cleaning. This space shall be equipped with scrubbing brushes, cleansing agents, steam or hot water under pressure, and a hose fitted with adjustable nozzle.

Section 46. Equipment and Utensils.

- a) They shall be so designed, fabricated and installed so that cleaning is easy and that they do not pose health hazards.
- b) Lead- soldered containers and cadmium-lined piping and fixtures should not be used.
- c) Surfaces that come into in contact with food or drinks shall be easily cleaned and removed. Runners shall be provided for easy removal of dust and debris. The bottom shelves of open-based fixtures shall be removable to facilitate inspection, cleaning and maintenance.

Section 47. Washing of Utensils.

- a) They shall be scraped and pre-rinsed to remove food particles.
- b) They shall be thoroughly cleansed in warm water at 120 °F (49 °C) with soap or detergent.
- c) If running water is not used, the wash-water shall be changed frequently.

Section 48. Bacterial Treatment.

Eating and drinking utensils and equipment, after thoroughly cleaned, shall be subjected to one of the following bactericidal treatments:

- a) Immersion for at least one (1) minute in hot water at a temperature of at least 120 °F (77 °C);
- b) Immersion for at least one (1) minute in a lukewarm chlorine solution fifty (50) ppm;
- c) Exposure in a steam cabinet at a temperature of at east 170 °F (77 °c) for at least fifteen (15) minutes or at a temperature of 200° F (93 °C) for at least five (5) minutes;
- d) Exposure in an open or hot-air cabinet at a temperature of at least 180 °F (82 °C) for at least twenty (20) minutes; or
- e) Any other method approved by the local health authority.

Section 49. Handling of Washed Utensils.

- a) Washed utensils shall be allowed to drain on dry in wire racks without use of drying cloths, or shall be kept in a self draining position to permit ready air-drying.
- b) The drying cloth on which to store dishes and utensils temporarily after bactericidal treatment should be clean and changed frequently.

Section 50. Storage of Washed Utensils.

- a) They shall be stored in a clean and dry places adequately protected against vermin and other sources of contamination.
- b) Cups, bowls, and glasses, shall be in an upside down position for storage.
- c) When not stored in closed cupboards or lockers, utensils and containers shall be covered or be kept upside down whenever practicable. Utensils shall not be stored on the bottom shelves of open cabinets below the working top levels.
- d) Racks, trays and shelves should be made of materials that are impervious, corrosion-resistant, non-toxic, smooth, durable and resistant to chirping.
- e) Drawers shall be made of the same materials and kept clean. Felt-lined drawers are not acceptable. Using clean and removable towels for lining drawers is acceptable.

Section 51. Dry Storage for Non-Perishable Foods. Non-perishable foods shall be stored in the following manner:

- a) Designated spaces, lockers, cabinets, racks, shelves and containers can be used for storage.
- b) All spaces, lockers and cabinets shall be constructed with materials of the same quality as used for food preparation and food-serving operations. Containers shall be made of metal fitted with tight covers.
- c) The recommended temperature range for dry stores is 50-60° F (10-15 °C) except for preparation and servicing areas, where dry foods for immediate use are stored.

Section 52. Refrigerated Storage of Perishable Foods. Perishable foods shall be stored in the following manner:

- a) They shall be kept at or below 45 °F except during the preparation or when held for immediate serving after preparation.
- b) When such foods are to be stored for extended periods, a temperature of 40 °F (4 °C) is recommended.
- c) Fruits and vegetables shall be stored in cool rooms/places.
- d) Recommended temperature for perishable food storage are:
 - 1) Frozen foods: not more than 10°F (-12°C) ;
 - 2) Meat and Fish: 32-38°F (0-3°C);
 - 3) Milk and milk products: 40-45°F (5-7°C) and
 - 4) Fruits and vegetables: 44-50°F (7-10°C)
- e) All refrigerating compartments and refrigerators must be kept clean, must be in good condition and be free from odors. They shall be provided with thermometers with scale divisions not larger than 2°F or 1°C. Sufficient shelving shall be provided to prevent stocking and to permit adequate ventilation and cleaning.

Section 53. Food Servicing Operations. These operations shall be in accordance with the following requirements:

- a) Hand contacts with food or drinks shall be avoided; fingers shall not be used to serve butter, ice, or similar items of food. Sugars shall be served in covered dispensers or containers, or in packages wrapped for single service.
- b) The surfaces of the containers and utensils, including glasses and table wares, which come in contact with food or drink should not be handled.
- c) Disposable cups, plates, spoons and other single service containers and utensils shall be purchased in sanitary cartons and be stored in a clean, dry place until used. When removing from boxes, care must be taken so as not to touch the surface that comes in contact with food.
- d) Clean clothes, napkins, spoons, towels and other equipment made of cloth shall be stored in clean places designated specifically for them. Soiled linens, including towels, aprons and coats shall be stored in a closed bin or locker, suitably marked.
- e) Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts must be kept in a container filled with water should be changed regularly. Bottles and other containers used for potable water and other beverages shall be kept clean and given effective bactericidal treatment before and after subsequent use.

Section 54. Evaluation of Food Establishments.

It shall be the duty of the Municipal Health Officer or his duly authorized representatives to conduct an inspection and evaluation of every food establishment requiring permit for its operations, at least every six months. Additional inspections, reinspections and evaluations be made for the enforcement of the provisions of this Chapter. Inspection or evaluation should be carried out at least every six months. The Inspector shall record his findings in an inspection form provided for the purpose and shall furnish the original of such report to the holder of sanitary permit, the manager or occupant premises. Demerits entered in the appropriate column of inspection forms shall indicate that the item does not in the opinion of the inspector, comply with the requirements of this regulation. Within forty eight (48) hours of inspection or evaluation, the original of the inspection report shall be furnished to the holder of the permit certificate, the manager or occupant of the food establishment. Whenever an inspection form issued indicates a non-compliance items relating to any particular type of premises, the inspector shall notify the holder of the sanitary permit, the manager or occupant of the correction to be made and indicate a reasonable period for its compliance. If upon reinspections if the inspector finds the corrections has not been affected, he shall report to the Municipal Mayor, and the Municipal Mayor through the MHO shall revoke the sanitary permit. A copy of the inspection form and any notice served, shall in all cases be filed and kept by the municipal health authority and shall be available at all times for an officer of the Department of Health.

- a) Service of Notice. Whenever an inspection or evaluation report form indicates non-complying items, the Municipal Mayor through the Municipal Health Officer of the municipality may cause to be served to the holder of the permit, the manager or occupier, notice requiring him, within the time stated in the notice, to take such remedial action specified therein.

In the event within the time in the notice, hereinafter called the first notice the terms of the first notice are not complied with, the Municipal Mayor through the MHO may serve to the holder of the permit, the manager or the occupant, a

second notice calling him to show, at a time and place stated in the notice maybe served.

- b) Revocation of Permits. After prior notice and hearing as provided above, the Municipal Mayor through the MHO, if satisfied that the terms of the two (2) notices have not been complied with or that failure to comply therewith is not excusable, shall revoke the said permit.
- c) Summary Suspension of Permits. Whenever the Municipal Health Officer find unsanitary or unhealthy conditions in the operation of food establishment which, in his judgment, constitute a substantial hazard to the public health, the Municipal Health Officer shall advise the Municipal Mayor to order the immediate suspension of the permit. Any person to whom such order is issued may file a written petition.
- d) Appeals. The panel conducting the hearing may confirm, modify or reverse the decision appealed from which decision shall be final.
- e) Protection of Food. Notwithstanding the other provisions of this regulation relating to the issuance of permits, every person who engaged in the sale of food or in the manufacture, preparation, storage, packing or delivery of food for sale shall protect such food from contamination.
- f) Power of Entry. Any Sanitary inspector or a duly authorized officer of the Department of Health or the Municipal Health Office, upon presentation of proper credentials, may at all reasonable times enter into any premises engaged in the manufacture, preparation or packing of any article of food for sale or any premises used for any of the purposes referred in this Code for the purpose of inspection or any other action for administration of this Code.

Section 55. Special Provisions.

- a) Groceries or "Sari-Sari" Stores:
 - 1) No grocery sari-sari store shall be establish within the distance of fifty (50)meters from any source of contamination.
 - 2) All foods which require no further cooking before they are eaten shall be protected from contamination while in counters or show cases.
- b) Bakeries. Delivery trucks and carts of bakery products shall always be kept clean and sanitary.
- c) Dairies.
 - 1) No Dairy shall keep unhealthy or infected cows, water buffalos (carabaos) or goats for the production of milk, or feed them unwholesome food that produces impure or unwholesome milk.
 - 2) No animals used for the production of milk shall be allowed to graze on land which has been contaminated by the radioactivity.
 - 3) No dairy shall sell unwholesome milk that has not been previously pasteurized or otherwise sterilized.
- d) Ice Plants.
 - 1) Only potable water shall be used in the manufacture of ice.

- 2) In storing and transporting ice intended for public consumption, precautionary measures shall be taken to protect the ice from sources of contamination.
- e) Ambulant Food Vendors.
- 1) These vendors shall sell only bottled food drinks, biscuits and confectioneries.
 - 2) It is prohibited for food vendors to sell food that requires the use of utensils.
- f) Fish Marketing Areas.
- 1) Only fresh and wholesome fish products shall be sold.
 - 2) Fish caught in radioactive zones as well as in areas contaminated by toxic substances or high in mercury count as determined by the health authorities shall be condemned and not be allowed for public consumption.
 - 3) The selling, distribution and buying of fish caught through the use of explosives and chemicals are prohibited.

Section 56. Penalty. A maximum fine of Two Thousand Five Hundred Pesos (PhP2,500.00) shall be imposed or an imprisonment for a period not exceeding Six (6) Months, or both at the discretion of the court be imposed for the violation of the provisions of this Chapter.

Chapter VI

SCHOOL SANITATION AND HEALTH SERVICES

Section 57. The Physical Environment. In the design and construction of the school, 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 nuisance.
- 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 minimum glare. Artificial lighting with lowered fluorescent or incandescent fixtures shall be used to supply minimum lighting of twenty-five-foot (25) candles in the darkest corner. For flooring, suitable materials shall be used which will give maximum durability without creating a slippery face.
- 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 58. 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.

Section 59. 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) Counseling and Guidance.

Section 60. Requirements for Special Schools.

- a) Cadavers shall be stored in morgues and dissected in the dissecting rooms, all of which shall be constructed and maintained in accordance with the standards prescribed by the Department of Health.
- b) Poisonous and harmful plants and animals shall be kept in adequate and secured areas.
- c) Viral and bacterial cultures shall be kept in laboratories under standard security laboratory measures.
- d) Schools utilizing radioactive materials or sources for study or research should closely conform with the requirements and guidelines given by the Radiation Health Office and the Philippine Atomic Energy Commission concerning radiation protection.

Section 61. Bacteriological, Physical and Chemical Analysis of the School's Water Supply. The quality of the water supply of the school shall be submitted monthly to the Municipal Water Quality Monitoring Committee for monthly bacteriological analysis, while the physical and chemical analysis shall be done every six (6) months. Water analysis shall be undertaken by the MHO or DOH or any DOH-accredited laboratory.

Chapter VII

REST AREAS, BUS TERMINALS AND SERVICE STATIONS

Section 62. Rest areas, bus terminals and service station areas with one or more permanent sheds, building and service facilities for motor vehicles shall be provided with sanitary facilities for the convenience and personal necessities of the traveling public.

- a) Rest areas, bus terminals and service stations shall be established with ample area to prevent overcrowding of motor vehicles and travelers.
- b) Excreta and Sewage collection and disposal shall be provided.
- c) Adequate number of comfort rooms shall be provided as well as auxiliary facilities.
- d) Waiting sheds for commuters shall be of adequate size to accommodate a minimum of thirty (30) persons. Floors shall be of smooth concrete finish with adequate sitting facilities.

Section 63. Sanitary Permit. Transport terminals of bus, airport and seaport, jeepney stops, service stations, cockpits, public utility tricycles and service facilities for motorized vehicles are required to have sanitary permits. They shall be provided with sanitary facilities for the convenience and personal necessities of the traveling public. They shall observe the following requirements and regulations:

- a) Terminals and stops shall have ample space to prevent overcrowding of passengers.
- b) Terminals shall be provided with urinals. Service stations for motor vehicles shall be provided with rest rooms or toilets with adequate ventilation and lighting, as well as lavatory amenities and supplies such as wash basins, soap or detergent. Cockpits shall also be provided with rest rooms/toilets. These facilities must provide separate toilets for men and women.
- c) Waiting sheds for commuters shall be adequate size and covered to comfortably accommodate waiting passengers. Floors shall be of smooth concrete finish and adequate sitting facilities must be provided.
- d) All transport terminals, bus and jeepney stops and service station shall have garbage cans or receptacles for refuse and garbage.
- e) Sale of foodstuff on these facilities shall be in conformity with the provisions of this Code.

All sanitary requirements required under this Code as are applicable to these terminals, stops and stations shall be observed and implemented.

Chapter VIII

CAMPS AND PICNIC GROUNDS

Section 64. No camps and picnic ground shall be open for public patronage without sanitary permit issued by the Municipal Mayor or his duly authorized representative.

- a) Camps and picnic ground sites shall not be subject to 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, the flooring shall be at least four (4) inches above the ground.
- c) Adequate and safe drinking water shall be available at all times.
- d) Adequate number of sanitary facilities shall be provided.
- e) Camps and picnic grounds shall be at all times maintained clean, free from litter and accumulated rubbish.

Section 65. Sanitary Permit. No camp or picnic ground shall be open for public patronage without a sanitary permit issued by the MHO. The following provisions shall apply to these establishments:

- a) Camp and picnic ground sites shall not be prone of flooding, must be well drained, located away from any source of nuisance and do not endanger sources of any public water supply.
- b) Camp and picnic houses shall be provided with adequate lighting, ventilation and sanitary facilities.
- c) Adequate and safe drinking water shall be available at all times.
- d) The storage, food preparation and serving shall be in accordance with the provision of this Code.

- e) Sewage disposal shall likewise be in accordance with the provisions of this Code.
- f) Garbage cans with tight-fitting covers shall be provided at the strategic places at the picnic ground, and regular collection service shall be observed.
- g) Vermin control measures shall be undertaken regularly.
- h) Camp and picnic grounds shall be maintained clean at all times, free from litter and accumulated rubbish.

All sanitary requirements required under this Code as are applicable to camps and picnic grounds shall be observed and implemented.

Chapter IX

PUBLIC SWIMMING OR BATHING PLACES AND RESORTS

Section 66. Sanitary Permit. No public swimming and bathing places shall be operated for public use without a sanitary permit issued by the Municipal Mayor or his duly authorized representative.

Section 67. Protection of Customers. To protect the health and safety of persons who patronize public swimming or bathing places, the following practices shall be observed:

- 1) There shall be appropriate sanitary practices for persons swimming or bathing to prevent the transmission of communicable diseases;
- 2) There shall be appropriate sanitary procedures for personnel working in those places to maintain their adequate sanitation and cleanliness of accessories used by customers;
- 3) There shall be adequate number of trained personnel and necessary equipment needed for life-saving and rescue work and
- 4) There shall be signposts to warn the public of the presence of artificial or natural hazards.
- 5) There shall be standards and criteria concerning:
 - a. Sanitary structural requisites for swimming pools or bath houses to prevent pollution of their waters and to facilitate sanitation maintenance;
 - b. Sanitary structural standards for appurtenances such as toilets, shower baths and dressing rooms to eliminate the risk of infection;
 - c. Methods of determining the sanitary quality of water particularly that which is used in swimming pools and
 - d. Criteria to be used in the limitation of swimming or bathing capacity of swimming pools in accordance with the type of water treatment applied.

Section 68. Responsibility of the Municipal Health Officer. The Municipal Health Officer concerned shall:

- a) Inspect the state of sanitation of public swimming and bathing places;
- b) Ascertain if the personnel working in the place are examined regularly for the presence of any infectious or contagious disease;
- c) Enforce rules and regulations under this chapter and

- d) Recommend to the Municipal Mayor the revocation of their permits when it is deemed necessary for the protection of public health.

Section 69. Standards and Criteria for Swimming Pools and Bathing Places.

The Municipal Sanitation Board, in consultation with the MHO shall promulgate rules and regulations, as well as standards and criteria, applicable in their respective jurisdictions, concerning:

- a) Sanitary structural requisites for swimming pools and bath houses to prevent pollution of waters and to facilitate sanitation maintenance;
- b) Sanitary structural standards for appurtenances, such as toilets, shower baths and dressing rooms to eliminate the risk of infection;
- c) Methods of determining the sanitary quality of water, particularly that which is used in swimming pool;
- d) Adequate number of trained personnel and necessary equipment needed for the life-saving and rescue work;
- e) Waste water disposal shall be in accordance with the Clean Water Act;
- f) Criteria to be used in the limitation of swimming or bathing loads of swimming pools and other bathing places in accordance with the type of water treatment applied.

Chapter X

TONSORIAL AND BEAUTY ESTABLISHMENTS

Section 70. Requirements. These establishments are subject to the following requirements:

- 1) Sanitary permit shall be procured from the Municipal Mayor through the local health authority before their operation.
- 2) These establishments shall be maintained clean and sanitary at all times.
- 3) No person shall be employed to serve customers without a health certificate issued by the local health authority.

Section 71. 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) Implements of their trade shall be cleaned and disinfected before and after their use.
- 5) Customers shall be supplied with clean and fresh towels, drapes and other linens necessary.
- 6) Precautionary measures to prevent disease transmission shall be observed when serving customers showing any form of dermatoses.

Section 72. Regulatory Provisions. The following regulatory provisions shall apply to these establishments:

- a) All employees of these establishments are required to secure health certificate from the MHO. The birth certificates must be submitted to MHO as a requirement for the issuance of the said health certificates.
- b) These establishments are required to have receptacles for used materials, waste, refuse and other garbage to be collected and disposed of regularly.
- c) The premises shall be kept and maintained clean and sanitary at all times.

All sanitary requirements are required under this Code as are applicable to these establishments shall be observed and implemented

Chapter XI

PUBLIC LAUNDRY

Section 73. Sanitary Permit. No public laundry shall operate without a sanitary permit from the Municipal Mayor through the Municipal Health Officer or his duly authorized representative. As used in this chapter, a public laundry means an established institution operated for commercial purposes which is open to the public. It is different to person engaging service to exclusive clientele.

Section 74. General Requirements. The construction and operation of public laundry shall be governed by the following requirements:

- a) Structural Requirements.
 - 1) The site shall be distant from the sources of nuisance.
 - 2) Only durable construction materials shall be used.
 - 3) Smooth and water-tight shall be used for flooring.
 - 4) All work rooms shall be properly ventilated and provided with ten- (10-) foot candles of lighting.
 - 5) Adequate drying facilities shall be provided and articles for drying be protected from sources of contamination.
- b) Sanitary Requirements.
 - 1) Laundry supplies in both liquid and solid states shall be properly stored, prepared and handled. Containers of chemicals shall be properly labeled.
 - 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 and street clothes.
 - 4) The plant and its premises and equipment shall be maintained clean and sanitary at all times.

Section 75. 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 linens, bed, clothes, pajamas, towels, bed sheets, pillow cases and the like 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 enclosed until the articles are removed from 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 the skin of the infant. Laundered diapers for delivery shall be packed in sealed sanitary containers.

Chapter XII

LODGING, BOARDING HOUSES, APARTMENTS, MOTELS AND HOTELS

Section 76. General Provisions. The following are required for the establishments defined in the proceeding Section:

- a) No establishment shall be operated and opened for public patronage without a sanitary permit issued by the Municipal Mayor through the Municipal Health Officer or his duly authorized representative.
- b) Any extension or additional construction in the establishment shall require a sanitary permit before it could be operated.
- c) All establishments shall provide their patrons with adequate water supply, toilet and facilities in accordance with standards prescribed in this Code.
- d) No person shall be employed in the establishments without first procuring a health certificate from the local health authority.

