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

EXCERPT FROM THE MINUTES OF THE 52ND REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON DECEMBER 14, 2020 AT 9:50 IN THE MORNING

PRESENT:

HON. VIRGILIO T. TERUEL,	-	Vice Mayor & Presiding Officer
HON. NERI T. CAMIÑA	-	S.B. Member & Temp. Pres. Officer
HON. DENNIS T. VALENCIA	-	S.B. Member
HON. MARLON R.TERUÑEZ	-	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

ABSENT: N O N E

Municipal Ordinance No. 2020-013

2020 REVISED CODE OF GENERAL ORDINANCES OF THE MUNICIPALITY OF TIGBAUAN

Introduced by: HON. VIRGILIO T. TERUEL

Sponsored by: The Committee on RULES, ORDINANCES, RESOLUTIONS AND LEGAL MATTERS

Chairman: Hon. Virgilio T. Teruel
Vice Chairperson: Hon. Ma. Gerrylin Santuyo- Camposagrado
Members: Hon. Neri T. Camiña, Hon. Marlon R. Teruñez and Hon. Julius T. Ledesma

Seconded by: Hon. Marlon R. Teruñez, Hon. Suzette Marie Hilado-Banno, 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. Teruñez.

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

CHAPTER I
INTRODUCTORY PROVISIONS

SECTION 1. SHORT TITLE – This Ordinance shall be known and referred to as the 2020 Revised Code of General Ordinances (CGO) of the Municipality of Tigbauan, Iloilo.

SECTION 2. RELATION TO PRIOR ORDINANCES – The provisions of this Code which are substantially the same as existing ordinances relating to the same subject matter, shall be construed as restatements and not as new enactments, unless otherwise explicitly modified therein. This code is an updated compilation of ordinances and their amendments classified in every chapter hereof. Any and all ordinances not restated or included in this code shall be deemed repealed.

SECTION 3. EXISTING RIGHTS – Vested rights existing on the date of the effectivity of this Code arising out of contracts or any other source of obligation, shall be governed by original terms and provisions of said contracts or the law or ordinance in force at the time such rights became vested and in no case shall this Code infringe them.

SECTION 4. REFERENCE TO CODE – Whenever reference is made to any provision of this Code, the reference applies to all amendments and additions now or hereinafter made.

SECTION 5. CONSTRUCTION AND INTERPRETATION – Unless the provision or the context otherwise requires, these introductory provisions, as well as the rules of construction and the definitions contained in this Code, shall govern the construction and interpretation of this Code.

CHAPTER II
DEFINITION OF TERMS

SECTION 6. When used in this Code, the following terms shall mean:

Accreditation Certificate – a certificate which contains a statement of accreditation of the business establishment concerned as LGU accredited.

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.

Administrative Fine – is a financial penalty imposed on individuals who violates this Ordinance without need of litigation.

Adults – an individual aging 18 years old and above.

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).

Aedesaegypti - 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.

Aedesalbopictus - also known as the Asian Tiger mosquito, a specie indigenous in the Asia Pacific Region, secondary vector and common in rural areas.

Affiliating School - refers to any institution offering health and health-related courses that is utilizing government facilities as Related Learning Exposure Areas for students.

Affiliation Fee - refers to a sum of money incurred from a student at a standard rate as contained in A.O. No. 75-A, series of 1996.

Agri/Farm Tourism – travel directed at visiting agricultural farms for the purpose of observing the plantation, purchasing of produce, or participating in farm operations.

Agricultural - Refers to activities engaged in production of staple food and small scale Livestock raising. These will include farms of not more than 20 Has in area. Piggery with not more than 10 sows, poultries and duckery more than 100 heads.

Agricultural Wastes – refer to wastes generated from planting or harvesting of crops, trimming or pruning of plants and wastes or run-off materials from farms or fields.

Agro-Industrial - Refers to activities engaged in large-scale food production and livestock raising. These will include large-scale piggeries, poultries, and duckery more than as mentioned in Agricultural.

AICS - Assistance for Individuals in Crisis Situation refers to the provision of limited assistance, cash or in kind to individual/families.

Alcoholic Beverages/Intoxicating Liquors - are those drinks containing fraction of alcohol such as beer, whisky, gin, rum, vodka and the like which when drank causes intoxication

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Alleys - refer to a narrow street, passageway of byway.

Amplifier - an electronic circuit for increasing and decreasing the signal or sound of the loudspeaker

Amusement Center – any center, establishment, or part of the private house which for a fee or any compensation given directly or indirectly by the public offers recreation, such as, but not limited to, video houses, billiard halls, video games (family computer) centers, disco houses, comic rental stands and the like.

Amusement Center – any center, establishment, or part of the private house which for a fee or any compensation given directly or indirectly by the public offers recreation, such as, but not limited to, video houses, billiard halls, video games (family computer) centers, disco houses, comic rental stands and the like.

Animal and Transport - Refer to facilities used in transporting livestock and may include transfer facilities such as trucks, vans, topdown, tricycles, trisikads, mechanized trailers or “pogpogs”.

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.

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.

Anti Serum- A serum containing antibodies.

Apartment- a house or building containing a number of separate residential suites.

Assembly – a gathering of persons.

Athlete – refers to a Tigbauanon player participating in any sports activity

Authorized Agent Corporation (AAC) – a corporation or cooperative registered with the Securities and Exchange Commission (SEC) or the Cooperative Development Authority (CDA), respectively, that has been qualified and authorized by the PCSO to conduct STL in a particular area;

Auxiliary support and benefits – qualified interpreters or other effective methods of delivering materials to individuals with hearing impairments, qualified readers, taped test or other effective methods of delivering materials to the individuals with visual impairments acquisition or modification of equipment or devices and other similar support and services or all types of such that facilitate the learning process with mental disability.

Awards - recognition which may be monetary or non-monetary conferred on individual or group of individuals for ideas, suggestions, inventions, discoveries, superior accomplishments, exemplary behavior heroic deeds, extraordinary acts or service in the public interest which contribute to the efficiency, economy, improvement of operations which lead to organizational productivity.

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.

Bar– includes beer gardens or places where intoxicating and fermented liquors or malt are sold and served, disposed of, or given away for compensation even without food, where services of hostesses, Guest Relation Officers and/or waitresses are employed, and where customers are entertained by occasional dancing to music not rendered by a regular dance orchestra or musicians hired for the purpose. A “cocktail lounge” is considered a bar even if there are no hostesses or waitresses to entertain the customers.

Barangay – refer to the 52 barangays situated in the Municipality of Tigbauan

Barangay Official - an elected or appointed barangay official which refers to the Punong Barangay, Barangay Kagawad, Barangay Secretary, Barangay Treasurer, and Barangay SK Chairman as ex-officio member of the Sangguniang Barangay

Barangay PESO Coordinator (BPC) – shall refer to the duly appointed personnel whose duties and responsibilities were identified under the executive order issued by the Municipal Mayor

BCPC - shall refer to the Barangay Council for the Protection of Children.

Bedspacer - any person who lives or is accommodated in a boarding house by paying for bedspace only and cooking and buying his own food or subsistence.

Beer - refers to drinks produced from fermented yeast and malt

Beneficiary/Claimant- the barangay official concerned (*in case of permanent total disability*), or his/her surviving compulsory or legal heirs (*in case of death*) in the following order of preference:

1.surviving spouse;
2. child;
3. parent;
4. sibling (brother or sister), as certified by the Punong Barangay or his/her successor;
5. any relative within the fourth civil degree of consanguinity, as certified by the Punong Barangay or his/her successor;

Bet Taker or Promoter – A person who calls and takes care of bet from owners of both gamecocks and those of other betters before he orders commencement of the cockfight and thereafter distributes won bet to the winners after deducting a certain commission.

Bet - the consideration paid by a bettor to play/participate in a particular STL draw;

Better – A person who participates in cockfighting and with the use of money or other things of value bets with other bettor or through the bet taker or promoter and wins or loses his bet depending upon the result of the cockfighting as announced by the Referee or Sentenciador. He may be the owner of fighting cock.

Bettor – any person aged 18 years old and above who places bet for any STL draw;

Big firecrackers– shall include Bilong-bilong, Sapsap, Super Lolo, Kamara and firecrackers of similar kind containing not more than 5 grams of explosive powder.

Biodegradable materials - Refers to materials that can be decomposed through natural process and is not harmful to the environment. These materials may involve kitchen waste, food waste, fruit peelings, leaves branches, etc.

Bladed, Pointed or Blunt Weapon— refers to weapon, device or instrument with deadly character or can inflict fatal injury such as knife, bolo, fan knife, kris, samurai, ice-pick, brass knuckles, buckle knife and the likes.

Board – refers to the Educational Assistance Board herein created as a governing, policy-making, advisory and recommendatory body in the implementation of the municipality's educational assistance program;

Boarders - any person who lives or is accommodated in a boarding house by paying for its board and bed (lodging) or renting the room for himself without board (food).

Boarding House - A house or building where selected persons, for a fixed period of time, are provided board and lodging for fee.

Boarding House - any house or structure, apartment or build'ng and the like where boarders are accepted or accommodated for a fee or consideration in money or its equivalent by the week or by the month and where meals are served to boarders or where they occupy space only for the purpose of this ordinance a boarding house includes any dormitory.

Body number – a metal made number plate attached at the forward roof top of registered tricycle, pedicabs and e-bikes for hire

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.

Bouncer – male person employed by the establishment who watches, supervises and secures peace and order of the establishment during the hours of operation.

BTFBSD - Barangay Task Force "Bantay Sunog Dagami"

Build-Operate-Transfer Law Scheme – Under Republic Act No. 6957, as amended by RA No. 7718 (BOT Law), the following are the BOT Law variants:

Build-and-Transfer (BT) – A contractual arrangement whereby the Private Sector Proponent (PSP) undertakes the financing and construction of a given infrastructure or development facility, and after its completion, turns it over to the Municipality, which shall pay the PSP, on an agreed schedule, its total investment expended on the project, plus a Reasonable Rate of Return thereon.

Build-Lease-and-Transfer (BLT*)* – A contractual arrangement whereby a PSP is authorized to finance and construct an infrastructure or development facility and upon its completion, turns it over to the Municipality on a lease arrangement for a fixed period, after which ownership of the facility is automatically transferred to the Municipality.

Build-Operate-and-Transfer (BOT) – A contractual arrangement whereby the PSP undertakes the construction, including financing, of a given infrastructure facility, and the operation and maintenance thereof. The PSP operates the facility over a fixed term, during which it is allowed to charge facility users appropriate tolls, fees, rentals and charges not exceeding those proposed in its bid, or as negotiated and incorporated in the contract, to enable the PSP to recover its investment, and its operating and maintenance expenses in the project. The PSP transfers the facility to the Municipality at the end of the fixed term which shall not exceed fifty (50) years. This build, operate and transfer

contractual arrangement shall include a supply-and-operate scheme, which is a contractual arrangement whereby the supplier of equipment and machinery for a given infrastructure facility, if the interest of the Municipality so requires, operates the facility, providing, in the process, technology transfer and training to Filipino nationals.

Build-Own-and-Operate (BOO)- A contractual arrangement whereby a PSP is authorized to finance, construct, own, operate and maintain an infrastructure or development facility from which the PSP is allowed to recover its total investment, operating and maintenance costs plus a reasonable return thereon by collecting tolls, fees, rentals or other charges from facility users. Under this project, the proponent who owns the asset of the facility may assign its operation and maintenance to a facility operator. The divestiture or disposition of the asset or facility shall be subject to relevant rules of the Commission on Audit (COA).

Build-Transfer-and-Operate (BTO) – A contractual arrangement whereby the Municipality contracts out the construction of an infrastructure facility to a PSP such that the contractor builds the facility on a turnkey basis, assuming cost overruns, delays, and specified performance risks. Once the facility is commissioned satisfactorily, title is transferred to the Municipality. The PSP, however, operates the facility on behalf of the Municipality under an agreement.

Burial Assistance – an assistance that can be granted before the schedule of interment even though he/she has already availed of the medical assistance in the same year.

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.

Business and Investment Board of Tigbauan – refers to a non-profit group whose members come from government and private sectors in the local community which will serve as the consultative body/partner of the LGU on affairs affecting business and investment in Tigbauan.

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 such as restaurant, refreshment, cafeteria, grocery store, karaoke bar and beerhouse which are open to the public.

Business Registry (Registry) – a document or a book containing a record of all businesses in the municipality.

Cadaver – A dead body, especially that of a human body.

Calamity, accident, hospitalization leave – (Special Leave Privilege) Force majeure events that affect the life, limb and property of employees of his immediate family.

Career - position in the civil characterized by (1) entrance based on merit and fitness to be determined as for as practicable by competitive examination, or based on highly technical qualifications; (2) opportunity for advancement to higher positions; and (3) security of tenure.

Carnivals – a boisterous merrymaking or a travelling enterprise offering a variety of amusement.

Cashier – male/female employee who keeps money, records orders and summarizes bills of the customers.

Castration - the removal of the testicles of a male dog, depriving it of the power of vigor and masculinity and the power generation.

Cater - to serve, give or offer intoxicating liquor to any person or allow anybody to drink intoxicating liquor

Centenarian – refers to a Filipino who is one hundred or more years old.

Certificate of Eligibility – a certificate being issued by the MSWDO to the claimant if he/she is eligible for the said assistance.

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.

Certificate of Residency – a certificate being issued by the barangay where the claimant to be interviewed came from.

Certification - the official confirmation and recognition of Zero Open Defecation status.

Chapel – A subordinate place of public worship.

Child - refers to a person below eighteen (18) years of age or those over but are unable to fully take care or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.

Child abuse - refers to the maltreatment, whether habitual or not, of the child which includes any of the following:

a. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
b. Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
c. Unreasonable deprivation of his/her basic needs for survival, such as food and shelter, or
d. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his/her growth and development or in his/her permanent incapacity or death.

Child Labor - means employment of children below (15) years of age, expect as otherwise provided by laws.

Children - refers to those below eighteen (18) years of age or older but are incapable of taking care of themselves as defined under Republic Act No. 7610. As used in this Act, it includes the biological children of the victim and other children under her care.

Cigarettes – a small roll of finely cut tobacco in thin paper, used for smoking

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.

Civil Society Organization (CSO) - prefers 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.

Class Hours – scheduled time of classes determined by the school usually from 7 a.m. to 5:00 p.m., Mondays through Fridays.

Clinics - A facility for diagnosis and treatment of usually walk-in or outpatients and include among others veterinary, dentist and other related services.

Close-Circuit Television [CCTV] Surveillance System – a digital surveillance system including cameras, cabling, monitors and digital video recorders (DVRs), in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes.

Cockfighting – is the sport of pitting or evenly matching of gamecocks to engage in an actual fight where bets on either side are laid such as derby, pintakasi or tupada, or its equivalent terms used in the locality.

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.

Commercial building - refers to a building used or constructed or adopted to be used wholly or partly for shops, private offices, banks, nursing homes, hotels, restaurants, beauty parlors, boutiques, video libraries, computer shops, cinemas and Auditoriums or any other such building used for similar purpose engaged in trade and commerce.

Commercial Establishments - Refer to all establishments that are engaged in selling a variety of products and services for profit. These may include department stores, grocery stores, hardware and electrical supplies, food products, office supplies, and general merchandise stores.

Commercial fertilizer - shall mean any formula or product distributed for further distribution or ultimate use as a plant nutrient, intended to promote plant growth.

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.

Commission - Tigbauan Boarding House Commission (TBHC).

Community reintegration programs - shall refer to the programs established for the purpose of and preparing the child for reintegration into the community.

Community service - shall include cleaning of public places such as plazas, public markets, and side streets or any other government buildings or places.

Competitive Challenge or Swiss Challenge – An alternative selection process wherein third parties or challengers shall be invited to submit comparative proposals to an unsolicited proposal. Accordingly, the PSP who submitted the unsolicited proposal, or the original proponent, is accorded the right to match any superior offers given by a comparative PSP.

Competitive Negotiations – Refers to a process where the Municipality negotiates with eligible and qualified PSPs and awards the project to that PSP which offers the best combination of quality and price.

Competitive Selection or Bidding or Open Competition – Refers to a method of selection or procurement initiated and solicited by the Municipality, based on a transparent criteria, which is open to participation by any interested party.

Compost - decayed organic material for use as soil conditioner or fertilizer.

Composting - biological degradation under controlled conditions; the process of making biodegradable such as food wastes, animal wastes, human wastes, into compost by mixing them with soil water, biological additives-activators (optional) and air.