Section 77. Sanitary Permit. No hotel, apartment or boarding house shall be allowed to operate in any component LGU of the Province without a sanitary permit issued by the MHO

Section 78. Provisional Requirements for these Establishments. The following are required for the establishments as defined in the preceding section:

- a) Any extension or additional construction in an establishment shall require a sanitary permit before it could operate.
- b) All establishments shall provide their patrons with adequate water supply and toilet facilities as prescribed under this Code.
- c) Establishments and their premises shall always be kept clean and in good sanitary condition.
- d) For hotels, the storage, preparation and serving of food to customers shall be in accordance with the provisions of this Code, and customers thereof shall be provided with clean and sanitized amenities.
- e) All establishments shall provide adequate facilities for garbage and waste disposal
- f) Animals, fowls and pets shall be housed in appropriate kennels or cages separate from living quarters.
- g) No person shall be employed in the establishments without first procuring a health certificate from the MHO.

Chapter XIII

MASSAGE CLINICS

Section 79. Sanitary Permit. No person or entity shall operate a massage clinic and/or sauna bath establishment without first securing a sanitary permit from the Municipal Mayor through the Municipal Health Officer.

Section 80. Sanitary Requirements. The following requirements shall be enforced:

a) Massage Clinic

- 1) The reception and the 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 hand washing, bath and toilet facilities shall be made available.
- 4) Customers shall provided with soap, clean towels, sanitized rubber or plastics slippers. They shall be required to take a thorough bath before massage.
- 5) The masseur/masseuse and masseur/masseuse 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.

b) Sauna Bath Establishment.

- 1) The reception and the office rooms shall be properly lighted and adequately ventilated.
- 2) The sauna bath room shall be properly lighted, provided with thermometers, and maintained clean and sanitary at all times.
- 3) Sanitary and adequate hand washing, bath and toilet facilities shall be available.
- 4) Customers shall be provided with soap, clean towels and sanitized rubber or plastic slippers.

Section 81. Personnel. The following requirements shall be enforced:

a) Masseur/Masseuse.

- 1) The person must have a certificate as a registered masseur/masseuse, 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 person shall wear a clean working garment when attending to customers or when visiting massage clinic attendants.

b) Massage Clinic Attendant.

- 1) The person shall be properly registered and authorized by the local health authority to work as massage clinic attendant after the compliance with the following requirements:

- a) Satisfactory completion of a training course or study given by a government office, school or hospital, which is duly authorized and recognize by the Department; and,
 - b) Up-to-date health certificate issued by the local health authority, to include venereal disease clearance secured from any government clinic or hospital.
 - 2) The person must wear clean working garments when attending to customers.
- c) Sauna Bath Attendant.
- 1) Attendant must possess an up- to- date health certificate issued by the local authority.
 - 2) The person must wear clean working garments when attending to customers.

Section 82. Correct Practices. The following sanitary practices shall be observed by personnel working in these establishments:

- a) Working personnel shall wash their hands thoroughly with soap and water before servicing customers.
- b) They shall wear clean working garments.
- c) Smoking and eating shall be prohibited while working.
- d) Tools and implements of their trade shall be cleaned and disinfect before and after their use.
- e) Customers shall be supplied with clean and fresh towels, drapes and other necessary linens.
- f) Precautionary measures shall be observed to prevent transmission or exacerbation of diseases.

Section 83. DOH Certificates for Therapists. All masseurs and masseuses must be holders of current and valid licenses for massage therapists issued by the Department of Health.

Section 84. Responsibility of the Local Health Officer. To enforce the provision of this Chapter, the Local Health Officer shall:

- a) Conduct or cause the inspection and evaluation of massage clinic, spa clinics and sauna bath establishments at least once every three (3) months to ascertain their state of sanitation;
- b) Inspect the health certificate of masseurs, masseuses as well as massage clinic and sauna bath attendants;
- c) Check at least every two (2) weeks the sexually transmitted diseases (STD) clearance records of massage clinic masseurs, masseuses and attendants
- d)

Chapter XIV

REFUSE DISPOSAL

Section 85. 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 Municipal Solid Waste Management

Council [MSWMC] in coordination with the Barangay Solid Waste Management Board [BSWMB].

Section 86. Additional Requirements.

- a) Occupants of buildings and residences shall provide sufficient number of receptacles for refuse.
- b) Any person, natural or juridical is prohibited to throw; dump and scatter refuse materials in the municipal streets, public places, canals and on vacant lots, water tributaries within the Municipality.
- c) The owner or occupant of the house shall construct and provide with permanent and sanitary toilet such as water sealed with properly constructed septic tank approved by the Municipal Health Office.
- d) Every operator of a traveling Rice Mill is required to provide their mill with container for rice bran and other wastes from palay and corn coming out of the mill blower and all wastes shall be dumped in proper places and not to leave them on the streets and/ or on roads.
- e) Requiring every public utility vehicle [PUV] and private commuters not to litter their wastes on roads and streets of this Municipality and for the PUV owners to provide for refuse bins.
- f) Refuse shall be disposed through a municipal collection service. If this service is not available, disposal shall be by incineration, burying, sanitary land fill or any method approved by the Municipal Solid Waste Management Council.
- g) 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.
- h) Refuse shall be kept clean by occupants or owners of properties lining the street from the line of the property to the middle of the street and from one property to the other.
- i) Parks, plazas and street adjacent to public buildings shall be kept clean by the Municipal Government.
- j) The owner or occupant of a house shall construct and provide permanent sanitary toilet such as water sealed, septic tank, etc. approved by the Municipal Health Office or his duly authorized representative. The disposal of human excreta out of sanitary toilet is strictly prohibited.

Section 87. Improper Disposal of Waste and Garbage. Improper disposal of waste and garbage is prohibited, as these serve as breeding places of vermin.

Section 88. Private Refuse Collection Services; Sanitary Permit. No person, firm or corporation, private agency, or institution shall operate or manage refuse collection services, refuse disposal areas and facilities, any junk collection or junk dealership without a sanitary permit issued by the MHO.

Section 89. Health Certificate for Private Collectors. All persons involved in the collection of refuse shall secure an up-to-date health certificate issued by the MHO.

Chapter XV

NUISANCES

Section 90. Types of Nuisances. For the purpose of this chapter, the following shall be considered nuisances:

- a) Public or private premises maintained and used in a manner injurious to health;
- b) Breeding places and harborages of vermin;
- c) Animal and their carcasses which are injurious to health;
- d) Accumulation of refuse;
- e) Noxious matter or waste water discharged improperly on streets;
- f) Animal stockage maintained in a manner injurious to health;
- g) Excessive noise and
- h) Illegal shanties in public or private properties.

Section 91. Responsibilities of Owners, Managers or Operators of Businesses.

The owners, managers or operators of establishments shall:

- a) Secure a sanitary permit from the local health authority before establishing and operating their business or trade;
- b) Remove daily all injurious by-products and wastes;
- c) Prevent the escape of industrial impurities and adopt methods to render them innocuous;
- d) Maintain working establishments and their premises clean and sanitary at all times and
- e) Store all materials properly to prevent emission of noxious or injurious effluvia.

Section 92. Idle Lots. Untended and unattended private properties or idle lots within the municipality, which can be a habitat for vermin shall be subject to a clean-up by the Municipal Government, the costs of which shall be chargeable against the lot owner. The treasurers of the component LGU's of the Province are hereby mandated to collect from the owners of the idle lots the charges spent by the Municipal Government in the clean-up of the said lots.

CHAPTER XVI

HYGIENE AND SANITATION IN INDUSTRIAL ESTABLISHMENTS

Section 93. Sanitary Permit. All industrial establishments operating in the Municipality shall secure the required sanitary permits from the MHO. The term "industrial establishment" refers to any business engaged in the manufacture, sale and distribution of goods or processing of raw materials into end products. They shall comply with the following requirements before they are issued sanitary permits:

- a) Environmental Management Bureau (EMB) and Department of Environmental and Natural Resources (DENR) clearances, if applicable;
- b) Adequate water supply with Certificate of Potability of Drinking Water;
- c) Sewage disposal system in accordance with then standard set by the MHO;
- d) Provision for the proper disposal of industrial waste;
- e) Adoption and maintenance of an abatement program for the control of vermin;
- f) Compliance with the threshold limits and value of hazards and occupational health, safety and sanitary regulations;
- g) Provision for separate and conveniently-located toilet facilities and hand-washing facilities for both sexes;
- h) Availability of occupational health services and emergency preparedness program;

- i) Provision and maintenance of sanitary restrooms and mess halls for employees serviced by food handlers with health certificates issued by the MHO;
- j) Provision for lactation rooms for nursing mothers;
- k) Maintenance of work areas including the machinery and equipment used in clean and sanitary condition.

All sanitary requirements required under this Code as are applicable to schools shall be observed and implemented.

Section 94. Responsibilities of the Employer and Employees. The following are the responsibilities of the employer and employees of industrial establishments:

a) Employer's Responsibility

- i. Provide, install and maintain in good working condition all control measures and protective equipment;
- ii. Inform affected employees about the nature of work-connected hazards and the reasons and methods for sanitary control measures;
- iii. Be regularly updated about new occupational safety, health and sanitary regulations; and,
- iv. Provide personal protective equipment and protective barriers, including sanitary equipment as may be necessary.

b) Employee's Responsibility

- i. Observe strict sanitary control measures as prescribed;
- ii. Observe sanitary regulations in the workplace and on the premises of the establishments;
- iii. Keep the assigned working area clean at all times;
- iv. Observe personal hygiene.

Section 95. Environmental Provisions. The environmental provisions enumerated below for the protection of the health workers shall apply to all industrial establishments:

- a) Control of Atmosphere Contaminants- Workers shall not be exposed to atmospheric contaminants hazardous to health. Control of atmospheric contaminants shall be accomplished by the methods approved by the Department of Health.
- b) Control Infectious Agents- Control measures shall be provided to eliminate or control the transmission of infectious diseases through proper processing and handling of industrial products or wastes.
- c) Control of Possible Sources of Radiation- Control of radiation hazards and its sources should be carried out under the supervision of the MHO, the DOH or their representatives.
- d) Illumination. Adequate lighting shall be provided and distributed in all work areas for vermin insect control that usually breed in dark or dimly-lighted areas.
- e) Ventilation. Natural or artificial ventilation shall be provided in all work areas to insure a safe and healthful working atmosphere, free from injurious amounts to toxic materials and reasonably free offensive odors and dust throughout the establishment. Proper control measures shall be used to reduce concentration of toxic contaminants to allowable limits. Air inlets shall be arranged, located and equipped to insure sufficient air velocity and an exhaust system which shall be located so that discharged

materials shall not reenter places of employment or habitations nor create any hazard or nuisance.

Section 96. Personal Protective Equipment. The following requirements shall be applicable for personal protective equipment:

- a) Personal protective equipment which shall include respiratory protectors, and protective barriers shall be provided whenever unhealthy substances, radiation, or mechanical irritants are encountered in a manner that may cause any pathological change or injury or impairment in the function of any part of the body;
- b) Radioactivity detectors when the work is radiation-prone;

Supervisors and employees shall familiarize themselves with proper sanitary care and storage of the protective equipment.

Section 97. Wearing of Safety Mask. All factory workers shall wear safety masks as may be required by the nature of their work. Any violation of this requirement shall be subject to the penal provisions of this Code.

Chapter XVII

ENVIRONMENT POLLUTION AND DISPOSAL OF DEAD PERSON

Section 98. General Provisions. For the purposes 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 Regulation of the Radiation Health Office of the Department of Health shall be applied and localized.

Section 99. Environmental Protection Compliance Certificate. The construction of buildings and establishment of business shall be covered with the Environmental Protection Compliance Certificate to be issued by appropriate national government agency subject to the validation and endorsement of the Municipal Health Officer.

Section 100. 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 twenty five (25) meters distant from any dwelling house and no house shall be constructed within the same distance from any burial ground.
- c) No burial shall be located within fifty (50) meters from any source of water supply.

Section 101. 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. If there has been no physician in attendance, it shall be issued by the Mayor, the Secretary of the municipal council or a

Councilor of a municipality where the death occurred. The death certificate shall be forwarded to the local civil registrar within forty eight (48) hours after death.

- b) Shipment of remains abroad shall be governed by rules and regulations of the Bureau of Quarantine.
- c) Graves where remains are buried shall be at least one and one-half (1 ½) 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 may be borne by the municipal government.
- e) The burial of remains in the municipal burial grounds shall not be prohibited on account of race, nationality, sex, religion or political persuasion.
- f) If the person who issued a death certificate has reasons to believe or suspect that the cause of death was due to violence or crime, he shall notify immediately the local authorities concerned. In this case the deceased shall not be buried until permission is obtained from the provincial or city fiscal. If these officials are not available the permission shall be obtained from any government official authorized by law.
- g) Except when required by legal investigation or when permitted by the local health authority, no unembalmed remains shall remain unburied longer than forty eight (48) hours after death.
- h) When the cause of death is a dangerous communicable disease, the remains shall be buried within twelve (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 102. 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 (3) years.
- b) Permission to disinter remains of person who died of dangerous communicable diseases may be granted after a burial period of five (5) 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 of the Director of Health 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.

Section 103. Funeral and Embalming Establishments. These establishments are subject to the following requirements :

- a) Scope of Inclusion. For the purpose of this section, requirements prescribed herein shall be applied and enforced to funeral chapels, embalming establishments and morgues.
- b) Sanitary Permit. No establishment mentioned in the preceding paragraph shall be operated without a sanitary permit issued by the Municipal Health officer or his duly authorized representative.
- c) Classification. Funeral establishments shall be classified in three (3) categories which are 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 – Establishment Offering only Funeral services from the House of the Deceased to the Burial Place.

For embalming and dressing rooms:

- 1) They should be constructed of concrete or semi-concrete materials with sufficient space to accommodate five (5) 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 washing 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 working personnel.

Section 104. Issuance of License. The issuance of license to undertakers and the embalmers are subject to the following requirements:

- a) Issuance of license to practice by the Department of Health.
 - 1) Any person who desires to practice undertaking or embalming shall be licensed to practice only after passing an examination conducted by the Department of Health.
 - 2) Licensed undertakers or embalmers shall practice undertaking or embalming in accordance with requirements prescribed by the Department of Health.
 - 3) Licensed undertakers and embalmers shall display their licenses conspicuously in the establishments where they work.
- b) Issuance of certificates of registration:
 - 1) An undertaker or embalmer shall apply annually for a registration certificate and pay an annual registration fee to the Regional Health Office concerned.

Section 105. Use of Remains for Medical Studies and Scientific Studies. Unclaimed remains may be used to medical schools and scientific institutions for studies and research subject to the rules and regulations prescribed by the DOH.

Section 106. 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.
- c) Before the 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 radioactive 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 duly authorized representative.
- e) Cremation. If cremation is performed without autopsy, there is no handling problem; otherwise, autopsy precautions should be strictly enforced. Precautions should be taken to prevent any possible concentration of radioactivity at the base of the stack of the crematorium.

Section 107. Responsibility of the Municipal Health Officer. The Municipal Health Officer shall:

- a) Issue permits to inter, disinter or transfer remains;
- b) Apply prescribed measures when cause or death is due to a dangerous communicable disease;
- c) Keep records of death occurring within his area of jurisdiction and
- d) Authorize the delivery of unclaimed remains to medical schools and scientific institutions for purposes specified in this Chapter in accordance the rules and regulations of the DOH.

Section 108. Responsibility of Local Government. The Local Government shall:

- a) Reserve appropriate acts of land under their jurisdiction, for cemeteries subject to approval of the Regional Director of the DOH;
- b) Utilize judiciously grants, gifts, bequest of property or financial donations for the establishment or improvement of cemeteries and
- c) Close cemeteries under their jurisdiction subject to the approval of the Regional Director of the DOH.

Section 109. Penal Provisions.

- a) The Municipal Health Office or his duly authorized representative may recommend revocation or suspension of the license of an undertaker or embalmer who violates any provisions of this Chapter or the Rules and Regulations promulgated by the Secretary of the DOH under this Chapter.
- b) Any person who shall engage in the business of undertaking or embalming in violation of any provision of this Chapter shall be liable to a penalty of not more than Two Thousand Five Hundred (P2,500.00) pesos for each violation.
- c) Each day or any part thereof during which any prohibited business or practice is continued shall be deemed a separate violation and subject to the same penalty prescribed in the preceding paragraph.

Chapter XVIII

PHILHEALTH CAPITATION FUND

Section 110. The use and management of the Philhealth Capitation Fund [PCF] shall be governed by the following rules:

- a. The capitation amount shall be released on a quarterly basis by the Corporation under the following conditions:

- 1) Initial release shall subject to prior accreditation of the municipality-owned and managed Rural Health Units and the payment of premium contribution by the Municipality and
- 2) Succeeding release of quarterly capitation shall be subject to the submission of required monitoring/evaluation reports, research and program development as provided for under the Implementing Guidelines of the Outpatient Consultation and Diagnostic Package and prior payment of premiums in case of quarterly mode of remittance.

Section 111. The disposition of the Philhealth Capitation Fund shall be governed by the following rules:

- a. The disbursement and liquidation of the PCF shall be in accordance with pertinent government accounting and auditing rules and regulations.
- b. A separate book of accounts shall be maintained by the local government unit and
- c. The capitation fund shall be used for the specified purposes stipulated in the Outpatient Consultation and Diagnostic Package Guidelines.

Section 112. The corporation may withhold the release of the subsequent quarterly PCF's due to any of the following:

- a. Delay or non-payment of premium contribution;
- b. Violation of government accounting and auditing rules and regulations on the disbursement and liquidation of the PCF; and
- c. Non-submission of the required reports under Section 88 and 89.

Section 113. Undertakings of the Municipality.

- a. Adoption of and/continued support to the National Health Insurance Program [NHIP] and its governing rules as set forth in R.A. No. 7875, as amended by R.A. No. 9241, and its revised Implementing Rules and Regulations. Such support shall include active advocacy for NHIP participation by private and non-government organizations within its territorial jurisdictions, mandating compliance to the NHIP rules by entities required to obtain LGU permits/licenses, and setting up of revolving funds for medicines in owned or managed hospitals, as may be warranted under existing rules/ guidelines or similar future arrangements and/ or NHIP issuance;
- b. Grant of authority to the Mayor to enter into any favorable modification of this agreements; and
- c. Continuous allocation of funds as the LGU's counterpart subsidy for qualified beneficiaries within its jurisdiction as evidence by a Certificate of Availability of Funds.

Section 114. Enforcing Agency. The Municipal Health Office and Municipal Treasurer's Office are hereby mandated to strictly enforce this ordinance

- a) Unless otherwise provided in any Chapter or Section in this Code, any person who shall violate, disobey, refuse, omit or neglect to comply with any of the provisions of this Code and the rules and regulations promulgated under this Code shall be guilty of misdemeanor and, upon conviction, shall be punished by imprisonment for a period not exceeding six (6) months or by a fine of not exceeding P2, 000.00 or both depending upon the discretion of the court.

- b) Any person who shall interfere with or hinder, or oppose any officer or agent of the Municipal Government in the performance of his duty as such under this Code, or shall tear down, mutilate, deface or alter any placard or notice, affixed in the premises in the enforcement of this Code, shall be guilty of a misdemeanor or shall be punished upon conviction by imprisonment for a period not exceeding six (6) months or by a fine of not exceeding one thousand (P1,000.00) pesos or both depending upon the discretion of the court.

CHAPTER XIX

THE NEW BORN SCREENING

Section 115. Responsibility of Parents.

- A. A parent or legal guardian may refuse testing on the ground beliefs and others but shall acknowledge in writing their understanding that refusal for testing putting their newborn at risk for undiagnosed heritable conditions.
- B. A parent/pregnant mother must submit herself for pre-natal or regular check-up to their cluster Health Center in a scheduled time
- C. Responsible parenthood seminars must be done regarding this Newborn Screening once in every quarter or in an availability of time in every Midwife assign in a cluster Health Center.
- D. See notice of where-about of Midwife assigned in her cluster center (O.B. Official Business)
- E. Responsible for any counter parting from Municipality a PhilHealth Member.

Section 116: Implementation.

The MHO shall be the lead agency in implementing this ordinance for purposes of achieving the objectives of this, the MHO shall:

- a. Establish the advisory committee on Newborn Screening,
- b. Develop the implementing Rules and regulations for the immediate implementation of a Newborn Screening Program.
- c. Coordinate with the Department of the Interior and Local Government (DILG) thru the Municipal Local Government Operations Officer [MLGOO] for implementation of the Newborn Screening Program.

Section 117. Database.

All Newborn Screening Center shall Coordinate with the National Institute for Health (NIH) Newborn Screening Reference Center shall maintain a national database of patients tested and a registry for each condition.

It shall submit reports annually to the Committee and to the DOH on the status of and relevant health information derived from the data base. A plan for long-term outcome evaluation of newborn screening utilizing the cases registries shall be developed within one (1) year of passages of this ordinance by National Institute for Health Newborn

Screening Reference Center in consultation with the Advisory Committee on Newborn Screening. Implementation of this plan shall become the responsibility of the Advisory Committee on Newborn Screening.

Section 118. Newborn Screening Fees and Charges.

The Philippine Health Insurance Corporation (PHIC) shall include cost of Newborn Screening Fees in its benefits package. The newborn screening fee shall be applied to, among others, testing costs, education, sample transport, follow up and reasonable overhead expenses.

To ensure sustainability of the National System for Newborn Screening, the newborn screening fee shall be divided and set aside for the following purposes:

1. Formulating policies to improve Maternal Child Health (MCH)
2. Municipal Probation issued to regulate the practice of traditionally Based Attendants (TBAs) and to encourage facility based delivery.
3. Municipal Ordinance issued prescribing the rate of service charges rendered by the Municipal Health Office providing incentives to Women Health Team.

Newborn Screening Fee- The newborn screening fee is Six Hundred Fifty pesos (P650.00) which consist of cost of kit containing screening materials and necessary things for newborn screening

- a. 50% will be shouldered by the Municipal Government – P325.00
- b. 50% by the parents –P325
- c. If PhilHealth Member subject for refund by the Office of PhilHealth
- d. If indigent (poorest among the poor) is for free with proper document attached
- e. The pregnant women should start paying their share of payments during their pre-natal period.

A fee of Fifty pesos (P50.00) should be collected starting on the 3rd month of prenatal days up to the 8th month and o the 9th month an amount of Seventy Five Pesos (P75.00) should be collected to complete the amount of P325.00 pesos. In case of the increase of fees or charges, the 50-50 scheme will follow.

CHAPTER XX

BIRTHING FACILITY

Section 119. Administrative Mechanism. The operation of the birthing facility and half way home shall be managed by the Midwives under the supervision of the Municipal Health Officer and Nurses. The facility shall operate on a Twenty four (24) hour basis, to serve the needs of pregnant women and those who have given birth.

Section 120. The services offered by the Municipal Birthing Facility are Pre-natal Care, Post-Partum care, Neonatal care and Family Planning Services.

Section 121. The Birthing Facility shall serve all full-term pregnant constituents of the Municipality of Tigbauan regardless of age of gestation.

Section 122. Prohibition of Home Deliveries. Any traditional birth attendant is prohibited to perform home deliveries. He/she may only assist in bringing the pregnant mother to the birthing facility and/ or Half Way Home. This intends to safeguard the life of the mother and the newborn since obstetrical complications is neither predictable nor avoidable but can be treated if identified early and handled by skilled and licensed health personnel.

Section 123. Penalty. Any traditional birth attendant and/ or mother found to have violated any provision of this ordinance shall be penalized of not more than Two Thousand Five Hundred Pesos (P2,500.00)

Chapter XXI

AFFILIATION AND TRAINING OF STUDENTS

Section 124. Regulatory Clause

The Rural Health Committee on Affiliation and Training of Students (RHUCATS) shall be created. The Committee shall be composed of at least 5 RHU staffs that are directly involved in affiliation and training:

1. Functions:

- a. Screen and approve affiliation applicant (school/universities/colleges) as per Administrative Order issued.
- b. Supervise activities of students' affiliation and training activities at the RHU at all levels in accordance with the set standards by NCATS/RCATS.
- c. Formulate guidelines appropriate to their situation based on the set affiliation policies and procedures.
- d. Monitor and evaluate all affiliation program and activities at the RHU.
- e. Determine proration of affiliation fees both for the groups directly and indirectly involved in affiliation and training.
- f. Facilitate purchase of equipment, supplies, materials, journals and other needed paraphernalia for affiliation and training to prevent interruption of affiliation activities.
- g. Update and maintain a list of schools/universities/colleges affiliating in the RHU.
- h. Submit quarterly report to NCATS/RCATS of all affiliation activities taking place in the hospitals and statistics reflecting the number of students admitted per school and per course school remittances and affiliation disbursements.
- i. Conduct regular dialogue with the school/colleges/universities affiliating to facilitate discussion of problems

Section 125. Procedures in Applying for Affiliation with the Department of Health Hospitals and Other Health Facilities:

- a. The RHU shall make available copies of affiliation contracts to schools, colleges and universities.
- b. All contracts of affiliation shall be duly accomplished and signed by both parties (Municipal Health Officer/Local Chief Executive and President of the College/University).
- c. For newly established schools, colleges and universities with Medical, Nursing and Midwifery courses, their course curriculum should pass through the

- Partnership on Alternative Health Science Education (PAHSE) to the Secretary of Health or his duly authorized representative.
- d. All duly accomplished affiliation contracts for Rural Health Unit under the Department of Health shall be forwarded to the National Committee for evaluation, prior to recommendation for approval to the Secretary of Health or his duly authorized representative.
 - e. For Rural Health Units in the region, all duly accomplished contracts shall be submitted to the Regional Committee (RGATS) for evaluation, prior to the recommendation by the Chairman for approval by the Regional Health Director or his duly authorized representative.
 - f. Application for affiliation shall be filed two (2) months before the start of the actual affiliation.
 - g. Affiliation Contracts shall be renewed yearly for the first two (2) years and every two (2) years subsequently.

Section 126. Standard Rates of Affiliation Fees:

- a. The following shall be the standard rate of fees to be collected by all agencies of the Department of Health from affiliating students from various disciplines:
 - Dentistry
 - Hospital Dietetics
 - Public Health Nutrition
 - Medical Technology
 - Medicine
 - Midwifery
 - Nursing
 - Occupational/Physical/ Respiratory Therapy P100.00 /student /month
 - Pharmacy P300.00 /student for 480 hours P100.00 /student for 160 hours
 - Psychology P 4.00 /student /hour (Baccalaureate Level) P 5.00/student/hour (Masteral Level) P 6.00 student /hour (Doctoral Level)
 - Radiologic Technology P 70.00 /student /month
 - Social Work P100.00 /student /month
 - Nurse/Health Aide P 30.00 /student /month P400. 00

The affiliation fees shall be collected by the affiliation agencies.

- b. These fees shall be treated as trust receipts in the books of collecting agencies, deposited in an authorized government depository bank.

Section 127. Distribution of Affiliation Fees:

1. General Principles

- All staff members in the Rural Health Unit shall have a share of honoraria from the total collection of affiliation fees per batch provided that all leaves and absences shall be proportionately deducted from the amount due him.
- Honorarium for the Resource Person shall be taken from the Training Service/Department concerned and shall be based on the number of hours he/she has lectured, consistent with the Civil Service Commission Issuance and Department Memorandum No. 25 s. 1995; and;
- In the event of conflicts regarding affiliation and training of students, the Municipal Health Officer has the authority to resolve the issues within his level in accordance with the Administrative Order.

2. The collected affiliation fees shall be divided on the following manner:

- Five per cent (5%) of the total collection shall be remitted by Manila hospitals and agencies to the National Committee on Affiliation and Training of Students (NCATS) and by the Regional Hospitals, Medical Centers and other government health facilities to the Regional Committee on Affiliation and Training of Students (RCATS), respectively, and shall be used in the following manner:
 - 1% - meetings, conferences and other activities
 - 2% - equipment, supplies, materials, journals and literatures
 - 2% - honorarium/incentive for Committee Members
- Forty percent (40%) shall be used to fund attendance of affiliation trainers to Human Resource Development activities and to procure supplies and equipment based on training needs as well as for research related to training, as determined by the Committee. The Accounting Office shall furnish a copy of the updated report of affiliation fees collection and disbursement to the Director and Chief Training Officer copy furnished NCATS/RCATS.
- Fifty Five Percent (55%) shall be intended for honoraria or incentives for personnel:
 - Sixty Percent (60%) for the Training Service/Department concerned (pro-rated) Forty Percent (40%) for the other RHU Staff (pro-rated).
 - Guidelines for Pro-rata Allocation:
 - b.1 For Service/Department providing training: A RHUCATS shall be formed in the agency which is composed of one representative from each position group to formulate percentage distribution for each category of staff based on the degree of their participation in the training of students.
 - b.2 For RHU Staff Members who are not involved:

For the other RHU Staff Members who are not directly involved in affiliation, RHUCATS shall work on the distribution of fees.

3. Other government-owned or controlled schools or colleges shall be required to pay the affiliation fees to the Department of Health hospitals and Rural Health Units Health Centers, except, the University of the Philippines. However, the University of the Philippines shall be required to accomplish the necessary contract of affiliation.

Chapter XXII

AEDES – BORNE DISEASES

Section 128. ESTABLISHMENT OF MUNICIPAL AEDES-BORNE DISEASES TASK FORCE AND PREVENTION TEAM - In line with the powers of the Local Government Units to cooperate with each other in matters which would be beneficial to them and to aid the province in its bid to prevent and control Aedes-Borne Diseases, a

functional Municipal Aedes-Borne Diseases Monitoring and Prevention Team shall be established.

- 1.1 COMPOSITION** – The Municipal Aedes-Borne Diseases Task Force and Prevention Team shall be composed of the following, subject to additional membership as the need arises:

Chairman: Municipal Mayor
Vice-Chairman: Municipal Health Officer
Members: Chairman, Committee on Health and Sanitation
School Principals
MSWDO
Federated President, Parent-Teachers Association
Municipal Health Nurses
Rural Health Inspectors
ABC President

- 1.2 FUNCTIONS** – the functions of the Municipal Aedes-Borne Diseases Task Force and Prevention Team are enumerated hereunder but not limited to the following:
- a.) Monitor the incidence of Dengue, Zika and Chikungunya within their territorial jurisdiction and report the same to the Provincial Epidemic Surveillance Office;
 - b.) Coordinate with and aid the Provincial Epidemic Surveillance Office in the implementation of programs and projects;
 - c.) Conduct massive information drive for the awareness of Aedes-Borne Diseases;
 - d.) Facilitate and organize year round clean-up drives to be conducted every Friday at 4:00 in the afternoon.

Section 129. ESTABLISHMENT OF THE BARANGAY AEDES-BORNE DISEASES TASK FORCE AND PREVENTION TEAM

- 2.1** To effectively prevent and control the occurrence of Aedes-Borne Diseases at the grass root level, an organized and functional Barangay Aedes-Borne Diseases Monitoring and Prevention Team shall be established.

- 2.2 COMPOSITION** – The Barangay Aedes-Borne Diseases Task Force and Prevention Team shall be composed of the following, subject to additional members as the need arises:

Chairman: Punong Barangay
Vice-Chairman: Midwife
Members: Chairman, Committee on Health and Sanitation
Chief Tanod
Barangay Health Workers

- 2.3 FUNCTIONS** – It shall be the duty of the Barangay Aedes-Borne Diseases Task Force and Prevention Team to:

- a.) Monitor the incidence of Aedes-Borne Diseases in their Barangay and report the same to the Municipal Aedes-Borne Diseases Monitoring and Prevention Team;
- b.) Aid in the implementation of the “KAYA-KULOB” Program of the Municipal Aedes-Borne Disease Monitoring and Prevention Team;

- c.) Coordinate with their Local Government Unit with respect to the information and awareness campaign against Aedes-Borne Diseases;
- d.) Aid in the implementation of the Friday clean-up drive as provided for in this Ordinance;
- e.) Submit an evaluation report to Municipal Aedes-Borne Diseases Monitoring and Prevention Team.

Section 130. AEDES-BORNE DISEASES PREVENTION AND CONTROL PROGRAMS AND ACTIVITIES – To promote the general welfare and safety of the people of the Municipality of Tigbauan, the following Programs and Projects shall be mandated and implemented to achieve the purpose of preventing and controlling Aedes-Borne Diseases, to wit:

a.) The municipality shall implement the 4S Kontra Aedes-Borne Diseases, a program which pursue strategies to prevent Aedes-Borne Diseases:

a.1) SEEK AND DESTROY BREEDING PLACES OF MOSQUITOES

- It shall be the responsibility of every household to observe the 4:00 o'clock habit;
- An hour every Friday for the months of June to August shall be allotted for the clean-up of household and barangay premises;
- Schools shall also set a time and date for similar clean-up drives;
- Eliminate habitats where mosquitoes lay their eggs such as places with stagnant water. Bamboo poles which hold rain water must be covered with sand or plastic. Any container which hold water such as bottles, cans, coconut shells, etc., must be properly disposed of or turned over or adapt the "KAYA-KULOB" approach;
- Areas with stagnant water in the surrounding must be covered with salt water or used oil.
- To encourage residents in the Barangay to observe disposal of garbage;
- Using biological approach by every household to take care of ducks, geese, and fish in fishponds are also advised.

a.2) SEEK EARLY TREATMENT

As soon as the following symptoms are observed, seek immediate consultation with midwives, nurses or doctors:

- Sudden High-Grade Fever
- Severe Headache
- Severe joints and muscle pains
- Pain behind the eyes
- Swollen glands
- Nausea and vomiting
- Skin rash which appears 2-5days after onset of fever
- Fatigue
- Bleeding
- Low Blood Pressure

a.3) SELF-PROTECTION MEASURES

- Modify clothing. Use long sleeves, long pants and socks. Prevent skin exposure as much as possible;
- Use mosquito repellents on skin;
- It shall be the duty of every person to seek treatment or consult with Physician, or in his absence, a health worker, as soon as

symptoms of Dengue, Zika and Chikungunya Diseases are observed;

- Promote the use of mosquito nets even during daytime;
- Promote the use of window and door screens.

a.4) SAY “NO” TO INDISCRMINATE FOGGING

- Fogging of specified areas, which shall be determined by the Municipal Aedes-Borne Diseases Monitoring and Prevention Team. The manner of fogging shall likewise be implemented within the specification of the said team;
- Application of larvaecidal agents that will be applied or spread to known and verified breeding grounds of mosquitoes as identified by the Municipal Aedes-Borne Diseases Monitoring and Prevention Team.

b.) It is likewise the duty of every person to report to their barangay official any incidence of Dengue;

c.) Conduct massive information and awareness drive, especially in schools and in the barangay level, through community assemblies and the like.

Section 131. INTENSIFIED SURVEILLANCE SYSTEM - the Rural Health Units and the District Hospitals shall create a system of intensified surveillance and reporting of Aedes-Borne Diseases cases in order to contain the spread of these diseases and detect new cases. The RHU shall submit a weekly report of cases to the Provincial Surveillance Unit (PSU).

In case the Municipal Aedes-Borne Diseases Task Force and Prevention Team declares an outbreak, there shall be free blood testing of Complete Blood Count (CBC) and Platelet Count at an area designated by the aforementioned team.

Section 132. MANDATORY APPROPRIATIONS – A budget for the implementation of the programs and activities of this Ordinance shall be allocated from the Health Programs (Environmental Sanitation Programs) from the Gender and Development (GAD) budget Of the Local Government Unit (LGU) of the Municipality of Tigbauan.

Section 133. PENAL CLAUSE

a.) Any person found to have materials/vessels within his control and possession which facilitate the breeding of mosquitoes and/or he fails to observe the KAYA-KULOB SYSTEM:

b.) Any person who shall fail to observe the 4:00 o’clock PM habit;

c.) Any person found to practice indiscriminate fogging.

Those found to have violated the above-mentioned acts shall be meted the following administrative penalty:

FIRST OFFENSE: Two Hundred Fifty Pesos (P250.00) and/or Community Service

SECOND OFFENSE: Five Hundred Pesos (P500.00) and/or Community Service

THIRD and SUBSEQUENT OFFENSES: One Thousand Pesos (P1,000.00) and/or Community Service.

The proceeds of the fine or penalty imposed in this Ordinance should go to the respective barangays (as an incentive and motivation for them to enforce the Ordinance).

Chapter XXIII

STI, HIV & AIDS PREVENTION & CONTROL

Section 134. The Council – There shall be a creation of “2018 Municipality of Tigbauan Multi-Sectoral STI, HIV and AIDS Prevention and Control Council and its Technical Working Group” for the purpose of overseeing the implementation of this Ordinance.

Section 135. Composition – the Council shall be composed of the following:

- | | |
|--|--------------------|
| a. Municipal Mayor | - Chairperson |
| b. Municipal Vice Mayor | - Vice Chairperson |
| c. Committee Chairperson on Health and Sanitation | - Vice Chairperson |
| d. All SB Members | - Member |
| e. Municipal Health Officer | - Member |
| f. Municipal Social Welfare and Development Officer | - Member |
| g. MLGOO | - Member |
| h. DepEd Representative | - Member |
| i. PNP Chief | - Member |
| j. Representative from Faith-based Organization | - Member |
| k. Representative from LGBT Community | - Member |
| l. Representative from Youth Organizations in the Municipality of Tigbauan | - Member |
| m. STI, HIV and AIDS Municipal Coordinator | - Member |

Membership may be increased by the Sangguniang Bayan upon the recommendation of the Council.

Section 136. Powers and Functions – The Municipality of Tigbauan Multi-Sectoral STI, HIV and AIDS Prevention and Control Council shall have the following powers and functions;

- a. Formulate policies and strategies consistent with Republic Act 8504 for the prevention and control of STI, HIV and AIDS in the Municipality of Tigbauan;
- b. Coordinate activities, mobilize measures and strengthen working relationship among government and non-government agencies and other stakeholders involved in the campaign against STI, HIV and AIDS;
- c. Promote information, education and communication campaign on STI, HIV, and AIDS prevention and control and ensure that such efforts reach and benefit the key population;
- d. Development an annual STI, HIV, and AIDS prevention plan with corresponding budget;
- e. Identify and prepare remedies to problem in program implementation, program coordination, gaps in policy guidelines and enhance local multi-sectoral response to STI, HIV and AIDS concerns;
- f. Initiate skills development and capability building, advocacy programs and develop strategies to benefit the key population;

- g. Create the Technical Working Group, identify the composition thereof and define its powers and functions.

Section 137. Meeting – The Council shall meet at least once every quarter or as often as may be necessary by serving the notice to all members at least five working days before the meeting.

Section 138. Quorum – The presence of at least half of the number of council members plus one (1) shall constitute a quorum for purposes of doing business.

Section 139. Secretariat of the Council – The Secretariat of the Council shall perform the following duties and functions:

- a. Prepare the agenda of the meetings of the Council and record the minutes of the same;
- b. Shall keep all the records of the Council;
- c. Collate reports from member agencies of the Council;
- d. Submit to the Chairman and copy furnish to the Vice-Chairman of the Council and Annual Accomplishment Report of the Council; and
- e. Send communication letters relative to the schedule of meetings of the Council.