Compulsory HIV Testing - refers to HIV testing imposed upon a person attended or characterized by lack of consent, u se of physical force, intimidation or any form of compulsion;

Concession – A contractual arrangement whereby the financing and construction of a new facility and/or rehabilitation of an existing facility is undertaken by the PSP after turnover thereof to it, and includes the operation, maintenance, management and improvement, if any, of the facility for a fixed term during which the PSP generally provides service directly to facility users and is allowed to charge and collect the approved tolls, fees, tariffs, rentals or charges from them. The Municipality may receive a concession or franchise fee during the term of the contract and/or other consideration for the transfer, operation or use of any facility. There may be a transfer of ownership of the asset or facility after the concession period has ended subject to rules of the COA.

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;

Container, bag or Receptacle – something used to received and hold, conceal and cover trash and garbage from sight, insects and wind.

Contract-Add-and-Operate (CAO) – A contractual arrangement whereby the PSP adds to an existing infrastructure facility which it is renting from the Municipality and operates the expanded project over an agreed franchise period. There may or may not be a transfer arrangement with regard to the added facility provided by the PSP.

Controlled Dumping - A systematic process of storing waste materials in an area wherein safety measures is being adapted to minimize the harmful effects of waste materials in the environment.

Cook/Utility – a person who, of legal age, with valid health certificate and ID and a permit of employment, prepares food and other orders of the customer and washes dishes.

Cooks- as used in this ordinance means those who are working/employing in any food establishment, preparing food.

Corporatization – Refers to transformation of a public entity or quasi-municipal corporation established by the Municipality into one that has the structure and attributes of a private corporation, such as a board of directors, officers and shareholders, and having it registered with the Securities and Exchange Commission as a stock corporation. The process involves the establishment of a distinct legal identity for the company under which the Municipality's role is clearly identified as owner; segregation of the company's assets, finances, and operations from other Municipality operations; and development of a commercial orientation and managerial independence while remaining accountable to the government or electorate.

Cost Sharing – This shall refer to the Municipality portion of capital expenses associated with the establishment of an infrastructure development facility such as the provision of access infrastructure, right-of-way, and any partial financing of the project.

Credit Enhancement – This shall refer to direct and indirect support to a development facility by the PSP and/or Municipality, the provision of which is contingent upon the occurrence of certain events and/or risks, as stipulated in the P4 contract. Credit enhancements are allocated to the party that is best able to manage and assume the consequences of the risk involved. Credit enhancements may include but are not limited to government guarantees on the performance or the obligation of the Municipality under its contract with the PSP, subject to existing laws on indirect guarantees. Indirect guarantees shall refer to an agreement whereby the Municipality assumes full or partial responsibility for or assists in maintaining the financial standing of the PSP or project company in order that the PSP/project company avoids defaulting on the project loans, subject to fulfillment of the PSP/project company of its undertakings and obligations under the P4 contract.

Crowded streets – closely boarded by habitation, with blind curves and with medium to heavy traffic

CSCO - shall refer to civil society organizations.

Cultural Tourism– motivated primarily by cultural attractions that is satisfied by visits to museums, art galleries, artist's villages, heritage sites, and cultural presentations.

Customers – are people of legal ages who cater the Videoke Bar.

Day care - is the provisions or substitute parental care and stimulating activities for the total development of children between zero to five (0-5) years old when their parents are unable to take care of them during certain part of the day because of work and some other situation.

Day Care Center - is a facility where dare services are provided by an accredited day care worker particularly for children within three to five (3-5) year of age bracket.

Death - the loss of life of the barangay official during his term of office, supported by an original or certified copy of Death Certificate from the Local Civil Registrar or the Philippine Statistics Office;

Death Benefitor Financial Assistance – the amount or cash granted to a Barangay Official or his/her beneficiary/claimant in case of death or permanent total disability during his/her term of office;

Defecate – to excrete/discharge fecal waste from the body or to have a bowel movement.

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.
Derby– is an invitational cockfight participated in by game cockers or cockfighting "*aficionados"* of the Philippines with "pot money" awarded to the proclaimed winning entry.

Designated firecracker and pyrotechnic devices zones – refer to place where residents are allowed to use their firecrackers/pyrotechnic devices, specially on Christmas Eve and New Year's Eve;

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:

1. It shall be located in an open-space outside the building with no permanent or temporary roof or walls in an outdoor area.

2. It is not located in or within ten (10) meters from entrances, exits, or any place where people pass or congregate.
3. It shall not have an area larger than 10 square meters.
4. Food or drinks are not served in the designated smoking area.
5. No building shall have more than one designated smoking area.
6. Minors or persons below the age of 18 shall not be allowed within the designated area.
7. The designated smoking area has the following signage highly visible and prominently displayed:
8. "Smoking Area" signage with message showing "Minors not allowed within these premises"
9. Graphic health warnings on the effects of tobacco use.
10. 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.

Develop-Operate-and-Transfer (DOT) – A contractual arrangement whereby favorable conditions external to a new infrastructure project to be built by a PSP are integrated into the arrangement by giving that entity a right to develop adjoining property, and thus, enjoy some of the benefits the investment creates, such as higher property or rent values.

Development Projects – Municipal Projects normally financed and operated by the Municipality, but which will be now be wholly or partly financed, constructed and/or operated by the PSP; projects and activities that will be responsive to the needs of the communities; projects that will raise revenues for the Municipality; projects in furtherance of devolution, de-concentration and decentralization; and other infrastructure, social-related and developmental projects as may be authorized by the Municipality.

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.

Differently-abled Women - Differently-abled women are those who experience one or a combination of physical impairment with distinct needs and potentials.

Direct Municipal Equity – Refers to the subscription by the Municipality of shares of stock or other securities convertible to shares of stock of the special purpose vehicle or single-purpose project company, whether such subscription will be paid by money or assets.

Direct Municipal Guarantee – Refers to an agreement whereby the Municipality guarantees to assume responsibility for the repayment of debt directly incurred by the PSP in implementing the project in case of a loan default.

Direct Municipal Subsidy – Refers to an agreement whereby the Municipality shall: (a) defray, pay or shoulder a portion of the P4 project cost or the expenses and costs in operating and maintaining the project; (b) condone or postpone any payments due from the PSP; (c) contribute to any property or assets to the project; (d) waive or grant special rates on real property taxes on the project during the term of the contractual arrangement; and/or (e) waive charges or fees relative to the business permits or licenses that are to be obtained for the construction of the project, all without receiving payment or value from the PSP or operator for such payment, contribution or support.

Disability – shall mean (1) a physical or mental impairment that substantially limits one or more psychological or anatomical function of an individual or activities of such individual; (2) a record of such impairment: or (3) being regarded as having such impairment.

Displaced/Threatened Worker – who has been permanently or temporarily laid off or has received a notice of layoff or termination from employment due to firms bankruptcy, plant closure or any other similar mode of closure.

Display– The act of exhibiting or displaying for public view.

Disposable Food Receptacles - Refer to any type of disposable containers/vessel used for storing food bought by costumers (e.g. Styrofoam, cellophane, paper bags…)

Diversion - shall refer to an alternative child-appropriate process of determining the responsibility of a child in conflict with law (CICL) for an alleged offense as well as in determining the measures, if any, to be undertaken by the CICL and other persons without resorting formal court adjudication.

Diversion programs - shall refer to programs that the juvenile in conflict with the law is required to undergo after he/she is found responsible for an offense, without the child being made to undergo formal court litigation.

Divestment or Disposition – Refers to the manner or scheme of taking away, depriving, withdrawing of title to a property owned by the Municipality and vesting ownership thereof to a PSP.

Domestic Emergencies – (Special Leave Privilege) sudden repairs needed at home, sudden absence of yaya or maid and the likes.

Domestic Waste - Refers to the waste generated from the residence. (e.g kitchen waste, paper, cartons, fruit peelings, food waste)

Draw – the procedures and activities of the lottery wherein the winning set/combination of numbers is determined;

Driver's license card – Land Transportation Office (LTO) issued card

Driver's Professionalism Program (DPP) – a required seminar for drivers of tricycle, pedicabs and e-bike, for hire

Dry Seals – seals bearing the corporate seal of Tigbauan and the name of the local office, issued to local offices which use dry seal in authenticating public documents and administrative issuances.

Eateries/ Carinderias - Small business engaged in selling/serving food/viands for breakfast, lunch or dinner. Provisions were also made for a few tables, chairs and eating utensils.

E-bike – convertible battery operated and manually pedaled bicycle

Eco-Tourism - A kind or a class of tourism that involves travel to relatively undisturbed or uncontaminated natural areas with the specific objective of admiring, studying, and enjoying the scenery and its wild plants and animals, as well as any existing cultural features found in these areas.

Elderly – refers to age, old, advance in years and senior citizens.

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.

Emergency-is a situation that poses an immediate risk to health, life, property, or environment.

Empowerment - is used in the context of Persons with Disabilities' attainment of self-esteem, self-confidence and self-reliance through the process of acceptance of self impairments and the process of critical consciousness of social barriers.

Enablement - refers to the provision of opportunities and means, and if needed, changes to the surroundings or environments for Persons with Disability for access to realize their rights and participation.

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.

Enclosed Premises – the owner's house or fenced yard, where other people have no reason to enter except to conduct business or visit with the members of the household.

Endemic- is an outbreak of disease that is prevalence in a particular area, region or people.

Enforcement Officers – are those persons who have the authority and those who are authorized to implement this ordinance. This includes, police, teachers, principals, head teachers, punong barangays, barangay tanods and barangay kagawads.

Entertainment Spots - Refer to establishments providing entertainment for costumers. (e.g. beer garden, clubs, sing along...)

Errand – purpose or object for which one goes or is sent

Establishing – is an act of bringing into being, setting up and maintaining a Tigbauan Municipal Library and Historical Center inside " the Annex B " of the Municipal Building.

E-Trike – an e-bike attach with sidecar or a case and use for hire

Excreta Disposal Facilities of Barangays as of 2018:
Insanitary Disposal – open hole type; covered or not covered; pit privy type.

Exhumination – digging out or unearthing of a dead body or remains of a human being.

Factories/Plants - Refer to industrial establishments engaged in manufacturing products (e.g. ice plants, bottling plants, fruit processing…)

Factory or Industry Tourism- a tourist activity where factories open their doors to visitors (e.g. paper recycling, plastic recycling, organic vegetable production, etc.)

Fair – gathering of buyers and sellers at the stated time and place for trade or a competitive exhibition (as of farm products) or sale of a collection of articles for a charitable purpose.

Family - shall be understood to be composed of a father, mother and child.

Family Planning Services - refers to services for reproductive health and responsible parenthood

Feasibility or Project Study (FS) – A study, full or pre-feasibility study or business case prepared by the Municipality in a competitive selection or a PSP when submitting an unsolicited proposal, containing or indicating a need analysis, affordability assessment, value for money assessment, preliminary risk assessment, stakeholder assessment, human resource assessment, bankability assessment, legal viability assessment, LGU P4 mode selection, market testing if relevant, indicative transaction implementation plan, and draft LGU P4 contract. The study may be supported by the results of the appropriate "willingness-and-ability-to-pay" survey. The Project Study can be a feasibility study, pre-feasibility study or business case.

Federated PTCA –Parents-Teachers and Community Association

Feed Materials - Refer to food waste products that are fed to domestic animals (e.g. dogs, cats, pigs…)

Festival/Fiesta – a time of celebration marked by special observance especially on occasion marked with religious ceremonies.

Filial Obligations – (Special Leave Privilege) to cover the employee's moral obligation toward his parents and siblings for their medical and social needs.

Filial Obligations – (Special Leave Privilege) to cover the employee's moral obligation toward his parents and siblings for their medical and social needs.

Financially-challenged individuals – refers to an individual whose gross monthly income and that of his immediate family living with him or with whom he is dependent with which do not exceed Php10,000.00 per month;

Fire Hazard - Any condition or act which increases or may increase in the probability of the occurrence of fire, or which may obstruct, delay, hinder or interfere with fire fighting operation

and safeguarding of life and property.

Fogging -the method of creating chemical steam or mist to drive away mosquitoes.

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.

Franchise – Refers to the right or privilege affected with public interest which is conferred upon a PSP, under such terms and conditions as the Municipality may impose, in the interest of public welfare, security and safety.

Full-Term Pregnancy - pregnancy with age of gestation from 38-42 weeks

Fund-Raising Initiative - refers to any activity, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing or movies, or any fund-raising undertaking where women are used as donor prize, substitute for prizes won, a companion package for an award, prize or recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or special focus in order to raise funds.

G.R.O. - Guest Relation Officer who entertains and drinks with customers;

Gaffer (TagaTari) – A person knowledgeable in the art of arming fighting cocks with gaffs on either or both legs.

Gainful employment or source of livelihood - shall mean work, business or undertaking of whatever nature that gives the earner a monthly income of at least triple the prescribed minimum wage in the LGU net of taxes and other statutory impositions.

Garbage – unwanted or useless materials such as food waste, waste paper clothing's, tins, broken pots and glasses, wooden or cardboard boxes leather or plastic or any kind of plastic, garments, rusty irons, discarded kitchen utensils and many other household refuse.

Gender and Development- Conscious efforts at improving the quality of lives of women and men of all sexual orientations and identities based on sustained, equitable growth and balance ecology. It sees society as a gender system in all its aspects - economic, political and social. It views oppression in both private and public spheres recognizing women as agents of change through the reorientation of the male-centered culture.

Gender Sensitization - it is a critical process of learning and unlearning by an individual, male or female, of the causes and effects of the culturally-determined roles of women and men.

Grantee – refers to financially-challenged but deserving in-coming first year college or technical/vocational students who qualifies as a beneficiary and given the financial assistance herein provided;

Gratuitous Donation – A donation made by a PSP to a Municipality whose cause is pure liberality on the part of the former and does not require from the latter any additional action other than utilizing the thing donated for the purpose agreed upon, or impose any obligation, burden, charge or future services, benefits, or concessions, or other form of grant, in order to be valid.

Handicap – refers to a disadvantage for the given individual resulting from impairment or a disability that limit or prevent the function or activity that is considered normal given the age and sex of the individual.

Heads – include weanings, growers and fatteners.

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.

Health Tourism - travel to improve one's health (e.g. sauna, massage, medical treatment, diet resorts, spas, faith healers).

Heavy Equipment – refers to heavy-duty vehicles, especially designed for executing construction task, most frequently ones involving earthwork operations, such as but not limited to bulldozer, grader, compact excavator and loader;

HEKASI – a subject in Grade V in the elementary level which shall mean Heograpiya, Kasaysayan at Sibika which is a component subject of Makabayan.

High school students – those who are enrolled and studying in any secondary schools in the Municipality of Tigbauan, Province of Iloilo

High-Risk Behavior - refers to a person's frequent involvement in certain activities which-increase the risk of transmitting or acquiring HIV.

Himno Sang Tigbauan – a song that perfectly describes the lives, hopes, dreams and aspirations of the people of Tigbauan where peace, love and unity reign.

Historical Records – refers primarily to clippings, references, researches, or books relative to the History of Tigbauan, films, VHS, VCD and cassette tapes, visual materials including, but not limited to, frames containing the town's history or pictures of past and present Municipal Officials, of the town itself or of places or edifices with historical significance, or such other visual materials as are relative and appropriate thereto.

HIV positive- refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested.

HIV Testing - refers to any laboratory procedure done on an individual to determine the presence or absence of HIV infection.

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;

HIV/AIDS Monitoring- refers to the documentation and analysis of the number of HIV/AIDS infections and the pattern of its spread.

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.

HIV-negative - denotes the absence of HIV or HIV antibodies upon HIV testing.

Hospital - Refers to an institution where the sick and injured are given medical and surgical cure which include the private and the public.

Hotel- a building where transient guests are received and are supplied with and charged for meals, lodging and other services.

House/Building Number - the permanent number/code assigned to a house or building existing in the barangay.

Household Establishment – shall refer to all domestic homes or abodes within Municipality of Tigbauan, occupied primarily for residential purposes.

Human Immunodeficiency Virus (HIV) - refers to the virus which causes AIDS.

Human Transport Facilities - Refer to terminals and public utility vehicles used to transport human passengers.

I.D. – the Identification Card printed and duly authorized by the PCSO issued by the AAC to its sales representative, sales supervisors/managers and employees, indicating the individual's name, address, designation or position and signature, with his/her recent photograph;

Identification Document – refers to any document or proof of being a senior citizens or centenarian which may be used for the availment of benefits and privileges under this Ordinance.

Illegal Lottery and Numbers Game Operation – any conduct or operation of any numbers game or any form thereof, such as but not limited to *jueteng*, *masiao*, *bookies operations*, *game fixing, and other forms of lotteries,* including the collection of bets for such illegal/unauthorized operation, and which are not authorized by the PCSO or any other government agencies;

Illegal Numbers Game – lottery games which are unauthorized or prohibited by law, or without legislative franchise or authority;

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).