Section 140. Nature and Scope – STI, HIV and AIDS education and information shall consist of knowledge, skills and attitude competencies targeted for the following groups:

- a) Students and teachers in the primary, secondary, tertiary and vocational schools;
- b) Health workers and their clients in the government and private sector;
- c) Operators and/or managers of entertainment establishments and entertainers;
- d) Employers and employees in the government and private offices;
- e) Tourists and transients;
- f) Communities;
- g) Key Population; and
- h) Other population groups with relatively higher risk of acquiring or transmitting STI, HIV and AIDS;

Section 141. Training of Peer Educators - All persons who will conduct an education information activity on STI, HIV and AIDS shall be required to undergo seminar or training accredited by the DOH, The DOH shall certify the competency of persons or organization conducting STI, HIV and AIDS education with concurrence of the council.

Section 142. Education in Schools and Communities – The Council shall encourage DEPED to integrate in subjects taught in public and private schools at elementary, secondary, and tertiary levels, STI, HIV and AIDS education specifically on the causes, modes of transmission and ways of preventing STI, HIV and AIDS. It shall also be integrated into the non-formal education program and in the indigenous learning systems; Family Development Sessions conducted in the communities shall also include topics such as STI, HIV and AIDS.

Section 143. Education in Other Workplaces – In compliance with Department Order No. 102-10, Series of 2010 of the Department of Labor and Employment (DOLE) and Announcement No. 21 Series of 2010 of the Civil Service Commission. STI, HIV and AIDS education shall be integrated in the orientation, training, continuing education

and other human resource development programs of employees and employers in the government and private offices. Employers shall develop, implement and evaluate a workplace STI, HIV and AIDS education and information program for all their workers.

Section 144. Education in the Communities – Local government units through their health, social welfare and population offices shall undertake an STI, HIV and AIDS education and information programs in their communities in coordination with non-government organizations and civil society group.

Section 145. Information for Tourists and Transients – Informational materials for STI, HIV and AIDS shall be adequately provided at all ports of entry or exit.

Section 146. Information Dissemination as Health Service – STI, HIV and AIDS education shall form part of the services of health workers in both the government and private sectors. The information dissemination on STI, HIV and AIDS shall be discussions on HIV-related ethical issues such as confidentiality, informed consent and the duty to provide treatment.

Section 147. Declaration of AIDS Awareness Month – The month of December, being the World AIDS Prevention Month, is hereby declared as AIDS Awareness Month in the Municipality of Tigbauan, Iloilo. The Council shall spearhead the advocacy programs during the said month and ensure that appropriate funds for these events shall be appropriated, allocated or sourced out.

Section 148. Purpose – A Social Hygiene clinic in every Municipal Health Office is encouraged by the Council to be established. This shall be in the frontline of STI, HIV and AIDS prevention and control. It shall be strengthened by the Municipal Government through the provision of adequate technical and logistical support, facilities and funding.

Section 149. Precautions Against HIV Transmission - The principles and guidelines to protect any person from HIV transmission and precautionary measures on the donation of blood, tissue or organ; during surgical, dental, embalming, tattooing or similar procedures; and on the handling and disposition of cadavers, body fluids or wastes of persons known or believed to be HIV-positive, as mandated in Article II of Republic Act 8504 shall be strictly observed.

Section 150. Voluntary HIV Testing – No compulsory HIV, testing shall be allowed. However, voluntary testing for individuals with high risk for contracting HIV shall be encouraged.

Section 151. Prohibitions on Compulsory HIV Testing – Compulsory HIV testing as a precondition to employment, admission to educational institutions, the exercise of freedom of abode, entry or continued stay in the country, or the right to travel, the provision of medical service or any other kind of service, or the continued enjoyment of said undertakings shall be deemed unlawful.

Section 152. Exceptions – Conditions for voluntary HIV testing and exceptions to compulsory HIV testing, as provided in Article III of Republic Act No. 8504; shall be strictly observed.

Section 153. Anonymous HIV Testing – The Social Hygiene Clinics and HIV testing centers shall guarantee anonymity and medical confidentiality in the conduct of the HIV test. The use of an assumed name or code name instead of the real name, and written informed consent using said assumed or code name is allowed.

Section 154. Pre-test and Post-test Counseling – The HIV testing center shall be required to provide free pre-test and post-test counseling for persons who avail of their HIV testing services.

Section 155. Access to Services – Persons with STI, HIV and AIDS shall have access to basic health and support services through the community and hospital-based programs without prejudice to optimum medical care which may be provided by special AIDS wards and hospitals.

Section 156. Ethics of Care – Health workers providing health services, examinations and education to clients shall adhere to the basic principles of ethics of care. They shall also be sensitive to gender and sexual orientation in their treatment of patients, informing them of their rights, including the right to file charges for abuse committed against them.

Section 157. Livelihood Programs and Trainings – DOLE and TESDA are encouraged to conduct livelihood, skills enhancement and cooperative programs and it shall be made available to all persons with HIV/AIDS.

Section 158. Control of Sexually Transmitted Infections – The Council shall pursue the prevention and control of STIs to help contain the spread of HIV Infection.

Section 159. Monitoring and Reporting – The Council in coordination with the Department of Health, shall develop a comprehensive STI, HIV, and AIDS monitoring program and reporting procedures on the prevalence of such disease in the Municipality.

Section 160. Documentation – STI, HIV and AIDS contact tracing activities shall be initiated by the Rural Health Unit in coordination with the Council. All other related activities shall be monitored and reported by the Council. Any information gathered shall remain confidential and shall not be used in any way to become the basis or qualification for employment, school admission, freedom of abode or travel.

Section 161. Handling of Medical Information – Any person in custody of medical record or test results shall strictly observe confidentiality in handling of all medical information, particularly the identity and status of persons with HIV. Exceptions to the mandate of confidentiality and to the regulations on the release of HIV/AIDS test results shall strictly adhere to the provisions of Article VI of Republic Act No. 8504.

Section 162. Disclosure to Spouse or Sexual Partner – Any person with HIV is obliged to disclose his/her status and health condition to his/her spouse or sexual partner at the earliest opportune time.

Section 163. Discriminatory Acts and Policies – The following are considered discriminatory against a person on the basis of actual, perceived or suspected HIV/AIDS status and are considered unlawful:

- a. Denial of hiring promotion, assignment or benefits from employment; and termination of work;
- b. Refusal of admission, participation in school activities, benefits and services to a student;; segregation or expulsion;
- c. Abridgment of freedom of abode, lodging and travel, quarantine, isolation, or refusal of lawful entry into the Municipality;
- d. Disqualification from an elective or appointive office;
- e. Exclusion from credit and insurance services including health, accident and life insurance;

- f. Refusal of health care services or be charged with a higher fee; and
- g. Denial of decent burial services.

Section 164. Education in Entertainment Establishments (Sec. 13) Violation of Prohibition on compulsory HIV Testing (Sec, 26) Ethics of Care (Sec 31) and Handling of Medical Information (Sec. 36).

Section 165. Any Discriminatory act or policy against a person on the basis of actual perceived or suspected HIV/AIDS status as cited on Article XII.

Section 166. Penalties –

A. Any person, or groups of persons or establishment found guilty of committing any of the punishable acts enumerated in Article XII shall be meted with the following penalties:

- On the first offense, a fine of One Thousand Pesos (P1,000.00) and/or an imprisonment of one (1) month, at the discretion of the court;
- On the second offense, a fine of One Thousand Five Hundred Pesos (P1,500.00) and/or an imprisonment not exceeding three (3) months, at the discretion of the court; and
- On the third offense, a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or an imprisonment of six (6) months and/or suspension or revocation of business permit and license to operate at the discretion of the court.

B. For a group of persons or establishment, the penalties shall be imposed on the president or manager in case of a company, corporation or association; the owner, proprietor or office or building. All fines collected shall be used to finance STI, HIV and AIDS programs, projects and campaign of the municipality.

Section 167. Budgetary Requirement – Funds necessary for the operation of the council and implementation of this Ordinance shall be provided by the Municipal Health Office under GAD Programs. Thereafter, such sums as may be necessary for the continued implementation of this Ordinance shall be appropriated accordingly under the Annual Executive Budget.

Chapter XXIV

ZERO OPEN DEFECACTION

Section 168. Declaration of Policy. Sustainable sanitation thru Zero Open Defecation is hereby declared the policy of the Municipality of Tigbauan. This policy is anchored on the principle that sustainable sanitation is a public good and like health is a fundamental human right, in addition to being an essential component of total human development. In line with promoting greater social equity, the focus of sustainable sanitation is on the poorest population groups and the poorest barangays, with sensitivity to gender and cultural norms.

Section 169. Objectives. It is the objective of this Ordinance to promote sustainable sanitation thru Zero Open Defecation for all residents of the Municipality of Tigbauan.

By 2022, the following should have been achieved;

- (a) All LGU's having their own local sustainable sanitation plans and budgets in place under the Municipal-wide Investment Plan for Health (MIPH);
- (b) All barangays declared Zero Open Defecation Free;

- (c) All river systems province-wide designated as Water Quality Management areas; and.
 - (d) Achieving 100% of population in all Barangays with sanitary toilets.
- By 2028, the following should have been achieved:
- (a) Universal access to safe and adequate sanitary facilities will have been achieved:
 - (b) Proper hygiene practices are accepted norms within families and communities; and,
 - (c) Sustainable sanitation are institutionalized.

Section 170. Organizing the Verification and Certification Team:

- 1) To conduct ZOD verification, the Verification Team needs to be established at the municipal level. Every member of the team shall carry a good reputation that they shall remain unbiased.
- 2) The Municipal Verification Team shall be composed of the following but not limited to:
 - (a) Municipal Health Officer;
 - (b) SB-Chairman, Committee on Health and Sanitation
 - (c) Medical Officer
 - (d) Sanitation Inspector/s
 - (e) Nurses
 - (f) Department of Health representative;
 - (g) Municipal Health Office representative;
 - (h) MSWDO
 - (i) MENRO
 - (j) MPDC
 - (k) All Rural Midwives of Catchment Barangays

Section 171. Steps on the Verification and Certification of Barangay ZOD Status.

The verification and certification shall involve the following activities:

1. Barangay Officials shall submit letter request with the ZOD Report to the Municipal Verification team when ZOD status has been achieved by the barangay. At this stage, every single household should have been checked by local leaders and/or the Barangay Sanitation Inspector and Barangay Sanitation Volunteer to ensure that they are ZOD and this information should be described in the ZOD report.
2. Municipal Verification team shall visit the barangay to verify the claim using the ZOD Verification Form. The Team could do sampling at least 10% of the households in the barangay.
3. If the barangay has confirmed to have attained ZOD status based on the information gathered, the Municipal verification team shall declare the barangay ZOD status and provide the certification.
4. The Certificate ZOD Barangays and the number of barangays that declared ZOD should be reported by the Municipal Verification Team to Provincial level, then Provincial to Regional level for recording and monitoring purposes and program planning.
5. ZOD status and its improvement shall be monitored every six (6) months by the Sanitary Inspectors and the data reported to the Municipal Health Office. The ZOD status can be revoked if the barangay does not sustain its status according to the criteria set.

6. The Municipal Health Office shall provide the barangays with the sample/template of the following:
 - (a) Barangay letter-request for verification and certification of Zero Open Defecation (ZOD) status;
 - (b) ZOD Report template; and,
 - (c) ZOD Verification form.

Section 172. Sustainability. For the program to be sustainable, the following shall be observed:

- a. Each municipality shall have their Annual Operation Health Plan which includes the purchase of toilet bowls and other materials.
- b. No proposed budget of the municipality shall be approved by the Sangguniang Panlalawigan without provisions allocating certain budget for the purchase of toilet bowls and other materials.
- c. Advocacy thru information and education campaign.
- d. Pre-marriage counseling- During the pre-marriage counseling, the construction of sanitary toilet shall be encouraged.
- e. There should be a Barangay Task Force created that will monitor households that have no sanitary toilets.

Section 173. Budget. The Municipal Government shall allocate P50,000.00 from the Environmental Sanitation Budget of the Municipal Health Office for the purchase of toilet bowls and other materials. This allocation should have a barangay counterpart to ensure proper installation of these sanitary toilets.

Section 174. Monitoring and Evaluation. There should be a Barangay Task Force created that will monitor households that have no sanitary toilets and should be composed of the following:

- 1.) Punong Barangay
- 2.) Brgy. Kagawad- Chairman Committee on Health & Sanitation
- 3.) All other Barangay Kagawads
- 4.) BHW

Barangay officials thru the Barangay Health Board will submit report to the Municipal Health Board as to the Provincial Health Board. The Provincial Health Office will submit a report to the Sangguniang Panlalawigan addressed to the Committee on Health and Sanitation as to the functionality of the Local Health Board and the Zero Open Defecation Program of every municipality. The Provincial Team will monitor the sustainability of the ZOD program.

Section 175. Distribution Scheme

- a) Target Beneficiaries:
 1. 1st Priority - Households without toilets
 2. 2nd Priority – Households sharing toilets
 3. 3rd Priority - Households with insanitary toilets
- b) Identification of Recipients/Beneficiaries
 1. The Barangays, through their respective Punong Barangays, shall submit Barangay Council Resolutions with target beneficiaries to the Rural Health Officer.
 2. Beneficiaries identified by the Punong Barangays shall be validated by the Municipal Rural Sanitation Inspectors. Once qualified, it shall be endorsed by the Municipal Health Officer and approved by the Local Chief Officer to the Project Management Committee.

3. The Project Management Committee, upon receipt of the resolution, shall validate if the list of beneficiaries have met the criteria. The Committee shall make a recommendation to the Governor for approval.
4. An orientation on Zero Open Defecation Movement shall be conducted by the Provincial Health Office together with the Project Management Committee among the Local Chief Executive, Municipal Health Officers, Midwives, Rural Sanitary Inspector and Punong Barangays prior to actual implementation.

Section 176. Penalty Clause. Penalties for households that have no sanitary toilets are hereby imposed as follows:

1. First Offense- Admonition;
2. Second Offense- Counseling; and,
3. Third Offense-Community Service

Chapter XXV

ANNUAL GENERAL PHYSICAL EXAMINATION

Section 177. All officials and employees of the Municipality of Tigbauan, Iloilo whether permanent or co-terminous shall undergo an annual physical examination.

Section 178. The annual general physical examination may include Complete Blood Chemistry, CBC, Urinalysis, Fecalalysis, ECG and Chest X-Ray.

Section 179. The annual general physical examination shall be done at RHU and accredited laboratories.

Section 180. The Human Resource Management and Development Office shall schedule the annual general physical examination during the first quarter of every year.

Section 181. The records of such general physical examination shall form part of the personnel records for purposes of future evaluation, and shall be kept and maintained by the Human Resource Management and Development Office of the Municipality of Tigbauan.

Section 182. Appropriations necessary for supplies for the annual general physical examinations shall be included in the Annual Executive Budget of the Municipality of Tigbauan.

Section 183. Any violation of the provisions of this ordinance shall be a ground for disciplinary actions in accordance with civil service laws and regulations and other pertinent laws relative thereto.

Section 184. This ordinance shall take effect after its posting in three (3) conspicuous places at the Tigbauan Municipal Hall for 3 consecutive weeks and its publication in a newspaper of general circulation in the Province of Iloilo, whichever comes later.

Chapter XXVI

USE OF THE MUNICIPAL AMBULANCE

Section 185. Regulatory Clause

- 1. The municipal ambulance shall be parked or at stand-by in the premises of the Municipal Hall, and its driver on 24-hour call.
- 2. Only drivers duly authorized by the Department Head of the Municipal Health Office (MHO) are allowed to operate the vehicle.
- 3. The municipal ambulance shall be used on matters concerning health services:
 - a. To serve the needs of the Municipal Health Unit;
 - b. To be used during emergency cases per assessment of municipal physicians;
 - c. The use of the ambulance for non-emergency cases, such as ferrying patients from the hospital back to his/her home, shall be subject on the units availability and upon the discretion of the department head (MHO);
 - d. Private physicians having emergency patients that need to be brought to the hospital shall coordinate with the Municipal Health Officer or with Municipal Physicians regarding the use of the ambulance.
- 4. Trip tickets shall be duly accomplished before using the ambulance in non-emergency cases and during emergency cases, trip tickets shall be duly accomplished within 24 hours after the use of the ambulance. All referrals shall be entered in a logbook to be maintained for the purpose.

5. Ambulance Fees:

| | |
|--------------------------|---------|
| Tigbauan-RPTMH, Guimbal | P200.00 |
| Tigbauan-Iloilo | P500.00 |
| RPTMH, Guimal-Iloilo | P600.00 |
| Non-resident of Tigbauan | P700.00 |

Chapter XXVII

NATIONAL HEALTH INSURANCE PROGRAM (NHIP)

Section 186. Regulatory Clause

1. Undertakings of the Municipality

- a. Adoption of and/or continued support to the National Health Insurance Program and its governing rules as set forth in R.A. 7875, as amended by RA 9241, and its Revised Implementing Rules and Regulations. Such support shall include active advocacy for NHIP participation by private and non-government organizations within its territorial jurisdictions, mandating compliance to NHIP rules by entities required to obtain LGU permits/licenses, and the setting up of revolving funds for medicines in owned or managed hospitals, as may be warranted

- under existing rules/guidelines or similar future arrangements and/or NHIP issuance;
 - b.** Grant of authority to the Mayor to enter into an agreement with PhilHealth and/or interpose favorable modification, revisions and/or amendment thereto;
 - c.** Continuous allocation of funds as the LGU's counterpart subsidy for qualified beneficiaries within its jurisdiction as evidenced by a Certificate of Availability of Funds.
 - d.** Set-up a PhilHealth Capitation Fund from the proceed out of the capitation amount of THREE HUNDRED (P300.00) per family with paid premium whose use, management and disposition shall be governed by the rules stipulated in the Outpatient Consultation & Diagnostic Package Guideline and pertinent Memorandum of Agreement.
- 2. Enforcement Agency** – The Municipal Health Office, Sangguniang Bayan Office, and the Municipal Treasurer's Office are hereby mandated to strictly enforce this Ordinance.

Chapter XXVIII

BLOOD TYPING REGISTRY PROGRAM

Section 187 . REGULATORY

- 1. Role of Public Health Workers.** Personnel of the Municipal Health Office, Local Health Board, Population Program Officer in Tigbauan, are enjoined to actively support for the complete blood typing registry program of the municipality.
- 2. Role of the Barangays.**
 - a.** All 52 barangays of the Municipality of Tigbauan through their respective Barangay Councils particularly the Committee Chairperson on Health and the Barangay Health Workers (BHW) are likewise enjoined to provide support for this program, particularly during the conduct of community education and mass blood typing activities.
 - b.** It shall be the responsibility of the Barangay officials to facilitate the physical set-up in the conduct of blood typing activities which will be led by the Barangay Council Committee on Health and BHWs in close coordination with the ***LOCAL BLOOD TYPING REGISTRY COUNCIL*** as provided for in Section 10 hereof. The Barangay shall also make the updating of the Blood Typing Registry *by including this as one of the agenda of their regular session every 3 months.*
- 3. Methods** – the direct type of blood typing shall be utilized using the following steps:
 - a.** Blood is drawn from a capillary at the tip of the index finger.
 - b.** The puncture site is cleaned with a germ-killing product.
 - c.** A sharp needle or lancet is pricked into the index finger.
 - d.** Two (2) separate drops of blood are collected in the glass slide.
 - e.** Then the blood sample is mixed using a toothpick with antibodies against Type A and Type B blood to see whether or not the blood cells are stick together (agglutinate).

- Result: The blood cells stick together when mixed with,
- a. Anti serum A = Type A
 - b. Anti serum B = Type B
 - c. Both Anti-A and Anti-B = Type AB
 - d. If blood cells do not stick together with Anti-A and Anti-B = Type O

4. Materials for Blood Typing

- a. Glass slides
- b. Lancets
- c. Anti sera A
- d. Anti sera B
- e. Toothpicks
- f. Germ-killing product (*alcohol, lysol, etc.*)
- g. Cotton
- h. Disposable gloves
- i. Disposable masks

5. Coordination With Civil, Non-Government Organizations, Schools, Private And Government Institutions, Associations And Groups.

For purposes of a comprehensive blood typing registry, coordination and linkages shall likewise be established with the various civic, non-government organizations, schools, private and government institutions, associations and groups in the municipality. The blood typing should be one of the requirements for enrolment in schools and also be required to pregnant mothers undergoing pre-natal check up in the birthing clinics all over the municipality.

6. Local Blood Typing Registry Council. A Local Blood Typing Registry Council shall hereinafter be established in the Municipality of Tigbauan, through an Executive Order to be issued by the Municipal Mayor, following the policies and guidelines issued by the Department of Health. The Council is composed of the following:

- | | | |
|------------------|---|--|
| Chairperson | - | Municipal Mayor |
| Vice Chairperson | - | S.B. Com. on Health & Sanitation |
| Members | - | Municipal Health Officer |
| | - | Blood Program Coordinator (RHU) |
| | - | Red Cross Coordinator to LGU (RHU) |
| | - | Medical Technologist |
| | - | 52 Barangay Chairperson, Committee on Health |
| | - | 52 BHWs |
| | - | DepEd representatives (one per school) |
| | - | Private Practitioners |

7. Role of Local Blood Typing Registry Council:

- a. To lead in the completion of Registry Program
- b. To update the Registry Program *every quarter of the year*
- c. To ensure viability of the said program

8. Barangay Blood Typing Registry Council. There shall be a Barangay Blood Typing Registry Council in every Barangay composed of the Punong Barangay, Kagawad Committee on Health & Sanitation and the BHWs.

- 9. Meetings of Local Blood Typing Registry Council.** The Local Blood Registry Council shall meet every 3 months to update the program and this will be done together with the Local Health Board meeting.
- 10. Handling of Registry.** The registry is considered a vital document and its custody and care shall be the responsibility of the Local Health Board Chairman, the Municipal Health Officer, the Municipal Social Welfare and Development Officer and the Sangguniang Bayan Chairman of Committee on Health who should work closely to handle the Blood Registry Program.
- 11. Blood Type Card.** It shall be the sole responsibility of the Medical Technologist of the municipality to issue the necessary Blood Type Card duly signed by the Pathologist of the Department of Health and noted by the Chairman of the Local Health Board.
- 12. Funding.** An initial amount of Php. 300,000.00 shall be appropriated in the general fund to ensure the viability and continuity of the various activities related to the program chargeable against the Gender and Development (GAD) fund. Furthermore each Barangay shall appropriate a certain amount in their respective budget as deemed needed which will serve as their counterpart in the blood registry program, also to be included as part of their GAD programs, projects and activities. The blood typing registry can also be charged in the calamity fund.

Chapter XXIX

ANTI-SMOKING

Section 188. Prohibited Acts. — The following acts are declared unlawful and prohibited by this Ordinance:

- a. Smoking or vaping in enclosed or partially enclosed public places, workplaces, public conveyances (whether mobile or stationary), or other public places, such as those enumerated under Section 4 (m), except in Designated Smoking Areas duly approved and fully compliant with the requirements under Section 4 (e);
- b. For persons-in-charge to allow, abet or tolerate smoking or vaping in places enumerated in the preceding paragraph, outside of approved Designated Smoking Area under Section 4 (e);
- c. Selling or distributing tobacco products and/or ENDS to minors;
- d. Purchasing tobacco products and/or ENDS from minors;
- e. Ordering, instructing or compelling a minor to use, light up, buy, sell, distribute, deliver, advertise or promote tobacco products and/or ENDS;
- f. Selling or distributing tobacco products and/or ENDS in a school, public playground or other facility frequented by minors, offices of the Department of Health (DOH) and attached agencies, hospitals and health facilities, or within 100 meters from any point in the perimeter of these places;

Establishments/stores in possession of tobacco products or ENDS within 100 meters from any point in the perimeter of the premises above-mentioned shall be *prima facie* evidence that an offense or a violation of this provision is committed.

- g. Selling of tobacco products and/or ENDS within premises of a government facility;
- h. Selling tobacco products and/or ENDS without a municipal permit to sell tobacco products or ENDS;
- i. Selling of tobacco products and/or ENDS as individual pieces or per stick, or in tobacco product packs containing less than 20 sticks/pieces;
- j. Selling tobacco products and/or ENDS removed from its original product packaging or without the proper government-regulated and approved health warning;
- k. Selling tobacco products and/or ENDS by ambulant or street vendors, including other mobile or temporary stalls, kiosks, stations or units;
- l. Selling or distributing of sweets, snacks, toys or any other objects in the form of tobacco products which may appeal to minors;
- m. Placing cinema or outdoor advertisements of tobacco products and/or ENDS;
- n. Placing, posting, displaying or distributing advertisement and promotional materials of tobacco products or ENDS, such as but not limited to leaflets, posters, display structures and other materials within an establishment when such establishment or its location is prohibited from selling tobacco products and/or ENDS, as in *Section 5 (f)* and *(g)* above;
- o. Placing, posting, displaying or distributing advertisement and promotional materials of tobacco products or ENDS, such as but not limited to leaflets, posters, display structures and other materials that show a tobacco/ENDS brand's name (including company name), logo or indicia, such as in a point-of-sale establishment, where minors are allowed entry;
- p. Conducting promotional activities, campaigns, events, product sampling and the like, where the establishment or its location is prohibited from selling or unauthorized to sell tobacco products and/or ENDS and/or where minors are allowed entry;
- q. Displaying and placing tobacco products and/or ENDS in open store shelves/racks, except in enclosed, opaque and single-colored storages/containments;
- r. Facilitation, participation or partnership engaged by any government officials or personnel, regardless of employment status (permanent, casual, contractual, job order, consultant or special appointment) in any form of contribution, sponsorship or corporate social responsibility (CSR) activity, event, program or project by a tobacco company, tobacco industry front groups, or any representation working to protect tobacco industry interests, executed for or within the territorial jurisdiction of the Municipality of Tigbauan, with the aim, effect or likely effect of promoting a tobacco product and/or ENDS, its use either directly or indirectly.

Section 189. Duties and Obligations of Persons-in-Charge. — Persons-in-charge shall:

- a. Prominently post and display "No Smoking" signages, which may include a "No Vaping" symbol illustrated separately or combined, in the locations most visible to the public in the areas where smoking and vaping is prohibited. At the very least, the "No Smoking" and "No Vaping" signage must be posted at the entrance to the area, which shall be at least 8 x 11 inches in size and the international "No Smoking" symbol, shall occupy no less than 60% of the signage. . The remaining lower 40% of the signage shall show the following information:

ex:



and/or



or as a
combined symbol



**STRICTLY
SMOKING/VAPING**

NO

As per ORDINANCE NO.

Violators can be fined up to

Report violations to _____
[Hotline number optional]

**As for the Designated Smoking Area, after complying with the
specifications in Section 4
(e), prominently display the following elements in the signage:**

**"DESIGNATED SMOKING AREA" or "SMOKING AREA"
"Minors not allowed within these premises"**

(place Graphic/Picture-Based Health Warning on
the effects of tobacco use within the signage)

(If available, place number of Smoking Cessation Hotline)

- b. Prominently post and display "No Smoking" and "No Vaping" signage in the most conspicuous location within the public conveyance. At the very least, the three and a half (3.5) square inch "No Smoking" and "No Vaping" signage shall be placed in the windshield and a ten (10) square inch "No Smoking" and "No Vaping" sign at the driver's back seat;
- c. Remove from the places where smoking is prohibited all ashtrays and any other receptacles for disposing of cigarette refuse;
- d. For persons-in-charge of government premises intending to establish a Designated Smoking Areas (DSA): secure a certification/permit from the duly authorized officer or representative of the Civil Service Commission; while for persons-in-charge of commercial establishments/buildings or other non-government facilities intending to establish a DSA: to secure a certification/permit from the Building/Engineering and health Officers, after complying with the requirements for a DSA, as stated in *Section 4 (e)*;
- e. For persons-in-charge of schools, public playgrounds or other facilities frequented by minors, offices of the DOH and attached agencies, hospitals and health facilities, post the following statement in a clear and conspicuous manner:

**SELLING, DISTRIBUTION, ADVERTISING AND PROMOTION OF
CIGARETTES/E-CIGARETTES
OR OTHER TOBACCO PRODUCTS
NOT ALLOWED WITHIN 100 METERS FROM ANY POINT**

IN THE PERIMETER OF
[Name of SCHOOL/PLAYGROUND/HEALTH FACILITY/ETC.]

- f. For persons-in-charge of schools, public playgrounds or other facilities frequented by minors, offices of the DOH and attached agencies, hospitals and health facilities, report to the Smoke Free Task Force tobacco product/ENDS selling, advertising and/or promotion located within 100 meters from its perimeter;
- g. For persons-in-charge of establishments intending to sell tobacco products and/or ENDS, secure a permit to retail/wholesale from the Business Permits and Licensing Office;
- h. For persons-in-charge of approved point-of-sale establishments: post the following notice, together with a graphic/picture-based health warning on the health consequences of tobacco use, as prescribed by the Municipal Health Office, in a clear and conspicuous manner:

**SALE/DISTRIBUTION OF TOBACCO PRODUCTS
AND E-CIGARETTES TO MINORS IS UNLAWFUL**

- i. For persons-in-charge of point-of-sale establishments, remove all forms of tobacco or ENDS advertisement/promotions paraphernalia deemed prohibited by this Ordinance;
- j. For persons-in-charge of point-of-sale establishments, secure approval from the Municipal Health Office for storages or containments of tobacco products and/or ENDS . Only a listing of available tobacco and/or ENDS brands/variants sold at the point-of-sale establishment are allowed to appear outside of the storage or containment, where such listing shall only be written/printed in any plain font, and devoid of any recognizable product or brand typefaces, logo, indicia or markings. Such list shall not occupy more than (25%) of the exposed side of the storage or containment;
- k. For persons-in-charge of point-of-sale establishments, ensure that storages or containments of tobacco products and/or ENDS are only opened by a store personnel/manager at the counter during actual purchase by an adult customer, or when being replenished, cleaned or inspected;
- l. Establish internal procedure and measures through which this Ordinance shall be implemented and enforced within the area of which he or she is in charge. This includes compliance to the sales, distribution, advertising and promotions restrictions, i.e. warning smoking/vaping violators in banned areas and requesting them to stop smoking/vaping , and if they refuse to comply, asking them to leave the premises, and if they still refuse to comply, reporting the incident to the Municipal Health Office, the nearest peace officer, or to any member of the Smoke Free Task Force through its hotline or by other means;
- m. Ensure that all the employees in the establishment are aware of this Ordinance and the procedures and measures for implementing and enforcing it.
- n. Allow inspectors acting under *Sections 14 and 15* hereof, which may include other members of the Task Force and the designated civil society organization under *Section 16*, entry into the establishment or public conveyance during regular business hours for the purpose of inspecting its compliance with this Ordinance.

- o. For all signage required to be posted under (a), (b), (e), and (h) above, provide for versions of them in the local dialect or in English.

Section 190. Persons Liable. — The following persons shall be liable under this Ordinance:

- a. Any person or entity who commits any of the prohibited acts stated in *Section 5* hereof;
- b. Persons-in-charge who knowingly allow, abet, or tolerate the prohibited acts enumerated in *Section 5*, or who otherwise fails to fulfill the duties and obligations enumerated in *Section 6* hereof;
- c. If the violator is a minor, the enforcer of this Ordinance shall report the incident to the school principal/dean exercising jurisdiction over the minor-offender where he shall be required to comply with disciplinary measures under the school where he/she is enrolled, and/or Municipal Social Welfare and Development Office for the appropriate action or intervention, pursuant to Republic Act 9344. Should the school have no policy for offenses committed by their pupils outside school premises or if the minor is an out-of-school youth, the enforcer shall ensure that the minor is referred to the Municipal Social Welfare and Development Office, which may likewise involve the parents or guardians and/or Barangay Official where the minor is a resident.

Section 191. Legal Action and Applicable Fines and Penalties. – Unless otherwise provided in any chapter or section in this Ordinance, any person who fails to comply with any of the rules and regulations promulgated under this Ordinance shall be guilty of misdemeanor and upon conviction shall pay a fine of not less than P1,000.00 but not more than P2,500.00 or an imprisonment of not less than ten (10) days but not more than thirty (30) days or both fine and imprisonment at the discretion of the court.

Provided, that the Municipal Mayor or, in his/her absence, the Municipal Health Officer, upon the recommendation of the Municipal Smoke free Taskforce, shall issue a cease and desist order on any establishment or person whose violation has become a public nuisance or serious threat to public health that necessitates abatement.

- a. **Administrative Fines.** – Upon apprehension of the violator of this Ordinance, an administrative regulatory fine shall be imposed as follows:
- b. **Violations of Section 5 (a), (b) and Section 6:**
 - i. First Offense - PhP 500.00
 - ii. Second Offense - PhP 1,000.00
 - iii. Third and Succeeding Offense - PhP 2,500.00
- c. **Violations of Section 5 (c) to (q):** Sales/Access Restriction and Advertising and Promotions Ban
 - i. First Offense - PhP 1,000.00
 - ii. Second Offense - PhP 1,500.00
 - iii. Third and Succeeding Offense - PhP 2,500.00
- d. **Violation of Section 5 (r).** Sponsorship/Contribution/Partnership with the Tobacco Industry Involving Government Officials/Personnel

Apply Rules and Sanctions as prescribed by RA 3019, RA 6713, Revised Penal Code (1932), and/or the CSC-DOH Joint Memorandum Circular 2010-01.

- f. **Revocation or Suspension of License/Permit.** The license/permit to sell (tobacco products/ENDS) or to operate of any establishment or of any public conveyance covered by this Ordinance shall also be suspended for at least one (1) week but not more than one (1) month, or revoked should the same fail to perform the necessary action within fifteen (15) days upon receipt of violation notice or fail to pay within seven (7) working days the corresponding penalty as stated in the Citation Ticket for the violation committed. Should the license/permit found to be in violation of this ordinance, fall outside of the jurisdiction of the respective Local Government Unit (LGU), the recommendation for revocation or suspension of license/permit shall be forwarded to the appropriate LGU, agency or governing body. The suspension or revocation of the license/permit of the erring establishment or public conveyance shall only be lifted once all the requirements set forth upon re-inspection and evaluation of the Municipal Health Office, Building/Engineering Office, Business Permits and Licensing Office and/or the appropriate agency or governing body has been fully complied with. Any Task Force member may recommend the revocation or suspension of license or permit of an erring establishment to the appropriate office.
- g. **Community Service.** If a violator is unable to pay the fines imposed, he or she may choose to render community service within the municipality. For every hour of community service rendered, his/her outstanding fine shall be reduced by two hundred pesos (P200.00).
- h. **Confiscation or Removal.** Tobacco products, ENDS and their advertising/promotions paraphernalia associated with any violation of the prohibited acts in this ordinance shall be subject to confiscation and/or removal.
- i. **No Contest Provision.** Persons liable who have been apprehended or cited for violation of any of the prohibited acts of this Ordinance, except for Section 5 (r), and who do not wish to contest the violation, and is willing to pay voluntarily the administrative penalty imposed upon him/her for the first and second offenses enumerated in Section 8 a. and b. prior to the filing of formal charges with the proper court shall be allowed to pay the penalty with the Municipal Treasurer's Office, within five (5) regular business days from apprehension, to avoid being criminally prosecuted. Otherwise, the case shall be prosecuted in court. The "No Contest Provision" can no longer be availed for third and subsequent offenses. The proceeds from payment of the herein penalties imposed shall be subject to the provision on Funding in Section 20 of this Ordinance.
- j. **Subsidiary Imprisonment Provision.** Subsidiary imprisonment may be imposed by the court in the event that the offender, who is found guilty of violating the provisions of this Ordinance, is unable to pay the fine which he is sentenced to pay.

Section 192. Citation Ticket System. — Violators of this Ordinance shall be informed of their violation and the penalty associated with it by means of a Citation Ticket System with the following guidelines:

- a. Official booklets of Citation Tickets shall be issued by the Municipal Treasurer to duly authorized enforcers within ninety (90) calendar days of the affectivity of this Ordinance.
- b. A Citation Ticket shall be issued to the person/s liable for any violation of this Ordinance upon finding of the violation by duly authorized enforcers.
- c. A Citation Ticket shall contain the following information:
 - 1) checklist of the violations under this Ordinance;
 - 2) the fines associated with each violation;
 - 3) option to render community service in case violator is unable to pay fine;
 - 4) due date for compliance with the obligations imposed by the ticket;
- d. When a Citation Ticket is issued to a violator, the violator shall report to the Municipal Treasurer's Office or its duly authorized collecting agent, within three (3) regular business days after such issuance, where he or she shall either pay the fine imposed or render community service under *Section 8 (e)* hereof.
- e. The Municipal Treasurer's Office shall keep a duplicate of all Citation Tickets issued to violators as well as all other records of violations of this Ordinance.

Section 193. Smoking Cessation Program. — The Municipal Health Officer, with the assistance of the Health Education and Promotion Officer, or other members of the Smoke Free Task Force, which includes the CSO representative designated under *Section 16* hereof, shall develop, promote and implement a Smoking Cessation Program and encourage the participation therein of public and private facilities which may be able to provide for its requirements. Smokers who are willing to quit and/or those found violating this Ordinance may be referred to the Smoking Cessation Program and its facilities. All apprehended smokers shall be obliged to receive a brief advice for smoking cessation.

Section 194. Smoke-free Task Force. — A Task Force shall be created to aid in the implementation, enforcement and monitoring of this Ordinance, and to protect the same from tobacco industry interference at all times, as well as to conduct educational awareness campaigns, information dissemination programs, and capacity building programs, that will inform the constituents and train enforcement officers.

The Task Force chaired by the Municipal Mayor or his/her Authorized Representative shall have the following as members and may designate a Vice Chairman to serve as overall coordinator:

- a. Municipal Health Officer;
- b. Municipal Health Education and Promotion Officer/or equivalent designate;
- c. Municipal Building/Engineering Officer;
- d. Municipal Information Officer;
- e. Business Permits and Licensing Officer;
- f. Representative/s of one or more civil society organizations (CSO) designated by the Health Officer, under *Section 16* hereof;

- g. Chief of Police, PNP Municipal Police Office;
- h. Municipal Treasurer;
- i. Environment and Natural Resources Officer (ENRO) from the LGU or from DENR;
- j. Representative/s from DepEd, CHED and/or academic institution;
- k. Local President of the Liga ng mga Barangay ng Pilipinas;
- l. Public Order and Safety Officer;
- m. Municipal Social Welfare and Development Officer;
- n. Human Resources Management Officer;
- o. Municipal Administrator;
- p. Coordinator of the Task Force Unit or Office (*if other than the above officers*);
- q. Other member/s identified by the Chairman or Vice-Chairman (whose specific function in the LGU and role may serve to effectively implement this Ordinance.)