Illegal Recruitment - shall mean any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, or procuring workers and includes referring, contract services, promising and advertising for employment abroad, whether for profit or not, when undertaken by a non- licensee or non-holder of authority contemplated under Article 13(f) of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines: That any such non-licensee or non-holder who, in any manner, offers or promises for a free employment abroad to two or more persons shall be deemed so engaged.

Illustrious Filipinos – are persons, although not national heroes, who are conferred the highest public esteem, and are declared as illustrious by the concerned government agenc(y/ies).

Imminent Danger- means immediate threats of harm.

Immovable Properties – those defined under article 415 of the Civil Code of the Philippines especially under paragraphs (1) to (4), deemed to the public properties or properties for public use or, as the case may be, those found in the patrimonial property of the Municipality of Tigbauan;

Impairment – is any loss diminution or aberration of any psychological, physiological or anatomical structure or function of a PWD.

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.

Importation — to bring in salt to the Municipality of Tigbauan from any foreign or external source.

Incentives - monetary or non-monetary motivation or privilege to an official or employee for contributions, suggestions, inventions, ideas, satisfactory accomplishment or demonstration exemplary behavior based on agreed performance standards and norm of behavior.

Inclusive Environment - refers to the environment wherein people of all cultural orientation can freely express who they are, their own opinion and point of view, fully participate in teaching, learning, social and work activities, and feel safe from abuse, harassment or unfair criticism.

Indigent -person is one who is needy and poor, or one who has not sufficient property to furnish him a living nor any one able to support him and to whom he is entitled to look for support.

Indiscriminate Fogging- the use of fogging by someone not an exterminator.

Individual/s in Crisis – families/individual/s who are hampered to function normally because of socio-economic difficulties.

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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.

Infrastructure Projects — include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works, components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national bridges, school buildings, hospital buildings and other related construction projects of the government.

Integrate - to connect or combine two or more things in order to form a single unit or system.

Internet Shop – a place which provides internet access to the public, usually for a fee. The fee for using computer is usually charged as time-based rate.

Irrigation Canal – an artificial waterway or artificially improved river used for travel, shipping, or irrigation.

Joint Venture (JV) – A contractual arrangement whereby a PSP or a group of PSPs on one hand, and the Municipality on the other hand, contribute money/capital, services, assets (including equipment, land, intellectual property or anything of value), or a combination of any or all of the foregoing. The Municipality shall be a minority equity or shareholder while the PSP shall be majority equity or shareholder. Each party shall be entitled to dividends, income and revenues and will bear the corresponding losses and obligations in proportion to its share. Parties to a JV share risks to jointly undertake an investment activity in order to accomplish a specific, limited or special goal or purpose with the end in view of facilitating private sector initiative in a particular industry or sector, and eventually transferring ownership of the investment activity to the PSP under competitive market conditions. It involves a community or pooling of interests in the performance of the service, function, business or activity, with each party having a right to direct and govern the policy in connection therewith, and with a view of sharing both profits and losses, subject to agreement by the parties

Karaoke Bars — any business establishment that caters entertainment by selling alcoholic drinks and providing videoke to their customers;

Katarungang Pambarangay - shall refer to SECTION 399-422 of the Local Government Code of 1991 that is commonly known as the Katarungang Pambarangay Law.

Katigbawan History and Culture – refers to the history and culture of Katigbawan during the Spanish time which later evolved to Tigbauan, that we know today.

Kaya-Kulob - a system of turning over vessels or containers which contain stagnant water which could be the breeding places of Aedes mosquitoes.

Lanes - refer to a narrow pathway or byway.

Large Scale Piggery- refers to more than 2 sows and more than 20 heads.

Lease or Affermage – A contractual arrangement providing for operation, maintenance, and management services by the PSP, including working capital and/or improvements to an existing infrastructure or development facility leased by the PSP from the Municipality for a fixed term. Under a lease, the PSP retains revenue collected from customers and makes a specified lease payment to the Municipality . Under an affermage, the parties share revenue from customers wherein the PSP pays the contracting authority an affermage fee, which varies according to demand and customer tariffs, and retains the remaining revenue. The Municipality may provide a purchase option at the end of the lease period subject to rules of the COA.

Lessee – a person who leases the building space.

Lessor – a person who owns the right to a particular building space and leases the place.
LGU – Local Government Unit

LGU P4 Contract – Refers to an agreement between the Municipality and a PSP that govern an LGU P4 Project.

Librarian – is a person who is a bonafide holder of a license and a certificate of Registration issued by the Professional Regulation Commission Board for Librarians. He / She is duly appointed, in accordance with law, Civil Service Rules and Regulations, to manage in proper order at all times, the herein Municipal library and Historical Center.

License – certification issued by a Local Government Unit (City / Municipality) to an individual or entity for the legal exercise of profession or to engage in business.

Licensee – person, group or corporation applying for the Municipal Piggery License.

Lifeguard – an expert swimmer trained on life saving procedures employed at a public bathing place to safeguard bathers and to prevent drowning.

Limited Negotiations – Refers to a process whereby the Municipality negotiates with the PSP in instances when there is only one eligible and qualified PSP in a competitive selection process, under Stage 2 of the competitive challenge process, or when there is a prior completed competitive process.

Liquid Waste - Refers to any kind of waste that is liquid in nature.

Liquor License – authority given by the municipality after paying the necessary dues to a certain establishment that sells alcoholic beverages to the customers or clients of legal ages.

Loading – an act of picking up not exceeding five (5) minutes for cargo(es) and two (2) minutes for passenger(s) unless they are Senior Citizens, PWDs and pregnant women.

Loading Area – is a place where PUV temporarily stops in order to allow passengers to alight or to ride.

Local Blood Council – refers to a non-profit, multi-sectoral group whose members come from government and private sectors in the local community committed to support the blood typing program.

Local Civil Registrar – Authorized keeper of a Register of deaths, births, marriages, etc. in certain place, town or municipality.

Local Offices – refer to all local offices of the Local Government Unit of Tigbauan functioning in both governmental and corporate powers.

Log book – a record book kept by the manager with personnel data entries of the following: name, aliases, age, sex, status, temporary address in the municipality, permanent address, previous employment and address, diseases acquired during last 6 months prior to present employment, pictures (1) whole body shot and (1) 2 X 2 passport size and 3 signature specimens of the employee.

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Loiter – to pass the time idly and to stay in one place to the other.

Lottery – a game by which a person pays money for the chance to win through the conduct of draws and the prizes are distributed to the winners where the revenue/sales generated therefrom are allocated in accordance with R.A. 1169, as amended;

Loudspeaker - a device that converts an electrical signal into sound.

Mail-order Bride - It is a practice where a woman establishes a personal relation with male-foreign nationals via mail, electronic or similar means, upon recruitment by an individual or agency for the purpose of exploiting women in guise of marriage.

Management Contract – A contractual arrangement involving the management or provision by the PSP of operation and maintenance or related services to an existing infrastructure or development facility owned or operated by the Municipality. The PSP may be compensated by the Municipality using the funds of the latter, or the PSP may collect tolls/fees/rentals and charges which shall be turned over to the Municipality and shall be compensated in the form of a fixed fee and/or performance-based management or service fee during the contract term.

Manager – a person of legal age, having secured the permit of employment operates and manage sa Videoke Bar.

Manufacture -- the process of making salt manually or mechanically.

MAO – Municipal Agriculture Office

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.

Massage Clinic- an establishment where massage is administered to customers

Maternity Leave – granted to female employees, married or unmarried in case of pregnancy or in case or abortion or miscarriage. Had rendered two years or more (aggregate) with full pay (2 months' salary), proportionate pay for those who have served less than two years or less than 1 year in the government.

MCWC - shall refer to the Municipal Council for the Welfare of Children.

Medical Assistance – an assistance that is given once a year to the immediate family members of the patient.

Medium Scale Piggery – refers to 2 sows and 11-20 heads.

MEO – Municipal Engineering Office

MHO – Municipal Health Office

Micronutrient Malnutrition — refers to a health disorder due to deficiencies in Vitamin A. iron, and other micronutrients which the body needs in minute quantities daily.

Migratory Worker/OFW - refers to any Filipino who in order to pursue work such as seasonal work had to work outside of the Philippines.

Mills - Refers to establishments engaged in processing products. (e.g. rice mills, corn mills…)

Minor – an individual aging below 18 years old whether a student or out –of-school.

Modified Rapid Composting- production of on-farm compost using rice straws with use of Trichoderma Harzianum that hastens the decomposition of bio-mass or farm wastes.

Monitor- to regularly check something or watch someone in order to find out what is happening.

Monument Service – an act of cleaning, painting or watering of plants thereat on the monument and its radius by any person found committing any of the acts subject of penalties under Section IV hereof.

Monuments – are busts, full – bodied statues, figures, pedestals and pylons, arches and the like, erected in memory and in honor of a person or event.

Morbidity - relating to or characterized by disease.

Mortality - the number of deaths within a particular area.

Movable Properties – those defined under Article 416 of the Civil Code of the Philippines, owned by the Municipality of Tigbauan and are considered vintage.

MPDO - Municipal Planning and Development Office

MSWDO - shall refer to the Municipal Social Welfare and Development Office.

Municipal Cemetery – A place for the burial of the dead, usually a park like enclosure laid out and kept for the purpose of interment. This was formerly called a "Catacomb."

Municipal Health Officer — a licensed Physician who is in-charge of the Rural Health Unit of the Municipality of Tigbauan and is authorized to issue health certificate;

Municipal Heavy Equipment — refer to heavy equipment owned by the Municipality of Tigbauan, such as, but not limited to : Dumptrucks, Graders, Garbage Compactors and other Similar Equipment.

Municipal Heritage – refers to Municipal Historical records, archives, days / dates and public properties with historical or cultural value inherited upon or made by the present generation.

Municipal Library and Historical Center – refers to a Municipal Public Library established under Municipal Ordinance No. 97 – 52 where a collection of reading materials, historical records and other similar materials organized and administered for reading and researches are made available to the public, subject to the governing rules and regulation that may be enacted hereinafter by this Sanggunian.

Municipal PESO - shall refer to the Public Employment Service Office established in the LGU of Tigbauan.

Municipal streets – closely boarded by habitation, with blind corners and with light traffic

Municipality - refers to the Municipality of Tigbauan.

National Heroes – are men and women of exceptional qualities who win the admiration of the entire nation because of their noble deeds, especially deeds of courage, and are declared as national heroes by the concerned government agenc(y/ies).

Nearest Groundwater – the nearest water beneath the earth's surface, often between saturated soil and rock, that supplies wells and springs.

Negotiated Projects – Refer to instances where the desired project is the result of an unsolicited proposal from a PSP or, where the Municipality has failed to identify an eligible PSP for a desired P4 activity when there is only one qualified bidder after subjecting the same to a competitive selection or bidding.

Neonatal Care - care of newborn baby.

Neutering- is the surgical removal of an animal's reproductive organ, commonly practiced on household pets such as cats and dogs as a method of birth control.

New Technology – Refers to having at least one of the following attributes:

a. A recognized process, design, methodology or engineering concept which has demonstrated its ability to significantly reduce implementation of construction costs, accelerate project execution, improve safety, enhance project performance, extend economic life, reduce costs of facility maintenance and operations, or reduce negative environmental impact or social/economic disturbances or disruptions during either the project implementation/construction phase or the operation phase; or
b. A process for which the project proponent or any member of the proponent joint venture/consortium possesses exclusive rights, either world-wide or regionally; or
c. A design, methodology or engineering concept for which the proponent or a member of the proponent consortium or association possesses intellectual property rights.

Non-Career - positions expressly declared by law to be in the non-career service; or usual test or merit and fitness utilized for the career services and (2) tenure which is limited to the duration of a particular project for which purpose employment was made

None Disposal – sharing type

Non-Handicapping Environment – is one that promotes, ensures and guarantees the inclusion and participation of every individual with disability in the life and activity of his community or society. Such an environment is not merely inclusive but in fact encouraging and welcoming of everyone whose interaction with the rest impacts positively on his person and his community.

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.

Number code - The geographical code given to a particular barangay with corresponding number:

06 - Regional Code
05 - Provincial Code
5021 - Municipal Zip Code
01 to 52 - Barangay Number
R-001 onward - Residential House Number
RB-001 onward - Residential Building Number
RC-001 onward - Residential/Commercial Building Number
C-001 onward - Commercial Building Number
P-001 onward - Public Building Number
OB-001 onward - Other Building Number

Obstetrical Complications – untoward incidents that may happen during the time of delivery like elevated blood pressure, profuse vaginal bleeding, breech presentation or mother's inadequate pelvic inlet in proportion to the size of the baby's head - Cephalopelvic Disproportion (CPD).

Obstructing Materials / Articles – are stock piles of sand, earth, gravel, pieces of wood, bamboo, parked vehicle, materials used for grain drying and other similar materials or articles, structures and humps

Offices– refers to structures/buildings wherein transactions are being made/conducted like Educational Assistance Office herein created and mandated to administer and implement the municipality's educational assistance program;

Officers-of-the-Day - refers to members of the Sangguniang Bayan assigned as person–in–charge at the SB office on that certain day.

Official Business – transactions that are related to the functions of being a municipal official or employee.

Official Driver – refers to the designated driver(s) from the Sangguniang Bayan office.

Onerous Donation – A donation made by a PSP to a Municipality which subjects the latter to obligations, burdens, charges or future services, benefits, or concessions, or other form of grant, equal or greater in value than that of the thing donated by the donee-PSP.

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.

Open Dump - unplanned site with no preparation and no proper waste Management System and with significant potential for negative environmental impacts.

Open Flame (Cooking) devices –are defined as candles, torches, butane burners or any other ***flame*** producing device… The use of unmanned, free floating sky lanterns and similar devices utilizing an ***open flame*** are prohibited from use on or launch from University buildings, property or land.

Open Public Place - refers to a public place or building or to any place/building (except residential building) booth, cubicle, including "gareta" and the like, which is immediately adjacent to or near a public place, building or part thereof where the public usually passes through or converge.

Open Spaces - Refer to area/s, both private and public, with no erected structures, (e.g. roads, vacant lots, parks, etc.).

Operating Distance – location of the operation of the Videoke Bar outside the 200 meter radius from public structures such as school, church and municipal buildings.

Operation time – time given by the municipality for the Videoke Bar to operate starting from 5:30 – 12:00 Midnight during Mondays – Fridays and 5:00 – 12:00 Midnight during Saturdays, Sundays and Holidays except during Holy Thursday and Friday.

Operator - one who operates and controls the amplifier.

Optical Clinic – A facility that provides services related to eyes or vision and performing routine eye examinations.

Optical Suppliers Or Distributors – A person or entity that supplies goods and services particularly for optical purposes.

Optical Supplies- Equipments, stocks and other related objects needed for optical uses. Ordinary sunglasses shall not be considered as optical supplies.

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.

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.

Organic fertilizer - fertilizer derived from the decayed rice straws and decayed bodies of dead animals.

Organizer - the one responsible for planning or arranging and in-charge of the activity.

Other Building - refers to a building or structure other than a residential house, residential building, commercial building and public building.

Other Elective Municipal Officials – refers to vice mayors and regular members of the Sangguniang Bayan duly elected in a regular election provided by law, and ex-officio members of the Sangguniang Bayan referring to the president of the Liga ng mga Barangay, the president of the Municipal Federation of the Sangguniang Kabataan, and such other elective positions as may be created or provided by law.

Other government agencies – refer to local government units, government agencies and instrumentalities other than the Municipality of Tigbauan and the 52 barangays situated in the Municipality of Tigbauan.

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.

Over speeding– driving exceeding the designated limit in a particular area or zone

Overloading – an act of loading more than the designated capacity of a vehicle

Overtaking – an act going beyond next vehicle or coming upon unexpectedly or suddenly

Owner(1)– the person who invests his/her money for the operation of the Videoke Bars.

Owner(2)– any person keeping, harboring or having charge or control of, or permitting a dog to habitually be or remain on, or be lodged or fed within such person's house or any other property including its yard or premises.

PAG-IBIG Fund - It is the arm of the national government that handles Filipino needs to uplift the quality of living of their members through savings-services and benefits which include:

a. Short term loans like personal loan or provident loan which is one of the most applied for loans.
b. Calamity loan or emergency loan on area declared to be under calamity.
c. Housing loan to offer convenience for its members via low cost interest rates

Parade – a ceremonial formation and march (as of troops) a pompous display or exhibition.