The Task Force shall not include as its member any person or entity upholding or accommodating tobacco industry interests or is connected in any way to the tobacco industry in order to protect the primary health objectives of this Ordinance from any and all interests prejudicial to tobacco control policies and to preserve its integrity. No member of the Task Force shall also receive for himself or for other individuals, beneficiaries or groups, any contribution or compensation, directly or indirectly, whether financial or otherwise, from the tobacco industry. Non-compliance of this provision, governing the Task Force, shall serve as grounds for the removal of the erring Task Force member/s. If the erring Task Force member is likewise a public official or government personnel, he/she shall also be subject to sanctions prescribed under the CSC-DOH Joint Memorandum Circular 2010-001.

Section 195. Duties and Responsibilities of the Task Force.— Other than (1) receiving, reviewing and processing reports and complaints, serving of citations and notices, and filing of appropriate charges for violations under this Ordinance, (2) attending regular Task Force meetings, and (3) deputizing enforcers under *Sections 13 to 16 hereof*, and enforcing the other provisions of this Ordinance, the Task Force, headed by the Municipal Mayor, shall have the following respective duties and responsibilities:

- a. The Municipal Health Officer shall:
 - 2) Make tobacco control, including the implementation of this Ordinance, a part of the health program and propose funding under the general budget of the LGU;
 - 3) Establish baseline (preferably) annual data on tobacco use prevalence and other related studies, and recommend further action on the findings of such data;
 - 4) Monitor, together with the Sanitary Inspector, Enforcers and/or Task Force members, the compliance of this Ordinance in public places, establishments, conveyances, point-of-sale, and including the approval/disapproval of permits in Designated Smoking Areas (DSAs) as well as permits/licenses for tobacco/ENDs point-of-sale;
 - 5) Facilitate, together with the Sanitary Inspector, Enforcers and/or Task Force members, the serving of notices, imposition of fines, suspension, or revocation of permits/licenses for violations;
 - 6) Assign a hotline or any other number and email address to which violations of this Ordinance may be reported by email, phone call or SMS, or other means, and a person to operate the line and record

reports, while another hotline may be assigned for accepting calls or messages for smoking Cessation counseling;

- 7) Develop, promote and implement a smoking Cessation Program, stated in Section 10;
 - 8) Assist hospitals and other health facilities including any office of the DOH within the LGU, together with the Sanitary Inspector, Enforcers and/or Task Force members, the monitoring of tobacco/ENDS products' sales, advertisements and promotions within 100 meters from the perimeter of schools, public playgrounds, facilities frequented by minors and health facilities.
- b. The Health Education and Promotion Officer shall:
- 1) Develop and produce information, education and communication materials and conduct activities on Tobacco Control, such as the harms of smoking and second-hand smoke, as well as on the provisions of this Ordinance;
 - 2) Encourage constituents to monitor and report violations of this Ordinance;
 - 3) Assist the Health Officer in developing, promoting and implementing a Smoking Cessation Program;
- c. The Municipal Building/Engineering Officer shall:
- 1) Conduct, together with the Health Office or on its own, inspection activities as provided in this Ordinance;
 - 2) Determine whether or not enclosed/partially enclosed public places, workplaces, other public places, and point-of-sale establishments, comply with this Ordinance;
 - 3) Recommend the approval, suspension or revocation of licenses/permits for establishments/facilities in compliance with this Ordinance.
- d. The Information Officer shall:
- 1) Assist in disseminating information pertaining to all aspects of this Ordinance including the printing and distribution of copies of this Ordinance to the public;
 - 2) Make a primer summarizing the provisions of this Ordinance, and facilitate the development of related information materials and required signage;
 - 3) Publicize activities and reports related to implementation and enforcement.
- e. The Business Permits and Licenses Officer shall:
- 1) Order the suspension or revocation of licenses/permits of establishments found to have violated this Ordinance, subject to the provisions of Section 8 hereof;
 - 2) Deny renewal of licenses/permits of repeat violators of this Ordinance;
 - 3) Establish procedure for identifying, informing and marking establishments covered by the 100-meter ban on sale, distribution and advertising of tobacco products and ENDS.
- f. The CSO Representative/s shall:
- 1) Assist in inspections and in monitoring violations of this Ordinance;
 - 2) Assist in promoting awareness of this Ordinance and in encouraging public support and participation for its implementation and enforcement;

- 3) Assist in promoting and, if capable, implementing a Smoking Cessation Program;
 - 4) Assist in developing and conducting orientation and training seminars for enforcers;
 - 5) Assist in evaluating the performance of the Task Force and the effectiveness of the implementation and enforcement of this Ordinance.
- g. The Chief of Police, PNP Municipal Police Office shall:
- 1) Direct the Local PNP in the orderly enforcement of this Ordinance;
 - 2) Ensure apprehension of violators in accordance with the provisions of this Ordinance and other rules and procedures of engagement;
 - 3) Assist Task Force members, LGU officials and deputized civilians in apprehending violators and in filing the appropriate complaints when necessary;
 - 4) Assist in promoting awareness of this Ordinance and in encouraging public support and participation in its implementing and enforcement;
 - 5) Employ the assistance of other members of the Task Force and other police enforcers, such as those from other LGUs, during enforcement when coordination is necessary;
 - 6) Refer minors caught in violation of this Ordinance to the Social Services and Development Office and/or to the school authorities where the minor is enrolled;
 - 7) Use the Citation Tickets during apprehensions and maintain a record or log of violations/apprehensions made within particular periods, for purposes of reporting.
- h. The Municipal Treasurer shall:
- 1) Facilitate the printing and reprinting of Citation Tickets;
 - 2) Issue booklets of the Citation Tickets to the LGU enforcers and other deputized enforcers, as appropriate;
 - 3) Collect/receive fines paid by violators and submit reports on its collection;
 - 4) Designate collection agents and guidelines for collections as necessary to assist in efficient collection of fines from the municipality;
 - 5) Facilitate the release and allocation of funds, and the remuneration of enforcers share in accordance with the provision for the sharing of proceeds, derived from the collection of fines, penalties, generated resources and appropriated budget.
- i. The Environment and National Resources Officer shall:
- 1) Assist in promoting awareness of this Ordinance as a component in the protection and conservation of the environment and in encouraging public support and participation in its implementation and enforcement;
 - 2) Assist in inspection and monitoring violations of the Ordinance on its own or with any other member of the Task Force;
 - 3) Conduct timely monitoring of air, water, soil quality and other studies pertinent to determining levels or exposure to tobacco smoke, ENDS vapor, residues, by-products and litter, among others;
 - 4) Provide expertise in the application and management of appropriate technologies to avert environmental/health risks, accidents and damage posed by tobacco smoke, ENDS vapor, residues, by-products, disposal and litter, among others.
- j. The Representative from DepEd, CHED and/or Academic institution shall:

- 1) Implement the Department/Commission Orders on the integration of tobacco control education into the school curricula;
 - 2) Ensure strict compliance of the Memos and Orders on the protection of the bureaucracy from Tobacco Industry interference as per FCTC Article 5.3;
 - 3) Ensure strict compliance of schools in enforcing 100% smoke free campuses and school facilities including the schools' vehicles;
 - 4) Assist in the monitoring of tobacco/ENDS products' sales, advertisements and promotions within 100 meters from the perimeter of schools, public playgrounds and facilities frequented by minors;
 - 5) Ensure the posting in clear and conspicuous manner "No Smoking" signs, and notices for the sales ban of Tobacco Products within 100 meters from the perimeter of schools, public playgrounds, facilities frequented by minors and health facilities.
- k. The Local President of the Liga ng mga Barangay ng Pilipinas shall:
- 1) Assist in promoting awareness of this Ordinance in encouraging public support and participation in its implementation and enforcement;
 - 2) Coordinate with all Barangay Captains and the PNP, or other members of the Task Force, in monitoring violations of the Ordinance within their jurisdictions;
 - 3) Provide the necessary coordination among the Barangay health Workers, Kagawads and Tanods and other enforcers (i.e. Coast Guards) for the implementation of activities pertinent to the Ordinance;
 - 4) Assist in the facilitation of and referrals to the Smoking Cessation Program at the Barangay Level, if applicable.
- l. The Public Order and Safety Officer shall:
- 1) Assist in promoting awareness of this Ordinance in encouraging public support and participation in its implementation and enforcement;
 - 2) Monitor compliance in public places, establishments, conveyances, point-of-sale, Designated Smoking Areas (DSAs), together with other members of the Task Force;
 - 3) Coordinate with enforcers and/or Task Force members regarding the imposition of fines, suspension or revocation of licenses/permits for violations.
- m. The Municipal Social Welfare and Development Officer:
- 1) Assist in the enforcement of this Ordinance when minors are involved;
 - 2) Provide the necessary interventions for minors implicated in violations.
- n. The Human Resources and Management Officer or equivalent officer/LGU point-person for the Civil Service Commission:
- 1) Oversee the strict implementation of smoke free government facilities;
 - 2) Evaluate for approval the proper establishment of Designated Smoking Areas in government facilities where it may apply;
 - 3) Oversee the strict implementation of policy preventing Tobacco Industry Interference, pursuant to the CSC-DOH Joint Memorandum Circular 2010-01;
 - 4) Monitor, supervise and report on all concerns pertaining to Tobacco Industry activities, communications, and other related concerns;
 - 5) Assist in matters related to tobacco control policies as it applies to the performance of functions and duties affecting government officials/personnel.

- o. The Municipal Administrator:
 - 1) Assist the Mayor in overseeing the implementation and enforcement of this Ordinance, in close coordination with other members of the Task Force;
 - 2) Provide regular updates to the Mayor as to the status of implementation and enforcement of the Ordinance.

- p. The Coordinator, in case of a separate Coordinating Unit or Office of the Task Force, under the authority of the Mayor:
 - 1) Perform any of the functions assigned to it by the Mayor pertaining to the implementation, enforcement and promotion of this Ordinance;
 - 2) Coordinate with any/all members of the Municipal Task Force as necessary, facilitate trainings, assist in enforcement/promotion/monitoring/research and attend to any related function as required/instructed by the Mayor;
 - 3) Provide regular updates to the Mayor as to the status of implementation of Tobacco Control in the LGU and of the Ordinance.

- q. Other member/s identified by the Chairman or Vice-Chairman may be assigned the following:
 - 1) Assist in the training of enforcers, communication development workshop and other capacity building activities;
 - 2) Assist in the enforcement, implementation, dissemination and promotional activities related to this Ordinance by providing manpower, technical or other support;
 - 3) Assist in the monitoring and evaluation of activities related to this Ordinance.

Section 196. Enforcement on Individuals. — Members of the PNP and/or persons duly deputized by the Mayor/Task Force shall apprehend and issue Citation Tickets against persons found in violation or have failed to comply with any provision enumerated under *Sections 5 and 6* hereof. They shall forward copies of the tickets they issue violators to the Municipal Treasurer's Office regularly or at least once a week. If the violator is a minor (person below 18), he or she must be brought to the nearest Social Welfare and Development Officer for dispensation of appropriate action subject to RA 9344 (Juvenile Justice and Welfare Law) and/or to the school authorities at the school where the minor is enrolled.

Section 197. Enforcement on Public Conveyances. — Members of the PNP and/or persons duly deputized by the Task Force shall inspect public conveyances during their regular hours of operation and shall issue Citation Tickets upon discovery of any violation of this Ordinance. They shall forward copies of the tickets they issue to violators to the Municipal Treasurer's Office regularly or at least once a week.

Section 198. Enforcement on Establishments. — Ninety (90) calendar days after the effectivity of this Ordinance, an inspection team composed of representatives from the Municipal Health Office, Engineer's Office, Permits and License Office and other members of the Task Force, shall conduct inspections of establishments and buildings to determine their compliance with the provisions of this Ordinance.

Regular inspection shall thereafter be conducted at least once every month or simultaneously with other regular inspections done by the appropriate Municipal office or department, whichever is more frequent, during normal hours of operation of the establishment.

The inspection team shall issue a Citation Ticket against the establishment upon finding of non-compliance with or of any violation of this Ordinance. A Citation Ticket may be issued for each day that the establishment is found to be non-compliant.

Re-inspection of the establishment shall be done on any day after the issuance of the Citation Ticket, but in no case more than ten (10) calendar days after such issuance. If the establishment fails to comply with the obligations stated in the Citation Ticket upon re-inspection, the inspection team shall recommend the suspension of its license/permit, consistent with Section 8 (e) hereof.

In the course of inspection, the inspection team may apprehend individual violators and request the assistance of the PNP in doing so.

Section 199. Civilian Participation in Enforcement. — Within thirty (30) calendar days from the effectivity of this Ordinance, the Municipal Health Office shall designate, with the approval of the Office of the Mayor, one or more civil society organizations (CSO) to discharge the duties and responsibilities enumerated in *Section 12 (g)* hereof.

The Task Force may deputize qualified civilians to serve as enforcers of this Ordinance. Any person can file with the Task Force a report or complaint, or present evidence for any violation of this Ordinance.

Section 200. Information Dissemination. — Within sixty (60) calendar days of the effectivity of this Ordinance, the Task Force shall:

- a. In coordination with the Office of the Mayor:
 - 1) Provide at least two (2) copies of this Ordinance to every PNP station or precinct in the jurisdiction of the respective LGUs;
 - 2) Provide a primer on this Ordinance for every officer of the PNP/deputized enforcers; and
 - 3) Conduct lectures to brief officers of the PNP and other enforcers the provisions of this Ordinance and of their responsibilities with respect to its enforcement.
- b. In coordination with the Permits and Licenses Office, provide a copy of this Ordinance and its primer to all existing establishments that are licensed to operate, as well as to those applying for new licenses or permits to operate, and/or permits to sell tobacco/ENDS products;
- c. In coordination with the Information Office, provide a copy of this Ordinance and its primer to all public utility vehicle operators plying within and through the territorial jurisdiction of the Municipality of Tigbauan.

Section 201. Public Billboards, Notices in Barangays. — Upon effectivity of this Ordinance, the Municipal Engineer's Office shall put up billboards in conspicuous places within the LGU to notify the public of the restrictions and sanctions imposed by the ordinance. The Information Office shall also immediately issue for dissemination at the Barangay level notices on obligations of persons under the ordinance.

Section 202. Conduct of Orientation Seminars and Trainings. -- Within sixty (60) calendar days from the effectivity of this Ordinance and periodically thereafter, the Municipal Health Officer, with the assistance of the Health Education and Promotion Officer, and the CSO representative designated under *Section 16* hereof, with other

members of the Task Force, shall develop and conduct a series of orientation seminars and trainings for the enforcers of this Ordinance, at least one for each group, including but not limited to, deputized enforcers like barangay health workers, *barangay tanods*, and the local PNP.

Section 203. Funding. — An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance in the amount of Three Hundred Thousand Pesos (P300,000.00) shall be sourced from the fund of the Municipality of Tigbauan and is hereby allocated. Every year thereafter, the amount of at least P300,000.00 shall automatically be included in the Annual Budget of the Municipality of Tigbauan and incorporated in the Peace and Order Programs of the municipality for the implementation and enforcement of this Ordinance.

The initial funding, annual budget appropriated for this purpose and funds generated from other sources, such as, but not limited to, the proceeds from administrative penalties, shall be placed in a Trust Fund, specifically intended to defray expenses and operationalize activities of this Ordinance and the municipality's Tobacco Control Program. The Task Force shall be empowered to determine how the Trust Fund is to be utilized in furtherance of this Ordinance, subject however to the usual government accounting and auditing procedures.

The above expenses include, but not limited to:

- a. Cost of printing copies of this Ordinance, the Citation Tickets, and information, education and communication materials pertaining to tobacco control;
- b. Cost of regular or periodic meetings of the Smoke Free Task Force;
- c. Cost of inspection and enforcement by the Smoke Free Task Force, including allowances for meals and transportation, the amounts of which shall be set by the Office of the Mayor;
- d. Remuneration for the apprehending enforcer's share of the proceeds from penalties paid;
- e. Incentive or reward for private citizens who report violations of this Ordinance;
- f. Institutional and operating expenses of the smoking cessation program and facility;
- g. Other expenses associated with the implementation and enforcement of this Ordinance.

Sharing of Proceeds from the Administrative Penalties. — The amount of the corresponding penalty paid by a violator to the Municipal Treasurer shall be apportioned where the equivalent of ten per cent (10%) shall accrue to the apprehending officer or deputized enforcer as an incentive.

The remainder of the proceeds from penalties collected as payment by violators, after deducting the amounts that shall accrue to the apprehending officers or deputized enforcers shall form part of the abovementioned Trust Fund.

Chapter XXX

RABIES CONTROL

Section 204. Municipal Rabies Control and Consultative Committee (MRCCC): Organization and Authority

A functional Municipal Rabies Control and Consultative Committee shall be organized and established in the municipality to help the Provincial Rabies Control and Consultative Committee (PRCCC) achieve its purpose and shall possess the main authority of ensuring the proper, effective and sustainable implementation of this rabies control ordinance as well as other rabies control - related programs and activities in the municipal level, that may be deemed necessary.

The committee shall be composed of the following members, subject to additional membership as the need arises:

- a.** Chairperson : Municipal Mayor
- b.** Vice Chairpersons: SB Committee on Agriculture, Chairman
SB Committee on Health, Chairman
- c.** Members : Municipal Agriculturist
Municipal Health Officer
Municipal Chief PNP Officer
School District Supervisor
Heads of Tertiary Educational Institutions
Heads of Secondary Educational Institutions
Municipal Local Government Operations Officer
President, Liga ng mga Barangay
Municipal Planning and Development Officer
Two (2) Non-Government Organizations
Representatives
Municipal Veterinarian

1. Functions of MRCCC:

The MRCCC shall have the following functions:

- Conduct and supervise dog immunization activities and dog control measures;
- Ensure availability and adequate supply of animal anti – rabies vaccine at all times for the target areas;
- Impounding field control and disposition of stray , unwanted and unvaccinated dogs;
- Establish a central data base system for registered and vaccinated dogs ;
- Strengthen information, education and communication on rabies prevention and control;
- Encourage the practice of responsible pet ownership;
- Provide supply of human post exposure treatment to animal bite victims and provisions of pre – exposure treatment to high risk personnel;
- Encourage the strict enforcement of municipal ordinance relevant to rabies control.
- Establish and maintain a rabies free zone municipality.
- Train identified barangay dog vaccinator/catcher
- To issue license to own dog for prospective first timer dog owners after undergoing responsible dog ownership seminars and thorough evaluation.

Section 205. Barangay Rabies Control and Consultative Committee (BRCCC): Organization and Authority

A functional Barangay Rabies Control and Consultative Committee shall be organized and established in every barangay to help the Municipal Rabies Control and Consultative Committee (MRCCC) achieve its purpose and shall possess the main authority of ensuring the proper, effective and sustainable implementation of this rabies control ordinance as well as other rabies control-related programs and activities in the municipal level, that may be deemed necessary.

The committee shall be composed of the following members, subject to additional membership as the need arises:

- Chairperson : Punong Barangay
- Vice Chairpersons : Sangguniang Barangay Member
Committee on Agriculture, Chairman
Committee on Health, Chairman
- Members : All other Barangay Kagawads
Barangay Chairman,
Barangay Elementary and High School Principals
Rural Health Midwife
Agricultural Technologist assigned in the Area
Barangay Health Workers (BHWs)
Barangay Watchmen (Tanods)
Barangay Nutrition Scholars (BNS)
Trained Barangay Dog Vaccinator/Catcher

2. Functions of BRCCC:

The BRCCC shall have the following functions:

- As the prime movers in the elimination program, they should report all live and dead dog/s whether caged, leashed, stray, unwanted and unvaccinated dogs in the barangay monthly to MAO for consolidation
- Undertake registration of all dogs in the barangay to establish dog population count done during the 1st Quarter of the year;
- Conduct vaccination of all registered dogs in the barangay during the 1st Quarter of the year in coordination with MRCCC.
- Enforce strictly of 2 – Dogs Policy by limiting dog population such as submitting male dogs/cats for castration;
- Shall take charge of the dog registry and other program components.
- Identify 2 barangay dog vaccinators/catchers to be trained by MRCCC
- Shall report and require transient resident/s with registered/unregistered dog for vaccination and registration within 72 hours of their stay.
- Shall impound report and remit all stray dogs in the barangay to the Municipal Impounding Center for proper disposal.