Parental Leave (Solo Parent) – a woman who gives birth as a result of rape and other crimes, provided that the mother keeps and raises the child, parent solo or alone with responsibility of parenthood due to: death of spouse, abandonment of spouse for 1 year, legal separation, physical and/or mental incapacity of spouse, annulment of marriage, or other related situations.

Parental obligation – (Special Leave Privilege) Attendance in school programs, PTA meeting, graduations, first communion, medical needs of employee.

Parked Vehicle – a vehicle whose engine is off or not in motion including but not limited to: vehicles parked in designated parking areas; those vehicles being repaired in streets in case of trouble but not those in the act of loading or unloading

Parking – means that the vehicle is "parked" if it has to stop at the shoulder or edge of any public highway, road, or street, remains inactive in that place for a period of time unattended. A motor vehicle which probably stops to load or unload passengers or cargoes of small quantity of freight with a reasonable dispatch shall not be considered "parked" if the motor vehicle again moves away without delay.

Parking Area – means the end portion of the transportation line of public utility vehicles.

Parks - Refer to developed open spaces with the purpose of relaxation and recreation for the public.

Partner/Wife Abuse and Battering - Battering is any single or sporadic act of violence which shall include the repeated and habitual cyclic pattern as means of intimidation and imposition of the batterer's behavior but is not limited to:

a. Physical abuse and battering- this includes any form of conflicting wounds, pain, etc. on any part of the woman's body or the threat of physical violence.
b. Sexual abuse and assault- this includes physical attacks on the women's breast/genitals or forced sexual activity, accompanied by either physical violence or the threat of physical violence.

c. **Psychological abuse**- this includes threats of suicide, violence against the women of her family, punching, breaking or defacing or otherwise destroying the house or any part thereof or of personal belongings of a woman, threatening to take the children away, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to foreign country and forcing the victim to do degrading things: controlling the victim's lawful or usual activities, the use of foul and insulting words or statements and threat the conjugal dwelling. This provision shall apply to any form of intimate relations such as common-law relations, those between and among members of the same household; and includes men's control over women's resources (e.g. income, property, etc.).
d. **Economic abuse**- this includes deprivation of women on economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination such as controlling over women's hard-earned money and using them to his vices, etc.

Paternity Leave – 7 working days, non-cumulative and commutative.

PCSO – refers to the Philippine Charity Sweepstakes Office, with the powers and functions provided for under R.A. 1169, as amended by Batas Pambansa Blg. 42 and P.D. No. 1157;

Pedophilia - It is a form of sexual perversion where children are preferred victims for intercourse. It shall include the following acts but shall not be limited to the following:

a. when the offender shall have sexual intercourse with a boy or girl child;
b. when the offender shall have anal intercourse with a boy or girl child;
c. when the offender does other sexual acts such as fondling, kissing the private , parts of the girl or boy child or taking photographs/video of the same for pornography;
d. when the offender shall have in possession of pornographic photographs/videos of the same.

Permanent Total Disability – total loss, or impairment of a physical or mental function resulting from injury or sickness which renders the barangay official incapacitated to perform his/her official duties and responsibilities for a continuous period of more than one hundred twenty (120) days, as certified by the Municipal Health Officer;

Personal Milestone – (Special Leave Privilege) Birthday, wedding/wedding anniversary celebration, death anniversary and other similar milestones.

Personal Transactions - (Special Leave Privilege) to cover the entire range of transactions and individual with government and private offices such as paying taxes, court appearances, housing loans, etc.

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.

Persons with Disabilities – are those suffering from restriction of different abilities from the result of mental, physical or sensory impairment to perform an ability in the manner or written the range consider normal for the human being.

Persons with Disability Affairs Office (PDAO) – is an institutional mechanism to ensure the implementation of programs and services for persons with disabilities in every city, province and municipality. Section 5 of the IRR of R.A. No. 10070 provides: The Persons with Disability Affairs Office (PDAO) shall be established in all provinces, cities and first (1^{st}), second (2^{nd}) and third (3^{rd}) class municipalities under the office of the governor, city or municipal mayor, respectively. The PDAO may be a department, division or section. In the 4^{th}, 5^{th} and 6^{th} class municipalities, the municipal mayor shall designate or appoint a Focal Person to perform the functions of PDAO.

PESO – Public Employment Service Office

PHILHEALTH -It is a social insurance program which serve as the means for the healthy to help pay for the care of the sick and for those who can afford medical care to subsidize those who cannot. It shall be limited to paying for the utilization of health service by covered beneficiaries.

Physical Therapy Clinics – an establishment where physical therapy is administered to customers.

Physical Violence - refers to acts that include bodily or physical harm.

Pictures – refers to bond paper sized colored group pictures with frames of other elective municipal officials.

Piggery - a farm where pigs are bred or kept.

Pigpen – a pen or enclosure for a pig or pigs.

Plate number – a metal number plate issued to the registered pedicabs and e-bikes

Plaza - means an open public square owned by the government.

PO – People's Organization

Poblacion Area – composed of 9 barangays with boundaries in the national highway Barangay Namocon, Barangay Parara and Barangay Bagumbayan.

Poblacion Streets – are Municipal streets or roads and National Highway within the Poblacion Area.

Point-of-sale - refers to any location at which an individual can purchase or otherwise obtain tobacco products and/or ENDS.

Pool of athletes – refers to a group of Tigbauanon athletes who are recognized by the Local Sports Development Council and in top priority to represent the municipality in any sports activities the council may join.

Pool of officials- refers to all recognized officials by the Local Sports Development Council and in top priority to officiate in any municipal league organized by the Council.

Portraits – refer to the drawing in brown Sepia, 11 x 15 inches with frames of the faces of the Local Chief Executives of Tigbauan.

Potability- the quality of being suitable, safe, or prepared for drinking.

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.

Pre-Emptive or Forced Evacuation- An order from competent authority to forcibly evacuate residents of Barangay to an appropriate evacuation destination to protect their lives during the onslaught of disaster.

Private person/entities – refers to persons or entities during the request not belonging or attached to any branch of the government. Municipal officials and employees who will request for the use of the municipal property vehicle in their private capacity shall be considered as private person or entities for this purpose.

Private Sector Proponent (PSP) – Refers to the private sector entity which shall have contractual responsibility for the project and which shall have an adequate track record in the concerned industry, as well as technical capability and financial base consisting of equity and firm commitments from reputable financial institutions, to provide, upon award, sufficient credit lines to cover the total estimated cost of the project to implement the said project.

Private Trisikad – this is a trisikad unit used by the owner exclusively for his personal use or that of the members of his family or for his private business.

Private Vehicles – a vehicle motorized or not covered by the definition of public utility vehicle.

Procession – a group of individuals moving along in an orderly open ceremonial way.

Professional Card - a card containing the profession of a person and such other information as may be necessary which is duly noted and signed by the Municipal Mayor.

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.

Professionals – any person who acquired a Bachelor's Degree or any 4-year course.

Professionals Board of Tigbauan – refers to a non-profit, professionals group whose members come from government and private sectors in the local community which will serve as the consultative body/ partner of the LGU.

Professionals Registry (Registry) – a document or a book containing a record of all professionals in the municipality either working locally or abroad.

Program – refers to the "STUDYANTE SA TIGBAUAN NGA ALISTO (STA) EDUCATIONAL ASSISTANCE PROGRAM", herein established for poor but deserving college or technical-vocational students.

Prohibited Road/ Street Area – this refers to the route, streets or area in the Municipality of Tigbauan, Iloilo declared by the Sangguniang Bayan as prohibited area, street or road for public utility trisikads operations for reasons of public convenience and safety.

Prominent Personages – are persons of national or local eminence or importance. This includes statesmen, eminent leaders of the Municipality, philanthropist and the like.

Psychological violence - refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and mental infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

Public Activity - refers to affair or occasion sponsored by a government agency or by private entity whether for profit or not of which the public is permitted to watch or participate such as but not limited to benefit dance, jam session, sports tournament and food festival.

Public Building - a building used by the public for any purpose, such as assembly, education, entertainment, or worship; a building that belongs to the national government or local government unit, and is used by the public such as, but not limited to, schools, churches or places of worship, barangay halls, day care centers, multi-purpose halls, health centers and similar buildings.

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.

Public Facility – can be any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

Public Markets - Refer to places where buying and selling is being conducted. It is different from department stores from the fact that it is open for any entrepreneur to display and sell their wares/products.

Public Office — this includes municipal building, and government owned buildings.

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.

Public Pound – an establishment where "stray animals" or those animals "running at large" such as dogs, shall be impounded, confined or restrained.

Public Ridicule – shall be defined as an act of making fun or contemptuous imitating or making mockery of a person with disability whether in writing, or in words, or in action to their impairment/s.

Public Roads - includes national, provincial, municipal and barangay roads.

Public-Private Partnerships for the People Initiative for Local Government (LGU P4) – At the policy level, an LGU P4 is a developmental, innovative, change and partnership strategy aimed at promoting the general welfare, inclusive growth and better quality of life of Filipinos.

At a project level, an LGU P4 is a legally enforceable contract where each party assumes specified functions, bears certain risks, provides contribution or renders some obligation, and earns benefits and revenues from the P4 arrangement. Specifically, it is a form of legally enforceable contract between the Municipality and a PSP, and in certain cases, with the requiring new investments from the PSP and transferring key risks to the PSP in which payments are made in exchange for performance, for the purpose of delivering a service provided or intended to be provided by the Municipality. P4 shall also include dispositions of an asset, facility, project owned, or entity created by the Municipality to a PSP; procurement of a service; donations to the Municipality; incorporation of a subsidiary with PSP equity; assumption by a PSP of a proprietary function of the Municipality; grant of a concession or franchise to a PSP by the Municipality; or usage by the PSP of public property owned or possessed by the Municipality.

PUV (Public Utility Vehicle) – any four (4) or more wheeled vehicle propelled by motor used to transport passenger for fare

Reading Materials – refers to books, encyclopedia, dictionaries, journal, Bible, magazines, newsletters, newspapers, gazettes or such references which are deemed necessary in a library.

Reasonable Rate of Return (RROR) – Refers to the rate of return that a PSP shall be entitled to, as determined by the P4 Regulatory Authority taking into account, among others, the prevailing cost of capital (equity and borrowings) in the domestic and international markets, risks being assumed by the PSP and the level of Municipality undertakings and contributions extended for the project.

Receptacles - Refer to any type of containers (e.g. sacks, bags, boxes, drums) equipped with cover used for storing waste materials prior to collection and disposal.

Recovery center - Refers to the place where recyclable waste materials are being recovered prior to disposal. The recoverable waste materials can either be sold to recycling plants or junkyards.

Recruitment and Placement - shall mean any act of canvassing, enlisting, contracting, transporting, utilizing, hiring or procuring workers and includes referrals, contract services, promising or advertising for employment, locally or abroad, whether for profit or not; provided, that any person or entity which, in any manner, offers or promises for a fee employment to two or more persons shall be deemed engaged in recruitment and placement.

Recyclable Materials - Discarded materials that can be converted into other usable products instead of being thrown away.

Recycle - The process of converting discarded materials into something usable.

Refreshment Parlor – a business establishment selling food or drink or both especially as a light meal.

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.

Registry of Barangay Inhabitants - the list or registry of actual inhabitants who have resided in the barangay for at least six (6) months prior to the effectivity of this ordinance.

Regular Prenatal Check-up - pregnant women having monthly prenatal visits from the 1st month to 7 month age of gestation, twice a month at 8th month age of gestation, weekly during the 9th age of gestation.

Rehabilitate-and-Transfer (RT) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate, and after its completion, turns it over to the Municipality which shall pay the PSP, on an agreed schedule, its total investment expended on the project, plus a reasonable rate of return thereon.

Rehabilitate-Lease-and-Transfer (RLT) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate, and upon its completion, turns it over to the Municipality on a lease arrangement for a fixed period, after which ownership of the facility is automatically transferred to the Municipality.

Rehabilitate-Operate-and-Transfer (ROT) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish, operate and maintain for a franchise period, at the expiry of which the legal title to the facility is turned over to the Municipality.

Rehabilitate-Own-and-Operate (ROO) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate with no time limitation imposed on ownership. As long as the operator is not in violation of its franchise, it can continue to operate the facility in perpetuity.

Rehabilitate-Transfer-and-Operate (RTO) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate. Once the facility is commissioned satisfactorily, title is transferred to the Municipality. The PSP, however, operates the facility on behalf of the Municipality under an agreement.

Rehabilitation - is an integrated approach to physical, social, cultural, spiritual, educational and vocational measures that create condition to the individual to attain the highest possible level of self-esteem

Rehabilitation Leave (job-related injuries) – leave privilege granted to officials or employees who were wounded or injured in the performance of duty, maximum period of six months, non-cumulative and non-commutative, entitlement to payment of salary during the period of treatment and recuperation.

Religious Sector – A body of person distinguished by peculiarities of faith and practice from other bodies adhering to the same general system, specifically adherents collectively of peculiar creed or confession.

Residential house - refers to any building, structure or portion thereof that is primarily occupied, or designed or intended primarily for occupancy, as a residence by one or more households. . This may include among other boarding houses, apartments, and huts.

Residential building - refers to a building which provides more than half of its floor area for dwelling purposes, including a building that provides sleeping accommodation with or without cooking or dining or both facilities.

Residue - Refers to the leftover of any liquid materials in its containers and bottles.

Resort – any place or places with pleasant environment and atmosphere conducive to comfort, healthful relaxation and rest, offering foods, sleeping accommodations, swimming and other recreational facilities open to the public for a remuneration.

Resource Recovery - The process of recovering possible resources from discarded materials.

Rest Area – a facility located at a strategic point along the national highway or route of the traveling public which is provided with parking space, restaurant or snack bars, other business shops, recreational facilities, service stations, public restroom facilities or waiting sheds for travelers and commuters.

Restaurant – any establishment offering to the public regular and special meals or menu, cooked foods and short orders, beverages and drinks.

Restrained – tethered, leased or caged.

Retailer — refers to someone who sells to the end user or consumer.

Rice straws - rice plant materials left in the field after harvest which is source of organic fertilizer.

Riverbanks – the bank of a river.

Roman Catholic – A member of the Catholic Church which is in communion with the Pope whom it recognizes as its supreme head on earth.

Sale - exchange of goods or property for agreed sum of money.

Sales Representative (Kuridor) – any person employed by the AAC tasked to collect bets and issue the corresponding tickets/receipts;

Sales Supervisor or Manager(Mayor Kuridor) – any person tasked to supervise Sales Representative;

Sanitary Disposal - flush and pour-flush toilet bowls

Sanitary Landfill - Refers to an area wherein a systematic method of disposal of solid waste as well as proper implementation of all possible mitigating measures to safeguard the environment is being conducted.

Sanitary Order - a citation or document notifying an offender of a particular violation of existing law or regulation on sanitation.

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.

Sanitary Technicians- Refer to personnel who collect the solid waste from all sectors of the community.

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.

Saunter – aimless and purposeless manner of walking

Scavenger – a person that collects or disposes of filth, waste products, etc.; someone that scatters garbage without placing them in the proper container or receptacles or removes garbage from the same.

School Premises – a distinct portion of land within the perimeter of the school

School Zones – are zones in a National Highway, roads or streets which are fifty (50) meters before and after the frontage of the school's main building

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.

Sell – to transfer to another for a consideration of money – disposes by sale;to exchange goods (specifically beer, alcoholic beverages, wine and other intoxicating liquors) for money

Senior Citizens –refers to any Filipino Citizen who is a resident of the Philippines, and who is sixty years (60) old or above, It may apply to senior citizens with "dual citizenship" status provided they prove their Filipino citizenship and have at least six (6) months residency in the Philippines.

Service Contract – A contractual arrangement whereby the PSP shall provide a particular service to the Municipality involving the Municipality's proprietary authority or to entities or corporation created by the Municipality. The PSP shall be entitled to be paid a fee per unit of work done during the term of the contract; or compensated by the Municipality using the funds of the latter; or the PSP may collect tolls/fees/rentals and charges which shall be turned over to the Municipality and shall be compensated in the form of a share in the revenues.

Service Facilities - parts of bus terminals or bus stations, airports and seaports that provide sanitary facilities, washing bays, parking areas and repair stations.

Service Station – commonly known as gasoline station, where service for motor vehicles may be obtained such as fuels, oil, water, air for tires, greasing and repair.

Service Stations or Gasoline Stations - establishments where motor vehicles may obtain fuel, oil, water, air for tires, greasing and repair services.

Sexual Harassment - It is a form of misconduct involving a act or a series of unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature, made directly or indirectly.