Section 206. Protection to Persons Exposed to Dogs and/or Rabies in the Performance of Duty Free Pre–Exposure Prophylaxis

All persons authorized by the MRCCC who shall be exposed with dogs and/or rabies in the conduct of dog handling, vaccination, impoundment and the likes, shall be provided with free pre – exposure prophylaxis by the MHO, Office of the Municipal Mayor or any other agencies, either municipal,

provincial, regional or national, which could extend aid for the purpose, to prevent their risk of getting infected with rabies while on duty.

Section 207. Medical and other Assistance to Affected Personnel

In cases where in the licensed veterinarian, trained vaccinator, MRCCC members or their duly authorized representative/s be bitten by a dog while in the performance of duty, the local government concerned shall be responsible for providing medical assistance and/or other kinds of support to the affected personnel. Furthermore, the LGU shall help in the facilitation of the proper handling and laboratory examination of the dog, and in any case, its disposal/elimination.

Section 208. Vaccination Schedule of Dogs

- **Less Than 3 Months of Age** - the initial dose shall be 1 cc or as indicated on the label/literature of the vaccine. A second vaccination or booster shot of 1 cc or as indicated on the label/literature of the vaccine shall be given or administered within 12 months or not more than 1 year after the initial vaccination. Succeeding vaccination shall be done every year thereafter.
- **Over Three Months of Age** – The dose shall be 1 cc or as indicated on the label/literature of the vaccine. Succeeding vaccinations shall be done every year thereafter.

Section 209. Restrain of Dogs – Vaccinated dogs shall still be restrained or kept in cages or enclosed premises and shall not be allowed by their owners to wander in places open to the public, otherwise, such dogs shall be considered stray. The owner/s of such dog shall be held liable for negligence.

Section 210. Vaccination Schedule of Animal Bitten Patients

- Guidelines provided by the Department of Health for the Management of Animal Bitten Patients shall be followed.
- All expenses incurred in the management of Animal Bitten Patients shall be paid by the owner of the dog or animal. Otherwise, expenses shall be handled by the LGUs concerned for indigent patients.

Section 211. Duties of the Veterinarian / Vaccinator

The veterinarian or the MRCCC authorized vaccinator shall have the primary duty of injecting anti – rabies vaccine to dogs submitted for registration and vaccination. It shall also be the duty of every vaccinator to complete a certificate of rabies vaccination for each animal vaccinated and to provide a dog tag for every registered dog.

Section 212. Issuance of Certificate of Vaccination - After vaccination and registration of a dog, there shall be issued a certificate of vaccination by the veterinarian/vaccinator, countersigned by the Municipal Agriculturist.

The certificate of vaccination shall include the following information:

- a. Owner's name, address and telephone number, if any;
- b. Registration date;
- c. Rabies Vaccination Code/Tag Number (coding system shall be dependent of the agreement of the MRCCC;

- d. Description of Dog (color, sex, markings, age, breed, if known);
- e. Dates of vaccination and vaccine expiration (if any)
- f. Vaccine producer or manufacturer;
- g. Veterinarian/Vaccinator's signature
- h. Veterinarian, license number/vaccinator's address

Section 213. Master-listing of Certificates of Vaccination– There shall be a certificate of vaccination (in triplicate) for every dog vaccinated. The dog owner shall be provided with a copy of the certificate. Two copies shall be retained for filing and master listing of the MRCCC and the BRCCC.

Section 214. Dog Tags- A durable metal or plastic tag, distinguishable from each other as serially numbered and/or coded, issued solely by the MRCCC through the vaccinator shall be securely attached to the collar of the dog as proof of vaccination.

Section 215. Barangay Vaccinators– There shall be trained vaccinators in every barangay, who shall be duly trained by the PRCCC or MRCCC authorized vaccinator or veterinarian. These trained vaccinators shall take the place of the MAO personnel in administering the vaccine to the dogs in their respective barangays during vaccination operations spearheaded by the BRCCC and shall assist the MAO personnel in the MRCCC spearheaded operations.

Section 216. Required Number of Vaccinators/Catchers per Barangay– There shall be at least 2 vaccinators/catchers in the barangay.

Section 217. Training Agency Responsible- The lecture and hands-on training which shall be the responsibility of the MAO should include but shall not be limited to, the following:

- a. safety equipment and precautions in handling dogs
- b. proper handling of vaccine
- c. hands-on in the actual administration of vaccine
- d. Correct reporting monthly

Section 218. Criteria in the Selection of Vaccinators:

- a. at least High School graduates
- b. 21 years old and above
- c. willingness to be trained and to perform vaccination
- d. shall be recommended by the Punong Barangay

Section 219. Dogs Policy - Each household shall be allowed to care two (2) dogs only. This dog shall be restrained in the owner's premises. Should there be an excess the owner is allowed to choose which to retain and the rest be impounded.

Section 220. Dog Breeders and Dog Lovers - Dog owners who would like to take care of more than two (2) dogs shall apply for a special permit of exemption in the MAO provided he/she shall pay for Php 200.00 for every dog registered 3 months and up and likewise pay Php 100.00 per dog on renewal annually.

Section 221. Dog Registration

a. When to Register

- a1.** The owner or keeper of any dog shall secure from the Municipal Government or its designated authority a Certificate of Registration of such dog during the 1st Quarter annually. Unregistered dog acquired or moved into the municipality shall be registered immediately within 72 hours upon entry to the barangay.
- a2.** Upon registration on every 1st Quarter of the year, the owner shall be provided with a Certificate of Vaccination for the dog and a distinguishing collar tag as proof of vaccination.
- a3.** If ownership or possession of a registered dog under this section changes permanently, the new owner or keeper shall, before taking possession of the dog, obtain a new registration demonstrating compliance with the vaccination requirement, and shall pay the prescribed registration fee.

b. Registration Fee – The dog owner shall pay a registration fee of Php 100.00 per dog to cover the cost of the dog tag and anti – rabies vaccination. The registration issued every during the 1st Quarter of the year shall be valid for 1 year from the last day of the month of issuance and shall be renewed annually.

c. Collection Sharing Fee – Payments of registration or licensing fee could be done at the barangay level, through its treasurer, in which case, a sharing scheme of 45:45:10 shall be followed. (45% shall go to the barangay fund, 45 % shall go to the municipal treasury and 10 % shall go to the provincial treasury).

d. Issuance of Official Receipt - The barangay treasurer shall issue the owner of the dog an official receipt upon full payment of Php 100.00 for every vaccinated and registered dog.

e. Remittance of Collections for Dog Registration – All collections for dog registration of the Barangay Treasurer in every barangay shall be remitted to the Municipal Treasurer during office hours not later than 1 day after the collection was made as based on the official receipts disposed and / or issued.

- Minimum of Php 100,000.00 – for the Municipality
- Minimum of Php 5,000.00 – for the Barangay

f. Fund Source– The source of fund shall be the 20% IRA Development Fund.

Section 222. Dog Catchers, Appointment, Designations and Incentives

a. MRCCC Dog Catchers – The MRCCC authorized dog catchers shall be designated and shall bear an identification card, duly signed by the Municipal Mayor and renewable at the beginning of every calendar year. They shall be entitled to Php20.00 per stray or unregistered dog caught on their own initiative as monetary incentive, said amount to be taken from the anti – rabies allocation of the municipality.

- b. Accidental Death thru Strangulation** – In cases where there shall be accidental death thru strangulation of the dog/s by the dog catchers or any MRCCC or BRCCC members while in the act of seizing or catching the dog in the implementation of this ordinance shall not be held liable provided there is no negligence on the part of the dog catchers or MRCCC or BRCCC members.

Section 223. Establishment and Maintenance of Dog Pound

- a. Municipal Dog Pound** – There shall be established a "*Public Dog Pound*" which shall be maintained under the supervision of a licensed veterinarian, or any authorized/designated pound officer of the Office of the Municipal Agriculturist or of the MRCCC. The site of the Municipal Dog Pound shall be identified or determined by the Mayor.
- b. Dog Pound Utilization and Operation** – Any dog found straying at any public places with or without dog tag, or specially those found to be showing signs of viciousness, shall be impounded and confined in the Municipal/Barangay Dog Pound.
- c. Pound Notice** – Upon receipt of the dog into the municipal pound, the pound officer or in the absence of such, the municipal/barangay treasurer or any other person duly authorized by the MRCCC or BRCCC, shall advertise in the municipal building, barangay hall or any other conspicuous places, a pound notice within 72 hours stating the following:
- c.1** color, breed and other description of the impounded dog
 - c.2** the date and time when the impounded animal was caught
 - c.3** the place/location where the particular impounded dog was caught
 - c.4** a notice that unless the animal is redeemed, the animal will be put up for adoption, or shall be killed humanely by gas chamber after 72 hours.
- d. Poundage Fee** - The owner/s of impounded dog shall pay to the municipal/barangay treasurer or his or her duly authorized personnel in the amount of Php 200.00 as poundage fee per dog on the first 3 days of impoundment plus Php 10.00 a day for its daily sustenance / maintenance.

Section 224. Observation Period for a Dog which has Bitten a Person or Another Animal Considered for Human Consumption

Any dog registered or not which has bitten a person or another considered for human consumption, shall be impounded, restrained and observed for 14 consecutive days, after which, the owner of the said animal shall be required to redeem it or have it dispose properly.

Section 225. Elimination of Dogs Under Observation and Suspected or Found to Be Rabid.

Should the apprehended dog become vicious and suspected or found to be suffering from rabies, it shall be destroyed or eliminated through carbon dioxide asphyxiation or any method as may be recommended by the MRCCC/BRCCC and the head of which shall be

brought to the Regional Animal Disease Diagnostic Laboratory of the Department of Agriculture for examination and proper action.

Section 226. Elimination of Stray, Unwanted and Unvaccinated Dogs

a. Control of Stray Dogs – In order to control stray dogs, all pet owners are enjoined to be responsible and to take care of their pets. Responsible dog ownership means:

- Vaccinating of dogs regularly against rabies and keeping a current tag attached to its collar.
- Leashing of dogs and not allowing them to roam the streets or any public place without a lease.
- Providing dogs with adequate food, water and clean shelter.
- Castrating/neutering of dogs.
- Monitoring of dogs and reporting any abnormal behavior/temper and dog bite incidents within 24 hours to officials concerned for investigation or any appropriate action placing such dog under observation in the Municipal Impounding Center.
- Assuming full liability whenever his dog has bitten a victim outside of his enclosed premises or whenever he lost control of the dog.
- Participating in any activity to eradicate rabies and control stray dog.

b. Control of Unwanted Dog/s - Unwanted dogs of an owner shall be turned over to the Municipal Impounding Center for proper disposal.

c. Control of Roaming Mad Dogs – Where there is reported cases of death or injuries to human beings inflicted by a roaming mad dog and there is danger that previous to such incident, the mad dog which had been found positive of rabies may have mingled and contaminated other stray dogs, thereby posing a clear danger to the life and limb of the residents of the locality, the MRCCC may seek the assistance of the Philippine National Police of the Municipality to seize or eliminate and kill all stray dogs, subject to the pertinent provisions of Republic Act No. 8485, otherwise known as the "***Animal Welfare Act***".

c.1 It shall be unlawful for any person to oppose, resist or otherwise interfere with the rabies control authorities or any of their authorized deputies in the performance of their duty set forth in this Ordinance.

Section 227. Reporting of Biting Incident

- The owner of a dog, which has bitten any person, shall, within 24 hours from the time of the occurrence, report the incident to the Barangay Health Worker or at the Municipal Health Office for proper medical attention for the victim. The same shall be reported to the police station and shall be included as an entry in the police blotter. In cases where the dog has bitten another animal considered for human consumption, the owner of the culprit dog or the owner of the animal that has been bitten shall, within 24 hours, report the incident to the Municipal Agriculture Office or the Agricultural Technologist assigned in the area for proper action. The dog and the animal bitten by such dog shall both be isolated and leashed/restrained/ caged for observation by any authorized person such as the police officer, health worker,

agricultural technologist, etc. The person receiving such information shall immediately transmit the incident to the Municipal Rabies Control and Consultative Committee for proper investigation and action.

- It shall be unlawful for any person to use "*tandok*" for treating all kinds of animal bites and declares such procedure as a form of illegal practice. The Municipal Health Officer and the Municipal Veterinarian shall discourage the bitten person/s from going to faith healers or herbolarios using "*tandok*" or any other unacceptable procedure.

Section 228. Responsibility of the Owner of the Dog which has Bitten a Person or Other Animals

- The owner of a dog which has bitten any person shall be responsible for treatment and dog related expenses incurred by the bite victim unless the bite was inflicted by a restrained and registered dog or had occurred within the owner's enclosed premises in which case arrangement shall be made between the owner and the bite victim.
- The owner of a dog which has bitten any person shall immediately quarantine or confine the dog for observance of signs of illness compatible with rabies. Such quarantine shall be under conditions imposed by the MRCCC or as provided by this Ordinance. If the dog shows no sign of illness compatible with rabies, it may be released from quarantine upon approval of the MRCCC or the Municipal Health Official. If the owner of the dog fails to comply with this provision, it will be a ground for the seizure of the dog by the MRCCC.
- The owner of the dog which has bitten a person or other animals considered for human consumption where, at the time of the biting incident, said dog was not within the premises of the unfenced house and/or property of the owner, shall be compelled to pay for all the necessary expenses related to the dog bite incident. The expenses shall include, but not limited to, the expenses for anti – rabies vaccine and other forms of treatment.
- The settlement and/or arrangement between the dog bite victim or the owner of the bitten animal and the owner of the dog for the payment of all necessary expenses related to the dog bite incident shall be made at the Barangay where the incident happened after the filing of the complaint before the Office of the Punong Barangay or Lupon Tagapamayapa.

Section 229. Disposition of Other Animals Bitten by a Rabid Dog

- In cases where a rabid dog has bitten another animal whose meat are considered for food, the bitten or rabies infected animal/s shall, in any case, not be slaughtered, sold or distributed for human consumption.
- Any person who knowingly or unknowingly caused the slaughtering, selling or distribution for human consumption of rabies infected animal/s shall be compelled to pay for all expenses related to the

immunization, to include other incidental expenses, of persons who have eaten such meat.

Section 230. Rabies Control Advocacy/Massive Information Drive

- The Municipal Government shall strengthen education program by organizing an Information Education Campaign on Responsible Dog Ownership and incorporating the same in the relevant subjects in the elementary and high school levels in coordination with the Department of Agriculture, Education, Health and Interior and Local Government. The Information Education Campaign (IEC) shall include among others, the dangers of rabies, its prevention and control. As provided in Executive Order No. 84, designating March as Rabies Awareness Month, the same shall be promoted in the municipality.

Section 231. Penal Clause

- a. Failure and refusal of dog owner to have their dog registered and immunized against rabies shall be penalized with a fine of Five Hundred Pesos (P500.00) per dog and impounding of their dog.
- b. Dog owners of unvaccinated dog shall be held liable to pay for the vaccination of both the dog and the individuals bitten by their dog.
- c. Refusal of dog owner to put under observation after the dog has bitten an individual shall be meted with a fine of One Thousand Pesos (P1,000.00).
- d. Refusal of the dog owner to shoulder the medical expenses of the person bitten by their dog shall be meted a fine of not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or six months of imprisonment or both at the discretion of the court.
- e. Dog owners who refuse to put leash on their dogs when they are brought outside the house shall be meted a fine of Five Hundred Pesos (P500.00).
- f. Any person who shall oppose, resist or otherwise interfere with rabies control authorities or any of their authorized deputies in the performance of the duties set forth in this ordinance shall be punished by a fine of One Thousand Pesos(P1,000.00) for each incident.
- g. Any person found guilty of treating animal bites using "*TANDOK*" shall be fined of not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or six months imprisonment or both at the discretion of the court. If such illegal practice of medicine will result to death, the violator shall accordingly be charged with illegal practice of medicine (RA 6713) and each corresponding penalties at the discretion of court.
- h. Any person found guilty of trading dog meat shall be fined of not exceeding Two Thousand Five Hundred Pesos (P2,500.00) per dog and subject to imprisonment for one year.
- i. Any person found guilty of using electrocutions as a method of euthanasia in killing dog shall be fined One Thousand Pesos (P1, 000.00) per act and subject to imprisonment for one year.

- j. Failure of the dog owner/s to have their dog/s registered/vaccinated during the 1st Quarter of the year shall pay for the surcharges imposed.
- k. Any dog owner/s mistreating their dogs in the form of physical abuse, starvation, strangulation and other forms of inhuman treatment shall be fined in the amount of Php 1,000.00 and their dog impounded for proper disposal.

Chapter XXXI

SALT IODIZATION

Section 232. Regulatory Clause

1. Salt producers, manufacturers, importers, distributors, retailers/sellers shall fortify or cause their salt to be fortified with Potassium iodate or iodide, and shall display in their shelves for sale to the public only iodized salt. This shall be properly marked as "**IODIZED SALT.**"
2. Inns, Resorts, Restaurants, Carinderias, Canteens, Bakeshops, and Food Service Industries/Establishments shall use only iodized salt for food preparation/processing and for table salt. They are urged to display a 36 x 8 inches Signboard with this text: "**WE USE ONLY IODIZED SALT HERE,**" conspicuously in their business premises.
3. Salt Retailers and Sellers shall sell only iodized salt, and shall get their supply for sale from salt producers, manufacturers, importers, and distributors of iodized salt.
4. Failure of salt producers, manufacturers, importers, and distributors to fortify/treat their product with potassium iodate/iodide prior to sale of said product to retailers, sellers, or direct to end users/consumers.
5. The act of selling un-iodized salt to the public by retailers or sellers.
6. Failure of Inns, **Resorts, Restaurants, Canteens, Carinderias, Bakeshops, Food Service Industries and Establishments** to use iodized salt in the preparation of food products and for table salt.
7. The presence of raw un-iodized salt in the shelves of retailers, sellers, distributors, produces, manufacturers, and the kitchen area/working premises of Inns, Resorts, Restaurants, Carinderias, Canteens, Bakeshops and food Establishments shall give rise to the presumption of a violation of this Ordinance.
8. **Voluntary Payment** of the fines shall preclude the filing of the appropriate case in Court.
9. **Mechanics Of Implementation** - This Ordinance shall be implemented by the Municipal Health Officers, Brgy. Health Workers and Brgy. Nutrition Scholars. The mechanics of implementation shall be as follows:

- a. The Municipal Health Officers shall conduct a periodic un-announced inspection, together with concerned **BHW and BNS** in any given Barangay.
- b. The **BHW & BNS** shall report to the Municipal Health Officers all suspected marketing outlets in their respective barangays that sell raw or fur-iodized salt, and shall in all instances coordinate with the Municipal Health Officers.
- c. The Municipal Health Officers with the **BHW & BNS** are hereby empowered to confiscate during inspection the item (*raw salt untreated being sold*) tending to show violation of this Ordinance. For this purpose, they are empowered to enlist the assistance of the Phil. **National Police (PNP)** in the course of their periodic inspections.
- d. Support groups like the Barangay Officials concerned, DepEd Officials and teachers, NGO's, shall announce/ circularize use of iodized salt in school canteens, conduct awareness campaigns and intensify information dissemination at the barangay level.