Sexual violence - refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:

a. rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;

b. acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion;

c. Prostituting the woman or child.

Sick Leave – taken on account of sickness or illness of officials/employees or any member of their immediate family, absence of one full day or more shall be filled immediately upon return from such leave, notice of absence shall be sent to immediate supervisor or head of agency, more than 5 days leave shall be accompanied by a medical certificate, may be applied in advance with medical operation/examination, advised to rest in view of ill health.

Sidewalks - refer to narrow pathway at the sides of a road intended for the use of pedestrians.

Six (6)-wheeled truck or vehicle – a truck or any vehicle having six (6) wheels;

Skilled Birth Attendant - refers to physicians, nurses or midwives handling the delivery

Small Litter Materials – shall include, but not limited to cigarette butts, cigarette packs, candy/food wrappers, carton/paper/plastic bags, masticated chewing gum, fruit seeds and remains, or any kind of waste matter of whatever form.

Small Scale Piggery – refers to raising of 1 sow and more than 2 but not more than 10 heads.

Small Town Lottery (STL) – refers to the PCSO lottery conducted at the local level, i.e. cities, provinces, municipalities, etc. involving the collection of bets, issuance of tickets, conduct of draws, payments to winners and remittances;

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.

Smoking — inhaling, exhaling, burning or carrying any lighted cigarette, cigar, pipe or any form of lighted object or device which contains tobacco or other similar chemical compound.

Social Barriers - refer to the characteristics of institutions, whether legal, economic, cultural, recreational or other, any human group, community, or society which limit the fullest possible participation of persons with disability in the life of the group. Social barriers include negative attitudes which tend to single out and exclude persons with disability and which distort roles and inter-personal relationships

Social functions - refers to the appearance of the SB members to induction programs, benefit dances, coronation programs, presence in vigils or burials, and any other related activities at the municipal perimeter

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

Solid Wastes - Refer to all types of wastes that are solid in nature.

Sound Systems - are components of amplifiers, loudspeakers and woofers to produce sound

Sow – shall refer to a female swine.

Spa Clinic- a commercial establishment that offers ways of improving health and fitness such as controlled diet, exercise and massage.

Special Concerns - are circumstances which gravely threaten or endanger the survival and normal development of children including but not limited to the following:

- **a.** Being in the community where there is armed conflict or being affected by armed conflict related activities:
- **b.** Working under conditions hazardous to life, safety and morals which unduly interfere with their normal development;
- **c.** Living in or fending for themselves in the streets of urban or rural areas for their survival and welfare;
- **d.** Being children or indigenous people or living under conditions of extreme poverty or in an area which is underdeveloped and/ or where basic services needed for good quality of life are inadequate;
- **e.** Being a victim of a man-made or natural disaster or calamity, or analogous circumstances that endanger the life, safety or normal development of children.

Special Interest Resort – refers to resorts located at appropriated seaside, sea borne, river sides, mountains, hills, open fields and other special interest sites providing facilities and equipment for the conduct of special interest activities such as bird watching, camping, children's activities, horseback riding or target shooting and theme parks such as marine aquarium parks and/or forest parks.

Specially-abled children - children with disabilities" or children with special needs" are children with either physical or mental infirmities whether congenital or acquired after birth.

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.

Sports – refers to all recognized sports activities that a Tigbauanon athlete could participate in, may it be an individual, dual or team sports or may it be an exhibition or a competition game.

Sports association/organization – refers to all clubs or organizations that are recognized by the municipality as a sports association/organization.

Sports Tourism - travel to participate or observe sporting competitions/activities (e.g. basketball games, motor-cross, cockfighting, boxing)

Stakeholders - Refer to all individuals who are directly or indirectly affected by the solid waste management program.

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.

STL Station – an extension office of the AAC located in its approved area of operation and authorized by the PCSO, for purposes of consolidating the sales collected by the substations, remittances of proceeds due to the PCSO, sell and pay winning STL tickets;

STL Sub-Station – a collection center strategically established in various locations inside a municipality or city and operating under the supervision of an STL Station for purposes of collecting bets from STL bettors and remitting its collection to the STL Station, information dissemination, and distribution of payouts to winning bettors;

Storage - Refers to the method of gathering all waste materials into a single, well covered receptacle and stashed in a selected location prior to disposal. The act of storing materials or any other solid, liquid and like matters.

Store - a business establishment where goods are regularly offered for sale such as supplies, especially of food, clothing, etc.

Store Owners – Any person or persons whose name appears on the Mayors permit to operate for business are considered as proprietor or store owner

Stray Dogs Or Dogs Running At Large – dogs which are loose, unrestrained, unconfined or not under complete control of its owner or the one in the possession thereof and are found in streets, plazas, markets or any other places open to the public .

Street children - means children below eighteen (18) years of age who are out of school, begging for a living and with no permanent dwelling.

Student - is a person enrolled in Nursing or health-related course in any college/university.

Student Affiliate - refers to an individual enrolled in any health-related course using a Government Owned Facility as a venue for learning experiences.

Subsidiary with PSP Equity – A corporation or quasi-municipal corporation incorporated by a Municipality and registered as a stock corporation under the Corporation Code where majority of the shares are held by a Municipality and where a PSP is a or PSPs are minority shareholder/s which acquire their shares through an initial public offering or other competitive means.

Surveillance - close observation of the Dengue, Zika or Chikungunya situation in the municipality.

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.

Sustainable Tourism Development - means tourism development that leads to management of all resources in such a way that those economic, social, and aesthetic needs can be fulfilled, while maintaining cultural integrity, essential ecological processes, and biological diversity and life support systems.

Swine Raisers – individuals or persons engaging in raising swine.

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.

TASK FORCE "MAGDALENA" - refers to the task force created under Executive Order No. 011, series of 2005

Task Force Jaywalkers – multi-sectorial task force organized by the municipality with the authority to monitor, inspect, apprehend, arrest and recommend to the Mayor its findings and recommendations of violations.

TB Diagnostic Committee - a Committee composed of panel of specialized physicians deciding to treat TB patients based only on X-ray positive results.

TB Quality Assurance Personnel – personnel who validates the smear of TB sputum positive patients.

TB-DOTS – Tuberculosis Directly Observed Treatment Short-Course

TCT – Temporary Citation Ticket

Term of Office – the period during which the barangay official is entitled to hold office under the law, either by election or appointment, provided that when a *permanent vacancy* occurs as when the barangay official fills a higher vacant office, refuses to assume office, fails to qualify, dies, is removed from office, voluntarily resigns or is permanently incapacitated to discharge the functions of his/her office, his/her term of office shall be deemed to have expired;

Terminal Area – is a designated place where PUVs and vehicles for–hire are stationed

Tethering - refers to the confining of dogs in certain areas by roping or with the use of chain.

Thoroughfares - Refer to roads, highways, footwalls and other areas used for travel by humans and vehicles.

Through streets – closely bordered by habitation and with clear traffic

Ticket (Kuteho) – refers to the official tickets printed and/or duly authorized by the PCSO, which shows the details of a bet for a specific draw in a particular area and serves as proof thereof;

Tigbauanon Athlete – refers to a player who resides in Tigbauan or one who is related by affinity or consanguinity to Tigbauanon.

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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.

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 industrythat compete with those of tobacco control.

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.

Tour Guide – an individual who guides tourists, both foreign and domestic, for a fee commission or any other form of lawful remuneration.

Tourism Industry - refers to industries or business enterprises providing goods and services to tourists and all types of travelers who stay, travel, visit and enjoy the facilities and destinations.

Tourist bus - is a bus service that takes tourists and visitors on sightseeing, with routes around tourist attractions;

Tourist/s - someone who visits a place for pleasure and interest, usually while on holiday;

Toxic and Hazardous Wastes (THW**)** - Refers to all solid and liquid wastes that poses harmful effects to humans, animals and the environment in general.

Traditional Birth Attendant - "Paltera or Hilot"

Traffic – vehicles moving on a road or public highway

Trafficking in Women - A covert or overt recruitment of women into the sex trade industry. It includes new forms of sexual exploitation such as sex tourism, the illegal recruitment for domestic labor to work in developed countries and organized marriages between women from otherworld countries and foreign nationals, promoting or initiating a system in which women became movable properties and objects of exchange.

Transport Terminal Facilities – facilities in land, air and sea terminals where passengers transfer between ground transportation and the facilities that allow them to board and disembark from aircraft, sea craft and buses or any public utility vehicles.

Transportation – the action, a system or means of conveying people or goods from place to place by means of vehicle

Trichodermaharzianum - fungus activator used to hasten rapid decomposition, anti-pathogens that fight fungal and bacterial infection or microorganism thatconverts available nutrient readily available to plants.

Tricycle–for–Hire (MCH) – a motorcycle fitted with a side car or a case used to transport light cargo and render transport services to the general public for fee

Trisikad/Pedicab – any vehicle powered by muscular power having an attachment side car with single or double pneumatic tires for transportation of passenger or light cargoes for a fee

Trust Fund – an account specially established where funds are maintained or accumulated and shall be used exclusively for death benefits or financial assistance to barangay officials covered by this Ordinance.

Unloading – an act of discharging or removing not exceeding five (5) minutes for cargo(es) and two (2) minutes for passenger(s) unless they are Senior Citizen's, PWD's and Pregnant Woman.

Unloading Area – is a place DESIGNATED for passengers to alight.

Unsolicited Proposal – Refers to project proposals submitted by a PSP to the Municipality to undertake Development Projects without a formal solicitation issued by the Municipality.

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.

Vacation Leave – taken for personal reasons, approval discretionary, and should be filed 5 days in advance (one full day or more).

Vaccination - is the administration of antigenic material (a vaccine) to produce immunity to a disease.

Value for Money (VfM) – Refers to the concept that over the whole-life of a project finance-P4 project, government's total expenditures (i.e., its payments to the PSP), adjusted for the risks that have been transferred to the PSP, will be less, on a Net Present Value (NPV) basis, than if the government will perform the services itself. VfM considers monetary and non-monetary factors such as: (i) risk transfer; (ii) reduced whole life costs; (iii) speed of implementation; and (iv) quality and reliability of service.

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.

Vector - an organism such as a mosquito that carries disease-causing microorganisms from one host to another.

Vehicles – any locomotive powered by motor or muscular power either for public utility or private use.

Vendors - Refer to all entrepreneurs who use temporary stalls in displaying their wares. These stalls can be moved and transferred to any locations (e.g. cigarette vendors…).

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.

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.

Viability Gap Funding (VGF) – Refers to an explicit subsidy that is performance-driven (i.e., based on private party achieving measurable outputs) and targeted to socio-economically disadvantaged users or groups of users; or any financial support in the form of grants or assistance, one time or deferred, to infrastructure projects undertaken through LGU P4 with a view to make them commercially viable.

Videoke Bars - are establishments that operate a videoke machine and the like in an enclosed space preferably sound proof and shall have obtained all the necessary permits from the municipal government to operate such one.

Vilification – the utterance of slanderous and abusive statements against a person with disability.

Violence Against Women and Their Children - refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes or is not limited to physical violence and sexual violence.

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.

Waiter – a male employee of legal age with a valid health certificate and ID, with permit of employment, takes orders and serves the customers such as food, soft drinks and alcoholic beverages, cleans the table and surroundings and washes dishes in a Videoke Bars and wears an apron.

Waiters/Waitress/Counter Clerks- as used in this ordinance means those who are working or employing in any food establishment, serving or handling foods or drinks.

Waiting area - a designated place for waiting passengers located inside the bus terminals, airports and seaports.

Waitress – a female employee, of legal age with a valid health certificate and ID, with permit of employment, takes orders and serves the customers such as food, soft drinks and alcoholic beverages, cleans the table and surroundings and washes dishes in a Videoke Bar and wears an apron.

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.

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.

Water sites and sources – artesian or deep wells, river dams, or main water pipelines where water can be obtained.

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.

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.

Wine - the fermented juice of the grapes and several other fruits or vegetables.

Woofer - a loudspeaker designed to reproduce the lower audio frequencies but has a strong vibration and sound.

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.

Wrapping Materials – used to cover up by folding, bundle and preparation for transportation or storing or disposal.

Young Key Population - includes children (below 18 years old) and adolescents (18-24 years old);

Zero Open Defecation - refers to a situation when no feces are openly visible or exposed to the public.

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.

Zonal Boundary - specific areas of coverage within the municipality assigned as corresponding route.

Zoning Law or Ordinance – Either or both national or municipal legislation which logically arranges, prescribes, defined and apportions a given political subdivision into specific land uses at present and future projection of needs warrant.

CHAPTER III
SPECIAL PROVISIONS

SECTION 7. MUNICIPAL CORPORATE SEAL

A. SYMBOLISM

The Corporate Seal of Tigbauan is divided into four quadrants. Each quadrant shall mean as follows:

1. **The Sailing Paraw (upper left quadrant) –** Tigbauan is a coastal Municipality. One of the modes of sea transportation is the local sailboat called, “paraw”. This serves two functions, a mode of transportation and at the same time an aid in our fishing activities, one of the major sources of income or means livelihood of the people in the coastal barangays. Until now, local fisher folks still sail using the paraw.

2. **The Abundant Farm (upper right quadrant) –** Tigbauan is also blessed as an agricultural haven. The major products is rice but throughout the year, various crops, such as, corn, vegetables, roots crops, among others, also serve as alternative sources of living of the people residing in the agricultural areas. The two bending coconuts symbolize the high hopes of the people as well as our resiliency in facing the challenges that life can bring. Like the coconut which has various uses from its roots up to its leaves, the people of Tigbauan are resourceful and productive citizens, working harmoniously for progress and development.

3. **The Tigbaw Grass (lower left quadrant)–** when the Spaniards came to Tigbauan, they described the place particularly the area near the river bank of Sibalom River as a place abundant with reed grass locally known as “tigbaw”. Thus, the place particularly in the area of Parara, was called as “Katigbawan”, which later evolved to what we know today as Tigbauan. Tigbauan therefore derived its name from the tigbaw grass.

4. **The Bounty of the Sea (lower right quadrant) –** As a coastal town, Tigbauan is endowed with a rich and wide array of aquatic resources. The sea has been part and parcel of the lives of the people. In fact, Tigbauan is the home of the Southeast Asian Fisheries Development Center (SEAFDEC), an international aquaculture research and development center located in Barangay Buyu-an, Tigbauan, Iloilo.

   The knots that form a circular shape enclosing the four quadrants, and caption Municipality of Tigbauan, Iloilo, Philippines symbolize the unity and oneness of the people of Tigbauan. It represents the unified goal, dreams and aspiration of every Tigbaueño to become part and parcel of building a progressive and peaceful community centered on faith and driven by the desire to contribute ones brilliance for the change and development to happen.

B. REGULATORY CLAUSE

1. USE OF CORPORATE SEAL

Only the Municipality of Tigbauan and its local offices shall use the corporate seal:

a. To authenticate all public documents and other administrative issuances.

b. As letterhead in official communication or correspondence in the exercise of the municipality's governmental and corporate functions;
c. To be affixed upon such other official documents, plates and papers of the Municipality of Tigbauan as may be provided by a Sanggunian resolution or ordinance, or as may be required by custom or usage;
d. As symbol of the Municipality of Tigbauan in all its affairs within or outside of its territorial jurisdiction.
e. To be affixed upon LGU pins, service rings, stickers or be embroidered and affixed upon the uniforms of local officials and employees, barangays officials, military uniforms as defined herein including the uniform of Traffic Aides and Barangay Tanods.

2. CUSTODY OF THE ORIGINAL LAY – OUT OF THE SEAL

The Offices of the Mayor and the Sangguniang Bayan shall have custody of the original lay-out or draft of the corporate seal of Tigbauan, scanned and saved in a computer or in a disc. The original printed document containing the seal duly signed by the Chairman of the National Historical Institute (NHI) and the Executive Secretary of the President shall be framed, kept and displayed at the Municipal Library and Historical Center.

3. PROHIBITED ACTS

It shall be prohibited:
a. To mutilate, deface, defile, trample on, or cast contempt by any act or omission casting dishonor or ridicule upon the corporate seal;
b. To display the seal under any frame or picture;
c. To display the seal in a platform or stage during programs not hosted by the Municipal Government of Tigbauan;
d. To add any word, figure, mark, picture, design, drawings, advertisements, or imprint of any nature on the seal;
e. To print, paint or attach representation of the seal on handkerchief, napkins, cushions, and other articles of merchandise;
f. To use or display the seal as part of any advertisement or infomercial;
g. To use the corporate seal as personal seal of any local official including the Local Chief Executive by indicating the name or position within the ring border of the seal.

4. CHANGE IN THE DESIGN OF THE CORPORATE SEAL
a. The seal provided herein shall only be changed for a justifiable reason and by a unanimous vote of all the members of the Sangguniang Bayan, and no new seal shall be adopted within ten (10) years from the date of approval hereof.
b. Any change in the design of the seal provided herein, without changing the entire design shall be made only for a justifiable reason, not more than once every ten years and by a unanimous vote of all the members of the Sangguniang Bayan.

5. PERMANENT DISPLAY OF CARVED CORPORATE SEAL

As a sign of authority, there shall be made three (3) carved corporate seals of Tigbauan either in wood, stone, brass, clay or other medium. They shall be permanently attached / displayed at the façade of the Municipal Hall and at the office of the Mayor and the Sangguniang Bayan Session Hall. They shall be in bigger sizes proportionate with the wall or room, and placed in an elevated, centermost dominant position.

C. PENAL CLAUSE
1. Any person who commits the prohibited acts letters (a) to (f) shall be meted a fine of One Thousand Pesos (P1,000.00) or imprisonment for fifteen (15) days, or both such fine and imprisonment at the discretion of the court; provided that for any second and succeeding offenses, both fine and imprisonment shall be imposed;
2. Local officials, who may commit the prohibited act letter (g),and other provisions of this ordinance, shall be subject to reprimand, discipline or be administratively liable, without prejudice to the filing of the appropriate civil or criminal action;
3. Any person who violates any provision of this ordinance, other than the prohibited acts shall be meted a fine of Five Hundred Pesos (P500.00) or imprisonment for three (3) days, or both such fine and imprisonment at the

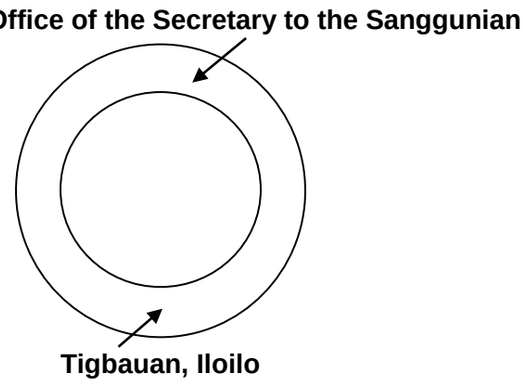
discretion of the court; provided that for any second and succeeding offenses, both fine and imprisonment shall be imposed.

SECTION 8. THE DRY SEAL OF THE MUNICIPALITY OF TIGBAUAN

A. REGULATORY CLAUSE

There shall be adopted in every local office of Tigbauan which uses dry seal in authenticating public documents or administrative issuances, a dry seal containing the corporate seal of Tigbauan and the name of the issuing local office, described as follows:

1. The name of the office shall occupy the top portion of the ring border while the bottom shall indicate the name of the municipality. A sample of it is illustrated as follows:



2. All dry seals issued to the local offices shall have the same size and dimension;
3. The dry seal shall not be used as personal seal of the department head (e.g. the text Secretary to the Sanggunian indicated within the ring border of the seal is not allowed).
4. The department head or head of the local office shall have custody and care of the dry seal of his / her office, and shall:
   a. designate an official and exclusive place for the dry seal in his / her office;
   b. task a subordinate in affixing and safekeeping the dry seal.
5. The affixing of the seal on documents shall be done within the office and during office hours, hence, dry seals shall not be used outside the office and beyond office hours;
6. Dry seals shall be kept and secured inside the office after office hours.
7. It shall be the duty of the General Services Officer to procure and issue Memorandum Receipts of dry seals to local offices and monitor their serviceability.

B. PENAL CLAUSE

1. Any public officer or employee who violates any provision of this ordinance shall be subject to reprimand, discipline, suspension or any administrative liability depending on the gravity of the offense, without prejudice to the filing of appropriate civil or criminal action;

2. Any person affixing the dry seal on any document without the knowledge and consent of the concerned head of office or destroying the dry seal shall be meted a fine of Five Hundred Pesos (P500.00) or imprisonment or community service of eight (8) hours, or both fine and imprisonment or community service at the discretion of the court; without prejudice to the filing of the appropriate civil or criminal action. Provided however, that persons who destroy the dry seal aside from the penalty shall immediately replace the destroyed dry seal.

SECTION 9. MUNICIPAL HYMN

A. HIMNO SANG TIGBAUAN

HIMNO SANG TIGBAUAN

Bilidhon ka nga hiyas Tigbauan.
Malapad nga baybay ang katipan
Bahandi nga labing tinipigan,

Sang amun mga katigulangan

Sa bugana mong patag Tigbauan,
Ginpanggas sang amon ginikanan
Mga handum sang katibawasan
Kag mga damgo sang kauswagan

Tigbauan pinalabi sang Diwa
Duna ikaw nga mahamungaya
Isa ka suba ang ga alila
Sa silak sang adlaw nga pinalangga

Tigbauan matinggas ang mga uhay
Ang tuba mo dug-os ang kaangay
Marimis ang mga isda sa baybay
Kag may ma anyag nga mga lin-ay

Sa imo Tigbauan may paglaum
Madamo ang manggad nga likum
Gintigana sang mga matutom
Ang mapisan indi gid magutom

Sa simbahan mo kag mga dalan
Nakasulat sa dugo kag luha
Sang imo nga mga kaanakan
Ang imo kasaysayan Tigbauan

Tigbauan ikaw ang paraiso
Nga ginapuy-an sang mga taho
Nga simpatiko kag karinyoso
Kag sa Diyos himpit ang pagtuo

Tigbauan matahum kag matawhay
Pugad sang kahirup kag kalipay
Mabuhay ka amon banwang hilway
Mabuhay ka Tigbauan mabuhay!

B. REGULATORY CLAUSE

1. SINGING OF THE MUNICIPAL HYMN

The Municipal Hymn contained herein shall be sung in the following:

a. During flag raising and retreat, after the singing of the Philippine National Anthem in the Municipal Building, all schools both public and private, barangay halls and their premises, local and national government offices, including their sub-offices located within the territorial jurisdiction of the Municipality of Tigbauan;

b. In all kinds of programs, after the singing of the Philippine National Anthem in all establishments or offices aforementioned. However, in case of programs conducted by the Religious Sector, any sect may sing the Municipal Hymn at its option;

c. During reviews in honor of military or civilian dignitaries. However, in Review conducted by CAT or ROTC Units, as the case maybe, of schools located in Tigbauan, these units may sing their respective school hymns. In case of the latter's unavailability, the Municipal Hymn shall be sung.

2. COURTESIES TO THE MUNICIPAL HYMN

a. During the singing of the Municipal Hymn, moving persons or vehicles shall come to a halt or be halted or stopped. Persons shall remove their head-gears, take off their umbrellas, or similar overhead paraphernalia, face the flagpole, or in the latter's absence, the person conducting.

b. Upon singing of the Municipal Hymn, civilians shall place their right hand on their left chest, while those in the military or Philippine National Police (PNP) shall render the

appropriate saluting based on governing rules of Military Courtesy and Discipline (MCD).

c. Applicable provisions in the Flag Code of the Philippines and the Rules on Courtesy and Discipline provided under the Field Manuals of AFP and PNP shall be applied suppletorily in so far as they are applicable.

SECTION 10. MUNICIPAL FLAG

A. DESIGN AND SIZE OF THE MUNICIPAL FLAG

1. The Municipal Flag shall be white symbolizing the people's purity of intentions, character and actions that every Tigbaueño should accord to his town and his fellowmen. It shall contain the Corporate Seal.

2. The size of the flag shall be 36 inches in width and 60inches in length.

3. The design of the Municipal Flag shall be illustrated below, to wit:

B. REGULATORY CLAUSE

1. HOISTING AND DISPLAY OF THE MUNICIPAL FLAG

a. The Municipal flag shall be displayed in the Municipal Hall, barangay halls and public buildings, public plazas, and institutions of learning everyday throughout the year;

b. It may also be displayed in private buildings and residences or raised in the open flag-staffs in front of said buildings only during the Municipal and Religious Fiesta every third Sunday of January, our Municipal Festival every March 18th, and Adlaw sang Tigbauan, every last Friday of October;

c. All government entities shall observe flag days with appropriate ceremonies through a resolution of the Sanggunian;

d. The Municipal Flag could be knotted to signal that assistance is badly needed;

e. If planted on the ground, the flagpole shall be at a prominent place and shall be of such height as would give the flag a commanding position in relation to the buildings in the vicinity. The Municipal Flagpole shall be lower than that of the National Flag's and shall be at the left of the latter. The flagpole that is planted on the ground shall be straight and slightly tapering at the top;

f. If attached to a building, the flagpole shall be on top of its roof or anchored on a sill projecting at an angle upward; If on stage, on platform or in government office, the flag shall be at the left of the observer as one enters the room;

g. When the Municipal Flag is flown with flags of other local government units (LGUs) within the territorial jurisdiction of Tigbauan, it shall be hoisted first and lowered last; If the other flags are not LGU flags, they may be flown in the same lineyard as the Municipal Flag but below the latter;

h. When displayed in a semi – circle of flags of other LGUs or house flags, the municipal flag shall be at the center;

i. When displayed in a circle of flags of other LGUs or house flags, the Municipal Flag shall be flown on a flagpole facing the main road; or in front of a monument; or the main entrance of the building. The flags of other LGUs or house flags shall be arranged counterclockwise in alphabetical order, by precedence or by protocol;

j. When displayed with other LGU flags, the Municipal Flag shall be on the right of LGU flags. If there is a line, the Municipal Flag shall be in the middle of the line; When

carried in a parade with flags, which are not LGU flags, the Municipal Flag shall be in front of the center of the line;

k. A flag worn out through wear and tear shall not be thrown away. It shall be solemnly burned to avoid misuse or desecration. The ashes shall be collected and buried beneath a tree of heritage. The flag shall be replaced immediately when it begins to show signs of wear and tear;

l. The flag shall be raised at sunrise and lowered at sunset. It shall be on the mast at the start of official office hours, and shall remain flying throughout the day;

m. The Municipal Flag may be displayed:

m1. In a suspended position from a rope extending from a building to pole erected away from the building;

m2. Flat against the wall only in a horizontal position;

n. The flag shall not be raised when the weather is inclement. If already raised, the flag shall not be lowered for the whole day;

o. The flag shall be hoisted to the top briskly and lowered ceremoniously. It shall never touch anything beneath it, such as the base of the pole, the ground or other objects. After being lowered, the flag shall be handled and folded solemnly as part of the ceremony;

p. The flag shall be properly folded following the customary way of folding the National Flag before hanging at the start of the ceremony. It shall not be left hanging at the base of the flagpole while waiting for the flag ceremony.

2. CONDUCT OF FLAG RAISING CEREMONY

a. All government offices and educational institutions shall henceforth observe the flag–raising ceremony every Monday morning and the flag lowering ceremony every Friday afternoon. The ceremony shall be simple and dignified and shall include the playing or singing of the Municipal Hymn.

b. During the flag–raising ceremony, the assembly shall stand in formation facing the flag. At the moment the first note of the Municipal Hymn is heard, everyone in the premises shall come to attention; moving vehicles along municipal streets shall stop. All persons present shall place their right palms over their chests, those with hats shall uncover, while those in military, scouting, security guard, and citizen military training uniforms shall give the salute prescribed by their regulations, which salute shall be completed upon the last note of the hymn. The assembly shall sing the hymn, and at the first note, the flag shall be raised briskly.

c. During the flag lowering, the flag shall be lowered solemnly and slowly so that the flag shall be down the mast at the sound of the last note of the hymn. Those in the assembly shall observe the same deportment or behavior as for the flag–raising ceremony.

3. HALF – MAST

a. The flag shall be flown at half–mast as a sign of mourning on all buildings and places where it is displayed, as provided in this ordinance, on the day of death of the following officials:

a1. Incumbent or former local chief executives, for ten (10) days;

a2. Incumbent Vice Mayor and the Municipal Trial Court Judge, for seven (7) days;

a3. Incumbent members of the Sangguniang Bayan, for four (4) days;

b. The flag shall be flown at half – mast on all buildings and places where the decedent was holding office on the day of interment of former Local Chief Executives, Vice Mayors, MTC judges, members of the Sanggunian, Local and National Department Heads, and Punong Barangays.

c. The flag when flown at half–mast shall be first hoisted to the peak for a moment then lowered to the half–mast position. The flag shall again be raised briskly to the peak before it is lowered for the day.

4. PROHIBITED ACTS

a. To mutilate, deface, defile, trample on, or cast contempt by any act or omission casting dishonor or ridicule upon the flag or over its surface;

b. To dip the flag to any person or object by way of compliment or salute, except giving courtesy to the National Flag;

c. To use the flag:

c1. as a drapery, festoon or tablecloth;

c2. as a covering for ceilings, walls, statues or other objects;

c3. as a pennant in the hood, side, back and top of motor vehicles;

c4. as a staff or whip;

c5. for unveiling monuments or statues; and
c6. as trademarks, or for industrial, commercial or agricultural labels or designs.

d. To display the flag
d1. under any painting or picture;
d2. horizontally face-up. It shall always be hoisted aloft and be allowed to fall freely;
d3. below any platform; or
d4. in discotheques, cockpits, night and day clubs, casinos, gambling joints and places of vice or where frivolity prevails.

e. To wear the flag in whole or in part as a costume or uniform;

f. To add any word, figure, mark, picture, design, drawings, advertisements, or imprint of any nature on the flag;

g. To print, paint or attach representation of the flag on handkerchiefs, napkins, cushions, and other articles or merchandise;

h. To hoist or display in buildings any flag of other LGUs; and

i. To use, display the flag or be part of any advertisement of infomercial.

5. CARETAKERS OF THE FLAG

The General Services Officer of the Municipality, principals / head teachers or their duly designated teachers or property custodian, Punong Barangays or their duly designated barangay officials shall serve as caretakers of the flag. The flag shall be properly kept in a box or shelf solely intended for its safekeeping. It shall not be left placed on tables, chairs or some other places.

C. PENAL CLAUSE

1. Any person who commits the prohibited acts shall be meted a fine of One Thousand Pesos (P1,000.00) or imprisonment for fifteen (15) days, or both such fine and imprisonment at the discretion of the court; provided that for any second and succeeding offenses, both fine and imprisonment shall be imposed;

2. Local officials, who may commit the prohibited act and other provisions of this ordinance, shall be subject to reprimand, discipline or be administratively liable, without prejudice to the filing of the appropriate civil or criminal action.

3. Any person who violates any provision of this ordinance, other than the prohibited acts shall be meted a fine of Five Hundred Pesos (P500.00) or imprisonment for three (3) days, or both such fine and imprisonment at the discretion of the court; provided that for any second and succeeding offenses, both fine and imprisonment shall be imposed.

SECTION 11. VISION AND MISSION

Vision and Mission of the Municipality – to set as the guiding principle and to create a direction for the Municipality and its people, hereunder are the vision and mission of Tigbauan.

1. VISION:

TIGBAUAN, A center of Agri-Fishery with progressive, competitive and God-loving people in a historically rich, socially protective and ecologically balanced environment with Service oriented, Transparent and Accountable public servants working towards a first class municipality.

2. MISSION:

Consistent with the vision, the municipal government aims to attain the following objectives:

1. Enhance the quality of life of the constituents by providing opportunities for livelihood, entrepreneurship and employment;

2. Assure the development of quality education programs in the municipality and provision of skills training for the out-of-school youth;

3. Increase production of quality agricultural and fishery resources;

4. Develop an atmosphere for a more productive and business-friendly municipality;

5. Improve health and social services for the populace especially the marginalized citizenry;

6. Build and create a disaster resilient community;

7. Maintain an environment-friendly community consistent with the concept of sustainable development;

8. Enhance accessibility through better infrastructure and other support facilities;

9. Practice and advocate transparent and accountable public governance as well as the delivery of efficient government service through better government facilities; and

10. Forge and foster consultative and participative administration and strengthen private-public partnership in local governance.

SECTION 12. OFFICIAL FESTIVAL, SOCIAL AND RELIGIOUS CELEBRATIONS

The following shall be the official festivities and celebrations in Tigbauan.

1. PAGDAUG SALUDAN FESTIVAL

This is the official festival of Tigbauan to be celebrated every 18thDay of March. Previously, a festival aptly dubbed as “Saludan Festival” was made part of the celebration of “Adlaw sang Tigbauan” every October. Based on the rationale presented by the proponents of the said festival, the term Saludan came from the hiligaynon word "salud". An excerpt from the book, “The Philippine Islands” by Blair and Robertson, Fr. Pedro Chirino related his experience and observations about our Tigbauan and he stated that, "The village itself was on the same shore, at the mouth of the river, of which as well as the sea, yields various kinds of fish excellent and plentiful, which I myself have enjoyed in the abundance. As they were continually fishing on the beach, usually with three or four nets, they never made haul without devoutly regaling us with a part of it.”