10. Collection Office- Any violator pays the fine to the Municipal Treasurer who shall issue the proper receipt thereof.

11. Allocation Of Fines Collected- Fifty percent **(50%)** shall go to the Municipal Government and fifty percent (50%) to the Barangay where the violation occurred.

Section 233. Penal Clause - Any salt producer, manufacturer, importer, distributor, seller/retailer, operator of Inns, Resort, Restaurant, Carinderia, canteen, food industry/ establishment found to be violating Section 5 of this ordinance shall be penalized with a fine of not exceeding P2,500.00 or Imprisonment of not Less than 5 Days or Both at the discretion of the court.

In addition hereto, this Municipality shall revoke his/ her business license. He/she however shall be allowed to open a new and similar business only after compliance with this Ordinance.

Chapter XXXII

MUNICIPAL CEMETERY

Section 234. Regulatory Clause

- 1. There shall be established a Municipal cemetery.
- 2. No human cadaver or remains shall be buried in the cemetery without a burial permit secured from the Office of the Civil Registrar, Tigbauan, Iloilo nor shall any human cadaver or remains buried there at exhumed without prior payment of an exhumation fee secured from the aforesaid Office.
 - a. The following shall be constructed at the cemetery:
 - a1. Strong fence around the cemetery with a strong door and lock
 - a2. Chapel with an area of fifty (50) square meters
 - a3. One (1) meter main road from the gate to the rare end
 - a4. One (1) meter cross road at the center

- a5. One (1) meter cross road which will divide the cemetery into lots and sections
 - b. For this purpose, funds shall be appropriated by the Sangguniang to finance the items provided in letter "a" hereof.
 - c. The Municipal engineer shall submit to the Local Chief Executive appropriate plans and estimates concerning the construction of the above structures.
3. The Municipal Cemetery shall be the burial place of the dead without discrimination as to religious faith, affiliation or worship. Provided, provision on burial permit as provided under Section 4 of this Ordinance and other regulations which henceforth will be promulgated shall have been complied with. In view hereof, the local Chief Executive shall form an appropriate body to promulgate guidelines for the use of cemetery.
4. No burial lot within the Municipal cemetery shall be sold and owned in perpetuity by any individual or family. Provided, that the construction of niches and concrete slabs over burial lots shall properly be regulated and charged a yearly rental fee accordingly, and in accordance with the guidelines that may hereafter be promulgated by the appropriate body as set forth under Section 7 of this Ordinance.
5. The guidelines set forth by Department Administrative Order No. 89-A of the Department of Health shall be strictly followed for the exhumation of the remains of the persons buried in the cemetery.
6. The Local Chief Executive shall appoint a caretaker of the cemetery. The caretaker shall receive a compensation equivalent to Grade I level and shall have the following functions:
 - a. To maintain the cleanliness and sanitation of the cemetery;
 - b. To lock and unlock the gate of the cemetery daily;
 - c. To oversee the digging and construction of niches;
 - d. To be present at all interments and exhumations accordance with;
 - e. To perform such other related functions, duties, and such guidelines as now or hereafter be promulgated by the appropriate body formed by the Local Chief Executive.

Chapter XXXIII

UTILIZATION OF TB-DOTS PACKAGE FUND

Section 235. Regulatory Clause:

A. For Sputum Positive Cases

- 31.25% of the amount shall be used for the improvement of the health facilities, purchase of medicines, laboratory supplies and office supplies of the Rural Health Unit;
- 26.25% of the amount shall be given to the physicians of the Rural Health Unit as their incentives;
- 2.5% of the amount shall be given to the referring persons as their incentives;
- 7.5% for Rural Health nurses;
- 5% of the amount shall be given to TB Quality Assurance personnel of

- Provincial Health Office as their incentives;
- 7.5% for Rural health Medical Technologist;
- 7.5% for RHU as contingency fund;
- 2.5% for TB forms and office supplies;
- 6.25% for Rural Health Midwife (RHM) in charge; and
- 3.75% for Treatment Partner as incentives.

B. For Sputum Negative Cases

- 22.5% of the amount shall be used for the improvement of the health facilities, purchase of medicines, laboratory supplies and office supplies of the Rural Health Unit;
- 22.5% of the amount shall be given to the Rural Health Unit physicians as their incentives;
- 17.5% of the amount shall be given to TBDC as their incentives;
- 5% of the amount shall be given to the TB Quality Assurance personnel of Provincial Health Office as their incentives;
- 2.5% of the amount shall be given to all referring persons as their incentives;
- 7.5% for Rural Health Medical Technologists;
- 7.5% for Rural Health nurses;
- 2.5% for TB forms and supplies;
- 6.3% for Rural Health Midwife in charge;
- 3.7% for Treatment Partner as incentive; and
- 2.5% for RHU as contingency fund.

C. DOTS Package Claim

The amount taken from DOTS Benefit Package Claim shall be disbursed only to the concerned medical/paramedical and authorized staff as their incentive for the following activities to be undertaken, to wit:

| Activities | Allocation | | Recipient |
|---|-----------------------------|------------------------|--|
| | S(+) | S(-) | |
| Referral of TB symptomatic as active TB cases | 100 | 100 | All referring persons |
| Clinical consultation and follow up | 350/mo x 3 mos. = P1,050.00 | | Municipal Health Officer/ Rural Health Physician |
| | | 300 x 3 mos. = P900.00 | DOTS Referring Physician/ Private Physician |
| QA for sputum microscopy and other services | 200 | 200 | PHO Quality Assurance (QA) Personnel |
| TB Diagnostic Committee | none | 700 | TB Diagnostic Committee |
| Sputum Microscopy | 300 | 300 | RHU Med. Tech. |

| | | | |
|---|--------------|--------------|-------------------|
| Pool for contingency (drugs, reagents, Lab Supplies for TB, others) | 1,250 | 900 | RHU |
| Recording and Reporting | 300 | 300 | RHU Nurse |
| Production of NTP-PPMD forms | 100 | 100 | RHU |
| Advocacy Activities | 250 | 250 | RHU-RHM in charge |
| | 150 | 150 | Treatment Partner |
| RHU Contingency Funds | 300 | 100 | RHU |
| | | | |
| TOTAL | 4,000 | 4,000 | |

Chapter XXXIV

**DISPOSITION AND ALLOCATION OF THE PER FAMILY PAYMENT RATE (PFPR)
PROCEEDS FROM THE PHILIPPINE HEALTH INSURANCE CORPORATION
(PHILHEALTH) FOR UNIVERSAL HEALTH CARE PRIMARY CARE BENEFIT I (PCB1)
PACKAGE**

Section 236. Rationale, Purpose, Intent And Legal Basis. - PhilHealth, through its Board Resolution No. 1587, series of 2012, amended the Outpatient Benefit Package and approved a Primary Care Benefit I (PCB1) Package.

PhilHealth Circular No. 010, series of 2012, the Municipal Health Office is a qualified and duly registered PCB Provider of the PhilHealth hence the municipality is entitled to payment for services rendered.

Section 237. Disposition And Allocation Of The Pfpr. - The allocation and disposition of the Per Family Payment Rate shall be:

- A. Eighty percent (80%) of PFPR is for operational cost and shall cover:
 - 1. Minimum of forty percent (40%) for drugs and medicines (PNDF) (to be dispensed at the facility) including drugs and medicines for asthma, acute gastroenteritis, and pneumonia;
 - 2. Maximum of forty percent (40%) for reagents, medical supplies, equipment (i.e. ambulance, ambubag, stretcher, etc), information technology (IT equipment specific to the needs of facility for it to facilitate reporting and building up of its database), capacity building for staff, infrastructure or any other use related, necessary for the delivery of required service including referral fees for diagnostic services if not available in the facility.
- B. The remaining twenty percent (20%) shall be exclusively utilized as honoraria of the staff of the health facility and in the improvement of their capabilities to be able to provide better health services:
 - 1. Ten percent (10%) for the physician;
 - 2. Five percent (5%) for other health professional staff of the facility;
 - 3. Five percent (5%) for non-health professional/staff, including volunteers.

Chapter XXXV

COMMERCIAL, SMALL, MEDIUM AND LARGE SCALE PIGGERY FARM

Section 238. Regulated Acts:

- 1.** Commercial small, medium and large scale piggery farms are not allowed in urban and densely populated areas in the Municipality of Tigbauan, Province of Iloilo.
- 2.** A “standard septic tank” is strictly required. It should be watertight. 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.
 - d.** Minimum requirement of the septic tank to be prescribed by the Municipal Engineering Office.
- 3.** The distance of the pigpen shall be at least 25 meters from the nearest groundwater.
- 4.** It shall be unlawful to directly discharge animal wastes in any irrigation canal, river/riverbanks, or any body of water.
- 5.** It shall be the responsibility of piggery owners to regulate the odor/waste discharge of their own pigpens.
- 6.** This regulation covers commercial small, medium and large scale piggery farms.

Section 239. Regulatory Committee:

1. Composition of the Municipal Regulatory Committee

| | |
|--------------|--|
| Chairman: | Municipal Mayor |
| Co-Chairman: | SB Member - Chairman, Committee on Health and Sanitation |
| | SB Member - Chairman, Committee on Environment Protection, Housing and Land Utilization, Zonification and Assessment |
| Members: | Sanitary Inspector |
| | MHO |
| | MAO |
| | MPDO |
| | Punong Barangays |
| | Chief of Police |
| | LnB President |

2. Responsibilities of the Regulatory Committee

a. The committee shall have a regular quarterly meeting to discuss topics regarding this ordinance.

b. The committee shall require a comprehensive listing of swine raising activities in all barangays in the municipality.

c. The committee shall determine the imposition of penalties and/or closure of **COMMERCIAL, SMALL, MEDIUM AND LARGE SCALE** upon the recommendation of the Barangay Swine Raising Regulatory Committee which will be composed of the following:

Chairman: Punong Barangay

Members: Barangay Kagawad – Chairman, Committee of Health and Sanitation

Barangay Kagawad - Chairman, Committee on Environment Protection, Housing and Land Utilization, Zonification and Assessment

Barangay Secretary

Chief Tanod

d. All complaints to be considered by the Municipal Swine Raising Regulatory Committee shall be coursed through to the Office of the Chairman which is the Local Chief Executive.

e. It is the sole responsibility of the Barangay Regulatory Committee to enlist piggery farms and to collect PhP 30.00/ head in which 50% of the collected amount will go to the Barangay Trust Fund and 50% to the Municipality of Tigbauan.

f. All Barangay Regulatory Committee are required to have intensive listings to be done every quarter of commercial piggery farms and submit to the Municipal for proper monitoring and collection of fees.

Section 240. Issuance Of Municipal Piggery License

1. Any individual person, group or corporations intending to put up commercial small, medium and large scale piggery farm/s in the Municipality of Tigbauan shall secure a Municipal Piggery License issued by the Business Permit and Licensing Office (BPLO).

2. The licensee shall submit the following requirements when applying for the Municipal Piggery License:

a. Barangay Clearance

b. Completely Filled-out Application Form

c. Sanitary Permit from the Municipal Health Office (MHO)

d. Certification from the Municipal Agriculture Office (MAO)

e. Certification from the Municipal Engineering Office (MEO)

f. Zoning Clearance/Certificate from the Municipal Planning and Development Office (MPDO)

3. The Sanitary Permit shall be issued after the onsite inspection was done by the Sanitary Inspector.

4. The Certification from the Municipal Agriculture Office (MAO) shall be issued once the Licensee has attended the Technology Training and Seminar conducted by the MAO Officer.

- 5. The Certification from the Municipal Engineering Office (MEO) shall be issued once the septic tank structure design was checked and approved by the MEO Officer.
- 6. The Municipal Piggery License is valid for one year.

Chapter XXXVI

BACKYARD SWINE RAISING

Section 241. Regulated Acts:

- 1. Backyard swine raising shall be allowed for a maximum of 2 heads.
- 2. Sows are not allowed in identified urban areas and densely populated areas in the municipality.
- 3. A "standard septic tank" is strictly required. It should be watertight. 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.
- 4. The distance of the pigpen shall be at least 25 meters from the nearest groundwater.
- 5. It shall be unlawful to directly discharge animal wastes in any irrigation canal, river/riverbanks, or any body of water.
- 6. It shall be the responsibility of swine raisers to regulate the odor/waste discharge of their own pigpens.
- 7. This regulation does not cover commercial small, medium or large scale piggery farms.
- 8. Backyard swine raisers are exempted from fees collected under the Revenue Code which states that a fee of Php50 is to be collected for every head of swine being raised.

Section 242. Regulatory Committee:

1. Composition of the Municipal Regulatory Committee

- | | |
|--------------|--|
| Chairman: | Municipal Mayor |
| Co-Chairman: | SB Member - Chairman, Committee on Health and Sanitation |
| | SB Member - Chairman, Committee on Environment Protection, Housing and Land Utilization, Zonification and Assessment |
| Members: | Sanitary Inspector |
| | MHO |
| | MAO |
| | MPDO |
| | MENRO |

Punong Barangays
Chief of Police
LnB President

2. Responsibilities of the Regulatory Committee

- a.** The Committee shall have a regular quarterly meeting to discuss topics regarding this ordinance.
- b.** The Committee shall require a comprehensive listing of swine raising activities in all barangays in the municipality.
- c.** The Committee shall determine the imposition of penalties and/or closure of backyard pigpens upon the recommendation of the Barangay Backyard Swine Raising Regulatory Committee which will be composed of the following:
 - Chairman: Punong Barangay
 - Members: Barangay Kagawad – Chairman, Committee on Health and Sanitation
 - Barangay Kagawad- Chairman, Committee on Environment Protection, Housing and Land Utilization, Zonification and Assessment
 - Barangay Secretary
 - Chief Tanod
- d.** All complaints to be considered by the Municipal Swine Raising Regulatory Committee shall be coursed through to the Office of the Chairman which is the Local Chief Executive.

Chapter XXXVII

OPERATION OF OPTICAL CLINICS AND OPTICAL SUPPLIERS OR DISTRIBUTORS FOR THE PURPOSE OF PREVENTING ILLEGAL PRACTICE OF OPTOMETRY

Section 243. Acts That Constitute the Practice of Optometry

- 2.1** The examination of the human eye through the employment of subjective procedures, including the use of specific topical Diagnostic Pharmaceutical Agents or drugs and instruments, tools, equipment, implements, visual aids, apparatuses, machines, ocular exercises and related devices, for the purpose of determining the condition and acuity of human vision and to correct and improve the same.
- 2.2** The prescription and dispensing of ophthalmic lenses, prisms, contact lenses and their accessories and solutions, frames and their accessories and supplies for the purpose of correcting and treating defects, deficiencies and abnormalities of vision.
- 2.3** The conduct of ocular exercises and vision training, the provision of orthoptics and other devices and procedures to aid and correct the abnormalities of human vision and installation of orthoptic devices.
- 2.4** The counseling of patients in clinics and similar places where optometric services are offered.
- 2.5** The establishment of offices, clinics and similar places where optometric services are offered.

2.6 The collection of professional fees for the performance of any acts aforementioned.

Section 244. Prohibition Against the Unauthorized Practice of Optometry

No person shall practice Optometry as defined in Section 3 of Republic Act No. 8050 (*The Revised Optometry Law of 1997*) nor perform any of the acts constituting the practice of Optometry as set forth in Section 1 hereof, without having been first admitted to the practice of this profession under provisions of the said Act and its Implementing Rules and Regulations:

- a. The Local Government Unit recognizes the essential role of optometry as a profession in safeguarding and enhancing the health and general physical well-being of the citizenry;
- b. There are proliferation of optical services coming from outside of the municipality of Tigbauan manned by untrained and unlicensed persons necessitating a need to curb their operations to protect the health of the public;
- c. Some unscrupulous businessmen, oftentimes posing as "Health Maintenance Organizations" (HMO) groups, are illegally engaged in the practice of Optometry by conducting Barangay-based activities and house to house refraction and thereafter sell eyeglasses;
- d. These untrained and unlicensed persons oftentimes make erroneous diagnosis and treatment that can be very harmful to unsuspecting citizens and cause irreversible damage to their eyes and loss of hard-earned money.

Provided, that this prohibition shall not apply to regularly licensed and duly registered physicians who have received post-graduate training in the diagnosis and treatment of eye diseases:

Provided, however, that the examination of the human eye by duly registered physicians in connection with the physical examination of the patients shall not be considered as practice of Optometry:

Provided further, that the public health worker trained and involved in the government's blindness prevention program conducts only visual acuity tests and visual screenings.

3.1. Any person who is not a qualified and licensed optometrist and performs any of the acts enumerated in Section 2 shall be punished in accordance with the penalties provided herein.

3.2. Any optometric service done outside the licensed optometrist's optical clinic is hereby prohibited unless a proper and valid permit or clearance is issued by the barangay where the optometric services will be rendered.

Section 245. Acquiring Permits and Clearances to Perform and Render Optometric Services or to Sell or Distribute Optical Supplies.

4.1 Letter of Request made by group of persons, community associations, civic and religious organizations, business establishments or companies and other entities, associations or organizations who want to render optical services or otherwise sell or distribute optical supplies addressed to the Municipal Mayor with supporting documents, such as:

1. Business Permit
2. Endorsement from Municipal Health Board
3. DTI Permit
4. Photocopy of PRC ID of the Eyecare Practitioner
5. Lists of optical equipments to be used in performing proper and exact eye examination.

4.2 The Barangay Captain shall issue a proper and valid permit or clearance for ambulatory practice of optometry or selling or distribution of optical supplies only when the applicant submits the requirements as stated above.

4.3 Provided, that purely acts of advertisement without selling of optical supplies shall require only a Mayor's Permit.

Section 246. All prohibited acts as embodied in Republic Act No. 8050 otherwise known "*As An Act Regulating the Practice of Optometry, Upgrading Optometric Education, Integrating Optometrists and for Other Purposes,*" and its implementing rules and regulations shall be part of this ordinance and shall be subjected to the penalties provided herein.

Chapter XXXVIII

MISCELLANEOUS PROVISIONS

Section 247. Separability Clause. In the event that any section, paragraph, sentence, clause, or word of this Code is declared invalid for any reason, other provisions thereof shall not be affected thereby.

Section 248. Repealing Clause. All ordinances, as well as pertinent rules and regulations thereof, which are inconsistent with the provisions of this Code are hereby repealed or amended accordingly.

Section 249. Penal Clause. Any violation on the provision of this Code shall be meted a penalty of fine not more than Two Thousand Five Hundred pesos [PhP2,500.00] or imprisonment not more than SIX (6) months or both at the discretion of the Court.

Section 250. Effectivity. This Code shall be deemed effective upon approval.

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
(033) 511-8532 sbtigbauan@yahoo.com



ENACTED: This 9th day of December 2019 at Tigbauan, Iloilo

X -----X

**I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE
COPY OF THE 2019 HEALTH AND SANITATION CODE OF THE
MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO
DULY ENACTED BY THE SANGGUNIAN ON DECEMBER 9, 2019**

MARLENE T. NAVA
S.B. Secretary

ATTY. VIRGILIO T. TERUEL
Vice Mayor & Presiding Officer

APPROVED:

ATTY. SUZETTE TENEFRENCIA-ALQUISADA
Municipal Mayor

(Date signed)

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia
Hon. Neri T. Camiña
Hon. Marlon R. Teruñez

Hon. Suzette Marie Hilado-Banno, *M.D.*
Hon. Reynaldo E. Tumabotabo
Hon. Julius T. Ledesma, *O.D.*

Hon. Ma. Gerrylin Santuyo-Camposagrado, *LLB,MPA*
Hon. Norberto T. Turalba
Hon. Jerry T. Tuares, (LnB-Pres.)- *Civil Engineer*

Hon. Dyossa Marie Teruñez (SKMF-Pres.)

"Public office is a public trust. Public Officials must at all times be accountable to the people."