Since the beginning of recorded history especially during the Spanish time, our fishermen have used nets or woven bamboos to catch fish from the sea or river and in the local dialect we call this "salud". On the other hand, aside from our water resources our forests, farms and hills also abound in rich natural resources. The book further states; "Tigbauan has a very beautiful district, with many villages, extending more than six leagues along the coast of the sea. The people are well supplied with game fruits and vegetables and fish from the sea. The people are very industrious. Consequently, I always saw them occupied - the men with their fisheries and farming and women with their spinning and weaving.”

Primarily our farm product is rice. Whether crude farming ways and tools or modern agricultural, machineries are used, we use the term Salud. In threshing rice using old method or the modern equipment we are using Salud. Our tuba is famous for its sweetness and as practiced, the tuba gatherer uses Salud.

Moreover, in order to add a concrete historical significance that is truly Tigbaueño to the cultural celebration, the new name “Pagdaug Saludan Festival” was coined in order to recognize the heroism and bravery of the Tigbaueño and Ilonggo fighters for freedom as well, who were instrumental to the historical liberation of Panay and Romblon.

Proclamation No. 430 of former President Corazon Aquino, in 1989, declared March 18 as VICTORY DAY of Panay and Romblon. Thus, the term “Pagdaug” or victory signifies jubilation considering that on March 18, 1945, the American Forces landed in the shores of Parara, Tigbauan, Iloilo to eventually merge with our local forces to end the Japanese occupation. “Pagdaug Saludan Festival” is festival both of historical and cultural significance to the people of Tigbauan. It also means the victory of our people.

2. TIGBAUAN DEVOTIONAL FIESTA

Every Third Sunday of January, the Municipality celebrates its annual devotional fiesta in honor of Senior Sto. Niño. This is a matter of devotion on the part of the people of Tigbauan. During this time, balikbanwas or Tigbaueños from all over the world look forward for their homecoming to celebrate the feast of Sto. Niño, to whom our people believe to have brought miracles and countless blessings for our town and to his faithful devotees. A weeklong celebration involving the different sectors of the community is being undertaken to add color and festive spirit to the event.

3. ADLAW SANG TIGBAUAN

Every fourth week of October a week-long celebration dedicated to commemorate glorious history and colorful culture of our town and our people. This is a thanksgiving dedicated to mark the end of the harvest season. The highlight of the celebration falls on **the fourth Friday of October** which is consequently declared as a Day of Observance in order to maximize the participation of the people of Tigbauan. During the said week, activities are undertaken giving value and focus on history and culture. During the highlight, the Municipal Mayor shall deliver the State of the Municipality Address (SOMA) and a unique dance competition called “stylized folkdance” involving pupils and students of both elementary and secondary schools in Tigbauan

is held to showcase the fusion of the past and the present. Therefore, Municipal Ordinance No. 2000-002 is hereby amended declaring the last Friday of October as "ADLAW SANG TIGBAUAN" and it shall be strictly observed every year by the residents of this Municipality of Tigbauan, Province of Iloilo.

4. FIRST AMBUSH IN SOUTHERN PANAY COMMEMORATION

The 2nd day of September was declared under Ordinance No. 2010-005 as a Day of Observance in commemoration of the First Ambush in Southern Panay that happened in Barangay Namocon, Tigbauan Iloilo and for this purpose, it shall be observed by the residents of this municipality. Local Government Unit of Tigbauan officials and employees, public and private educational institutions, NGAs and NGOs with offices in the Municipality of Tigbauan to remember this historical event. The said account of history shall also be incorporated in the history books and Dep-Ed teaching materials so that it will be known to the younger generation. A commemorative program is also held on the said date every year at Barangay Namocon, Tigbauan, Iloilo which is a joint endeavor by the Municipal Government and the Barangay.

CHAPTER IV
HUMAN RESOURCE AND DEVELOPMENT

SECTION 13. ORGANIZATIONAL STRUCTURE AND STAFFING

1. Office of the Municipal Mayor

1 - Municipal Mayor
1 - Executive Assistant IV
1 - Security Officer II
1 - Sr. Administrative Assistant III (Private Secretary II)
1 - Administrative Aide IV
1 - Administrative Aide I

1a. Business Permit & Licensing Office (BPLO)

1 - Administrative Officer I (Supply Officer I)
1 - Administrative Aide III (Utility Worker II)

1b. Internal Auditor Service (IAS)

1 - Internal Auditor IV
1 - Administrative Assistant

1c. Tourism/CAO Services

1 - Community Affairs Officers IV
1 - Community Affairs Officers III

1d. General Services

1 - Administrative Officer IV (GSO)
1 - Administrative Aide I

2. Establishment of Human Resource Management Office

1 - Municipal Government Department Head I (Human Human Resource Management Officer V)
1 - Human Resource Management Officer I
1 - Administrative Aide III
1 - Administrative Aide I

3. Establishment of Public Employment Service Office (PESO)

1 - Municipal Government Department Head I (PESO Manager)
1 - Community Affairs Officer I
1 - Administrative Aide VI
1 - Labor & Employment Assistant

4. Office of the Municipal Vice Mayor/Sangguniang Bayan

1 - Municipal Vice Mayor
8 - Sangguniang Bayan Members

1 - Sangguniang Kabataan Member Federation (SKMF) President
1 - Liga ng mga Barangay President
1 - Municipal Government Department Head I (SB Secretary)
1 - Local Legislative Staff Officer I
1 - Administrative Assistant II
1 - Administrative Aide VI
2 - Administrative Aide III
1 - Administrative Aide I
1 - Administrative Assistant IV

5. Office of the Municipal Planning Development Coordinator

1 - Municipal Government Department Head I (Municipal Planning Development Coordinator)
1 - Zoning Officer II
1 - Zoning Officer III
1 - Information System Analyst
1 - Administrative Aide I

6. Office of the Municipal Civil Registrar

1 - Municipal Government Department Head I (Municipal Civil Registrar)
1 - Administrative Aide VI
1 - Registration Officer I
1 - Administrative Aide I

7. Office of the Municipal Budget

1 - Municipal Government Department Head I (Municipal Budget Officer)
1 - Administrative Officer IV
1 - Administrative Assistant
2 - Administrative Aide I

8. Office of the Municipal Accountant

1 - Municipal Government Department Head I (Municipal Accountant)
1 - Supervising Administrative Officer
1 - Administrative Officer IV (Management & Audit Analyst II)
1 - Administrative Assistant
1 - Administrative Aide VI
1 - Administrative Aide IV
1 - Administrative Aide I

9. Office of the Municipal Treasurer

1 - Municipal Government Department Head I (Municipal Treasurer)
1 - Local Treasury Operations Officer II
1 - Local Treasury Operations Officer I
1 - Administrative Assistant IV
3 - Revenue Collection Clerk II
4 - Revenue Collection Clerk I
1 - Administrative Aide III

10. Office of the Municipal Assessor

1 - Municipal Government Department Head I (Municipal Assessor)
1 - Local Assessment Operations Officer I (LAOO I)
1 - Administrative Aide I
1 - Administrative Aide IV
1 - Administrative Aide III (Utility Worker II)

11. Office of the Municipal Health

1 - Municipal Government Department Head I (Municipal Health Officer)
1 - Medical Officer V
1 - Medical Officer II
1 - Nurse III
2 - Nurse II
2 - Midwife III
5 - Midwife II
5 - Midwife I
1 - Administrative Aide IV
1 - Administrative Aide I

1 - Driver I

11a. Laboratory Services

1 - Medical Technologist I
1 - Sanitation Inspector II

12. Office of the Municipal Social Welfare and Development

1 - Municipal Government Department Head I (Municipal Social Welfare and Development Officer)
1 - Social Welfare Officer I
1 - Social Welfare Officer I
1 - Social Welfare Aide
1 - Day Care Worker II
4 - Day Care Worker I

13. Office of the Municipal Agriculturist

1 - Municipal Government Department Head I (Municipal Agriculturist)
1 - Aquaculturist II
10 - Agricultural Technologist
1 - Administrative Aide III
4 - Farm Worker II

14. Office of the Municipal Engineer

1 - Municipal Government Department Head I (Municipal Engineer)
1 - Engineer II
1 - Draftsman III
1 - Heavy Equipment Operator II
1 - Administrative Aide VI
1 - Driver II
2 - Administrative Aide I

15. Municipal Disaster Risk Reduction and Management Office (MDRRMO)

1 - Local Disaster Risk Reduction Management Officer III (LDRRMO III)
1 - Administrative Officer II
2 - Administrative Aide VI
2 - Driver I

16. Special Accounts from the General Fund

1 - Market Supervisor II
1 - Administrative Assistant
1 - Revenue Collection Clerk II
4 - Revenue Collection Clerk II
6 - Administrative Aide III
13 - Administrative Aide I

16a. Abattoir and Meat Inspection

1 - Meat Inspector I
1 - Administrative Aide III
4 - Administrative Aide I

SECTION 14. PERSONNEL DEVELOPMENT ACTIVITIES

The LGU shall conduct continuing program for career and personnel development for all levels to improve and enhance their skills, talents and values for better public service which include but shall not be limited to the following:

1. Out-of-town seminars/training for the whole workforce shall be sponsored by the LGU for their professional growth and at the same time to give them a respite from their daily office work and to strengthen their inter-relationship;
2. Pre-retirement seminar for employees 57 years old and above shall be made available to LGU employees;
3. Other trainings and sports activities shall be held during the annual celebration of the Philippine Civil Service Month;

4. Department Managers shall also be allowed to attend trainings related to their duties and functions for them to keep abreast with the latest issuances, rules and regulations affecting their positions.

SECTION 15. MERIT AND PROMOTION PLAN

A. MERIT SELECTION PLAN

To strictly adhere to the principle of merit, fitness and equality, the selection of qualified men and women to enter government service and employees who wants career advancement in the LGU or appointment to positions in the career and non-career service in all levels shall be based on their relative qualifications and competence to perform the duties and responsibilities of the position to be filled up.

1. **SELECTION RATING**- The selection line-up shall reflect the comparative competence and qualification of candidates on the basis of the following factors with corresponding rating:

   a. **Performance & Experience– 30%**
   For appointment by promotion, the performance rating of the appointee for at least two rating periods prior to the effectivity date of appointment should be at least very satisfactory. For appointment by transfer, the performance rating for the last rating period immediately proceeding the transfer from the former office or agency should be a least very satisfactory.

   b. **Education and Training – 20%**
   Includes educational background, successful completion of training courses accredited by the CSC, scholarships, training grants and others which shall be relevant to the duties of the position to be filled.

   c. **Eligibility & Credentials - 20%**
   Civil service examination given by the Commission or classes of positions in the career service and occupational history, relevant work experience acquired either from the government or private sector.

   d. **Outstanding Accomplishment – 10%**
   Includes accomplishment worthy of special commendation.

   e. **Potential and Personality Traits – 10%**
   Based on the capacity and ability of the candidate to assume the duties of the position to be filled and those of higher or more responsible positions and the characteristic.

   f. **Personality Traits – 10%**
   or traits of a person which involved both psychological of how he/she perceives things, ideas, beliefs and understanding and how he/she acts and relate things to other and in social situations.

2. **CS ELIGIBILITY**- Passing grade obtained in a civil service examination given by the Commission or with its assistance or coordination or is conferred any civil service eligibility. Classes of positions in the career service, appointment to which requires examinations, shall be grouped into three major levels as follows:
   a. The first level shall include clerical, trades, crafts and custodial service positions which involve non-professional or sub-professional work in a non-supervisory capacity requiring less than four years of collegiate studies;
   b. The second level shall include professional, technical and scientific positions which involve professional, technical or scientific work in a non-supervisory or supervisory capacity requiring at least four years of college work up to Division Chief level; and
   c. The third level shall cover positions in the Career Executive Service.

B. HUMAN RESOURCE MERIT PROMOTION & SELECTION BOARD

A Human Resource Merit Promotion & Selection Board (HRMPSB) for first and second level and executive/managerial positions shall be established in the LGU with the following composition:

1. Municipal Mayor or duly authorized representative;
2. Vice-Mayor if the vacant position is in the Office of the Sanggunian;
3. Two (2) Department Heads, one is preferably the HRD Department Head or equivalent or their designated alternates;

4. SB Member, Chairperson, Committee on Civil Service;
5. Department Head of the Office where the vacancy occurred;
6. Human Resource Management Officer;
7. Two (2) representatives of the rank-and-file career employees, one from the first level and one from the second level elected by the Union of Tigbauan Employees (UNITE).

All candidates for appointment to first and second levels shall be screened by the HRMPSB. Appointment to the following positions shall no longer be screened by the HRMPSB:

1. Substitute appointment due to their short duration and emergency in nature. However, should the position be filled by regular appointment, candidates for the position should be screened and passed upon by the HRMPSB;
2. Appointment to entry laborer positions;
3. Appointment to personal and primarily confidential positions;
4. The appointing authority shall assess the merits of the HRMPSB's recommendation for appointment and in the exercise of sound discretion, select from among the top five ranking applicants deemed most qualified for appointment to the vacant position.
5. The appointing authority may appoint an applicant who is not next-in-rank but possesses superior qualification and competence, and has undergone selection process;
6. The HRMPSB shall maintain record of minutes of meeting.

C. MUNICIPAL GRIEVANCE COMMITTEE

The Municipal Grievance Committee shall address grievances between or among government officials and/or at the lowest possible level in the organization and shall serve as catalyst for the development of capabilities of personnel on dispute settlement, especially among supervisors of the LGU.

1. The Grievance Committee shall be composed of the following:
   a. Municipal Mayor or duly authorized representative or Vice Mayor (in cases affecting SB members and employees);
   b. SB Chairman, Committee on Civil Service;
   c. Human Resource Management Officer;
   d. Representative of 1st level positions;
   e. Representative of 2nd level positions;
   f. Two (2) Department Head; and
   g. SB Chairman, Committee on Public Ethics and Accountability.

D. PROGRAM ON AWARDS AND INCENTIVES FOR SERVICE EXCELLENCE (PRAISE)

The LGU shall provide incentive and awards based on performance, innovative ideas, superior accomplishments, heroic deeds, extraordinary acts or services in the public interest, exemplary behavior and other personal efforts which contribute to the efficiency, economy and improvement in government operations which lead to organization productivity, through the Program on Awards and Incentives for Service Excellence (PRAISE) which shall have the following composition:

1. Municipal Mayor or his duly representative;
2. Municipal Vice Mayor;
3. HRMO;
4. SB Chairman, Committee on Civil Service;
5. Representative, 1st level position;
6. Representative, 2nd level position;
7. Two (2) Department Head.

E. TIGBAUAN PERFORMANCE EVALUATION SYSTEM (TPES)

To continuously foster improvement of employee performance and efficiency and to provide an objective performance rating which serves as basis for personnel actions, incentives and rewards and administrative sanctions the Tigbauan Performance Evaluation System (TPES) shall be established. The TPES applies to all first and second level employees in the career service and to non-career service whenever appropriate. It is done every six (6) month sending on June 30 and December 30 every year. However, if there is a need for a shorter or a longer period, the minimum appraisal period is at least ninety (90) calendar days or three (3) months while the maximum is not longer than one (1) calendar year.

At the end of the evaluation period, the supervisor and the employee shall meet to discuss the latter's accomplishments against established targets and standards and shall agree on the ratings for the targets and compute the overall performance rating of the employee using the prescribed weight allocation and computation based on the TPES.

F. COMMITTEE ON DECORUM AND INVESTIGATION OF SEXUAL HARASSMENT CASES

1. **Functions** - The committee shall be created in the LGU and shall perform the following functions:
   a. Receive complaints of sexual harassment
   b. Investigate sexual harassment complaints in accordance with the prescribed procedure
   c. Submit a report of its finding with the corresponding recommendations to the disciplining authority for decision.
   d. Lead in the conduct of discussions about sexual harassment within the LGU to increase understanding and prevent incidents of sexual harassment.

2. **Composition**-The Committee on Decorum and Investigation shall be composed of:
   a. SB Chairman, Committee on Civil Service;
   b. Designated representative of the Local Chief Executive;
   c. Human Resource Management Officer; and
   d. Two (2) designated members of the first and second level positions.
   e. Two (2) Department Head.

3. **Disqualification**- When a member of the Committee is the complainant or the person complained of in a sexual harassment case, he/she shall be disqualified from being a member of the Committee.

4. **Term of Office** of the members of the Committee on Decorum and Investigation shall be two (2) years.

SECTION 16. DISCIPLINE

1. OFFICE RULES ON WORKING HOURS

For a more vivid and clear understanding of the latest issuances on civil service law and rules, the Local Chief Executive issued office rules on working hours for employees and officials to avoid violations. For a more accurate recording of working attendance, all employees of the LGU were required to enroll in a biometric installed at the ground floor of the municipal building with a supplemental log book for the recording of their arrival and departure on designated working hours and during brownouts.

No employees shall leave their official station without accomplishing a travel order/pass slip prior to their personal or official purpose.

Employees who have incurred tardiness and under time regardless of number of minutes per day, ten times per month for two (2) consecutive months in semester shall be subject to disciplinary action.

The Department Heads shall be held responsible and liable for any violation of the office rules by their staff.

Complaints on grievance, sexual harassment undergo proper process of handling cases through Municipal Grievance Committee and Committee on Decorum and Investigation of Sexual Harassment. While a disciplinary/administrative case is being taken care of by the disciplining authority or the Local Chief Executive/Vice Mayor, Employees involved in such instances shall be given due process in compliance of Rule XIV (DISCIPLINE), Omnibus Rules Implementing Book V of Executive Order No. 292 and Other Pertinent Civil Service Laws.

SECTION 17. PERSONNEL RECORDS MANAGEMENT

1. MAINTENANCE AND UPDATING OF 201 FILES

1. The Human Resource Management office shall be responsible in the maintenance of 201 Files of the LGU personnel which includes the following:

   a. KSS 33 or Appointment Form;
   b. Position Description Form – for all types of appointments, except for change of status

c. Medical Certificate (CS Form 211) – for original appointment and reemployment;
d. Clearances such as NBI clearance for original appointment and reemployment and clearance from financial obligation and property accountability from the Appointee's former office;
e. The result of the neuro-psychiatric examination for original appointment;
f. Performance Rating for the last two rating periods of very satisfactory rating appointment by promotion and by transfer, the performance rating for the semester immediately preceding the transfer from the former office or agency;
g. Copy of CSC/PRC eligibility;
h. Oath of Office.
i. Assumption of Duty.
j. WAPCO/Certifications.

2. Updated Personnel Data Sheet

3. Updated Service Record

4. Updated Leave Card

5. Statement of Assets and Liabilities and Networth (SALN)

The personnel records are filed systematically safely and intact at the HRMDO to ensure that 201 files of all the officials and employees of the LGU are secured. Computerization of personnel records is in the process to make the office a paper free environment.

SECTION 18. INSTITUTIONALIZING THE PROGRAM ON AWARDS AND INCENTIVES FOR SERVICE EXCELLENCE (PRAISE) OF TIGBAUAN, ILOILO

1. BASIC POLICIES.

The Local Government Unit of Tigbauan, Iloilo shall establish its own employee suggestions and incentive awards system to be called the **PRAISE TIGBAUAN**.

The system shall be designed to encourage creativity, innovativeness, efficiency, integrity and productivity in the public service by recognizing and rewarding officials and employees, individually or in groups for their suggestions, inventions, superior accomplishments and other improvement in government operations, or for other extraordinary acts and services in the interest of the public.

PRAISE TIGBAUAN shall adhere to the principle of providing incentives and awards based on performance, innovative ideas and exemplary behavior.

This program shall give emphasis on the timeliness of giving award or recognition. Aside from conferment of awards during the traditional or planned awarding ceremonies; the spirit of on-the-spot grant of recognition shall also be institutionalized.

It shall provide both monetary non-monetary awards and incentives, to recognize, acknowledge and reward productive, creative, innovative and ethical behavior of employees through formal and informal mode.

The PRAISE committee shall be responsible for the development, administration, monitoring and evaluation of the awards and incentives system of the LGU.

The PRAISE committee shall establish its own internal procedures and strategies. Membership in the Committee shall be considered part of the members' regular duties and functions.

Issues relative to awards and incentives shall be brought before the PRAISE committee and shall address the same within fifteen (15) days from the date of submission.

2. OBJECTIVES

General. To encourage, recognize and reward employees, individually and in groups, for their suggestions, innovative ideas, inventions, discoveries, superior accomplishments, heroic deeds, exemplary behavior, extraordinary acts or services in the public interest and other personal efforts which contribute to the efficiency, economy and improvement of operations, which lead to organizational productivity.

Specific. To establish a mechanism for identifying, selecting, rewarding and providing incentives to deserving employees at the start of each year.

- To identify outstanding accomplishments, best practices of employees on a continuing basis.
- To recognize and reward accomplishments and innovations periodically or as the need arises;
- To provide incentives and interventions to motivate employees who have contributed ideas, suggestions, inventions, discoveries, superior accomplishments and other personnel efforts.

3. SCOPE. The System shall apply to all employees and officials in the career and non-career service of this LGU.

4. AWARDS AND INCENTIVES

4.1. Awards Existing under the Civil Service Laws, rules and regulations. The LGU Tigbauan hereby adapts the system of Awards given by the Civil Service Commission on the following:

4.1.1 Lingkod Bayan Award-conferred on an individual for consistent, dedicated performance exemplifying the best in any profession or occupation resulting in the successful implementation of an idea or performance, which is of significant effect to the public or principally affects national interest, security and patrimony.

4.1.2 Outstanding Public Official/Employee or Dangal ng Bayan Award-granted to any public official or employee in government who has demonstrated exemplary service and conduct on the basis of his or her observance of one or more of the eight (8) norms of behavior described under Republic Act. No. 6713 or the code of conduct and ethical Standards for Government Officials and Employees.

The eight (8) norms of behavior described under Republic Act. No. 6713 are the following:

(a) Commitment to public interest. - Public officials and employees shall always uphold the public interest over and above personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.

(b) Professionalism. - Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.

(c) Justness and sincerity. - Public officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favors on account of their office to their relatives whether by consanguinity or affinity except with respect to appointments of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are coterminous with theirs.

(d) Political neutrality. - Public officials and employees shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.

(e) Responsiveness to the public. - Public officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise

provided by law or when required by the public interest, public officials and employees shall provide information of their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socio-economic conditions prevailing in the country, especially in the depressed rural and urban areas.

(f) Nationalism and patriotism. - Public officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of locally produced goods, resources and technology and encourage appreciation and pride of country and people. They shall endeavor to maintain and defend Philippine sovereignty against foreign intrusion.

(g) Commitment to democracy. - Public officials and employees shall commit themselves to the democratic way of life and values, maintain the principle of public accountability, and manifest by deeds the supremacy of civilian authority over the military. They shall at all times uphold the Constitution and put loyalty to country above loyalty to persons or party.

(h) Simple living. - Public officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

4.1.3 PAGASA Award - conferred on a group of individuals or team who has demonstrated outstanding teamwork and cooperation, which resulted in the successful achievement of its goal or has greatly improved public service delivery, economy in operation, improved working conditions or otherwise benefited the government in many other ways.
Other awards- given by other government agencies, private institution or NGOs to an individual or team for contributions of an idea or performance that directly benefited the government.

4.2 Local Government Unit (LGU) Awards

4.2.1 Best Employee Award - granted to an individual or individuals who excelled among peers in a functional group, position or profession. A cash of not less than the amount provided under relevant existing laws shall be given to outstanding employees plus a certificate of recognition or other forms of incentives as the committee may decide, e.g., Best Driver, Best Utility Worker and other Similar Awards.

4.2.2 "Huwaran nga Tigbauanon" Award - given outright to employees commended by clients for their courtesy, promptness, efficiency and dedication to duty.

1. Exemplary Behavior Award-based on the eight norms of conduct as provider under RA 6713 (code of Conduct and ethical Standard). The awardees will be automatically nominated by the agency PRAISE Committee to the Dangal ng Bayan Award.

2. Best Organizational Unit Award-granted to the top organizational unit may be a section, division or office on the basis of meeting the organization's performance target and other pre-determined criteria.

3. Cost Economy measure Award-granted to an employee or team whose contribution such as ideas, suggestions, inventions, discoveries or performance of functions result in saving in terms of man-hours and cost or otherwise benefit the agency and government as a whole. The monetary award shall not exceed 20% of the monetary savings generated from the contribution.

4. Service Award-conferred on retirees whether under optional or compulsory retirement schemes held during a fitting ceremony on or before the date of their retirement.

5. Such other awards which the LGU may decide to give under existing Ordinances.

5.3. INCENTIVES
The LGU Tigbauan shall continuously reward deserving employees to motivate them to improve the quality of their performance and instill excellence in public service. As such the following types of incentives shall be regularly awarded:

5.3.1 Loyalty Incentive-granted to an employee who has continuously and satisfactory served the agency for at least ten (10) years. The recipient shall be entitled to a cash award as maybe determined by the committee depending on the availability of funds.
5.3.2 Productivity Incentive-given to all employees who have performed at least satisfactory for the year. This incentive shall follow relevant existing guidelines.
5.3.3. Other Incentives which the Tigbauan PRAISE Committee may recommend on the basis of special achievements, Innovative approaches to assignments, exemplary services to the public and recognition by an outside group of a particular achievement.

5. FORMS OF AWARDS AND INCENTIVES. - The LGU Tigbauan may give awards in any of the following forms:

5.1 Compensatory Time-off- granted to an employee who has worked beyond his regular office hour on a project without overtime pay.
5.2 Flexi place-work arrangement allowed for qualified employee who has demonstrated responsibility, initiative, and capacity to produce output/result and accomplishment outside of the workplace subject to established guidelines.
5.3 Trophies, plaque and Certificates
5.4 Monetary Award
5.5 Other Incentives-incentives as may be deemed appropriate by the committee.

The Local Chief Executive shall formally constitute and or appoint members of the PRAISE committee within 60 days from the approval of this ordinance.

6. PRAISE Committee

6.1. The PRAISE Committee shall be composed of the following:
-Municipal Mayor who will act as Chairperson;
-The Human Resource Management Officer
-SB Chair, Committee on Education and Civil Service
-The President of Employees Organization
-NGO/PO Representative to be appointed by the Mayor
-Representative of 2nd level employees
-Representative of 1st level employees
-Department Head(s)

The PRAISE committee shall insure that productivity, innovative ideas, suggestions and exemplary behavior can be identified, considered, managed and implemented on a continuing basis to cover employees at all levels.

6.2. The PRAISE Committee of the Municipality of Tigbauan shall have the following specific responsibilities and composition. It shall be responsible for the development, administration, monitoring and evolution of the awards and incentives system of the LGU Tigbauan. As such, the Committee shall meet periodically to perform the following tasks:

- establish a system of incentives and awards to recognize and motivate employees for their performance and conduct;
- formulate, adopt and amend internal rules, policies and procedures to govern the conduct of its activities which shall include the guidelines in evaluating nominees and the mechanism for recognizing the awardees;
- determine the forms of awards and incentives to be granted;
- monitor implementation approved suggestions and ideas through feedback and reports.
- prepare plans, identify resources and purpose budget for the system on annual basis;

- develop, produce, distribute a system policy manual and orient the employees on the same.
- document best practices, innovative ideas and success stories which will serve as promotional materials to sustain interest and enthusiasm.
- submit an annual report on the award and incentives system to the CSC on or before the thirtieth day of January.
- monitor and evaluate the implementation every year and make essential improvements to ensure its suitability to the agency; and
- address issues relative to the awards and incentives within fifteen (15) days from the date of submission.

To implement the program effectively, the PRAISE Committee members are expected to possess positive attitude; be capable of implementing submitted ideas' open-minded; decisive; have high tolerance for stress or pressure; and activity participate in all committee meetings.

7. **FUNDING.** The LGU shall allocate at least 5% of the HRD funds for the PRAISE and incorporate the same in the annual work and financial plan and budget. Provided that any allocation intended for rewards and incentives under existing ordinances shall be deemed part of this funding requirements

CHAPTER V
PLANNING, ZONING AND BUILDING REGULATIONS

SECTION 19. RECLASSIFYING FROM AGRICULTURAL TO RESIDENTIAL VARIOUS LOTS OWNED BY ENGR. ISIDRO MINERVA AND DR. IKE MINERVA, RESPECTIVELY ALL LOCATED AT BRGY. NAMOCON, TIGBAUAN, ILOILO, PHILIPPINES

1. COVERAGE. This ordinance shall cover properties particularly described as follows:

LOTS INVOLVED	SURVEY NO.	AREA/SQUARE METER
1.) 2-G-2-B	PSD-06-082974	1,519 square meters
2.) 2-G-2-C-1	-do-	360 square meters
3.) 2-G-2-C-2	-do-	911 square meters
4.) 2-G-2-C-3	-do-	344 square meters
5.) 2-G-2-C-4	-do-	336 square meters
6.) 2-G-2-C-5	-do-	331 square meters
7.) 2-G-2-C-6	-do-	350 square meters
8.) 2-G-2-C-7	-do-	420 square meters
9.) 2-G-2-C-8	-do-	1,244 square meters
10.) 2-G-2-G	PSD-06-071494	1,314 square meters
11.) 2-G-2-E	-do-	3,447 square meters
12.) 2-G-2-F-1	PSD-06-079673	2,619 square meters
13.) 2-G-2-F-2	PSD-06-087726	6,089 square meters

2. MANNER OF UTILIZATION AND DISPOSITION. The agricultural lands covered under Section 2 hereof shall be utilized for residential and compatible uses.

3. UPDATE ON COMPREHENSIVE LAND USE PLAN. This ordinance shall likewise update the existing approved Comprehensive Land Use of the Municipality of Tigbauan.

SECTION 20. "TIGBAUAN LGU P4 CODE"

1. ***Declaration of Policy***.
(a) It is hereby declared as a policy that the Municipality of Tigbauan shall advance the public good and general welfare, and promote the interest of the community and the Municipality within the framework of sustainable and integrated development, and effective constructive engagement and meaningful people's participation in local governance.

(b) LGU P4 shall be pursued by the Municipality consistent with and in furtherance of its vision and mission which state that:

VISION – A center of agri-fishery with progressive, competitive and God-loving people, in a historically-rich, socially-protective and ecologically-balanced environment with service-oriented, transparent and accountable public servants working towards a first class municipality.

MISSION – To boost agriculture and fishery development programs for a self-reliant community; to promote and support the preservation of all historical and tourism sites for all the future generation to appreciate; to enhance spiritual and moral values upliftment and general welfare of all the sectors of the community; to develop awareness on all environmental concern and create programs and policies to address them; to have a participatory, service-oriented with transparency and accountability governance and restore the trust and confidence of the whole community to their public servants.

2. ***Operative Principles***. – The accomplishment of the stated policy shall be guided by the following principles:

(a) The Municipality, pursuant to Sections 1, 2 and 5, Article X of the 1987 Constitution, is a territorial and political subdivision which enjoys local autonomy and fiscal autonomy, and under Section 3, Article X, local autonomy means a more responsive and accountable local government structure instituted through a system of decentralization. Fiscal autonomy means that local governments have the power to create their own sources of revenue in addition to their equitable share in the national taxes released by the national government, as well as the power to allocate their resources in accordance with their own priorities.

(b) The general welfare and the public good shall always be promoted and that transparency, public accountability and social accountability mechanisms and approaches shall be integrated in P4 from inception to implementation.

(c) The Municipality exists and operates in its governmental and proprietary capacities thereby making it an agent of, and is therefore accountable to, the State and its community. The role of the Municipality both as a regulator of a business and as implementer of a proprietary undertaking must be clearly delineated.

(d) The Municipality must develop into a self-reliant community, and as such, is in a better position to address and resolve matters that are local in scope. The Municipality is under the supervision of the President and under the qualified control of Congress.

(e) Under Section 18 of Republic Act No. 7160 (the Local Government Code of 1991 or LGC), the Municipality may acquire, develop, lease, encumber, alienate or otherwise dispose of real or personal property held by the Municipality in its proprietary capacity and to apply its resources and assets for productive, developmental, or welfare purposes.

(f) Under Section 22 (c) of the LGC, no contract may be entered into by the Municipal Mayor on behalf of the Municipality without prior authorization by the Sangguniang Bayan. The participation of the Sanggunian is indispensable in the adoption and implementation of an LGU P4 arrangement.

(g) Under Section 22 (d) of the LGC, the Municipality enjoys full autonomy in the exercise of its proprietary functions and shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, those not otherwise prohibited by law and those which are essential to the promotion of the general welfare.

(h) Under Section 25 (b) of the LGC, the Municipality may collaborate or cooperate with other Local Government Units, National Government Agencies, Government-Owned and Controlled Corporations, government instrumentalities and government corporate entities for the implementation of local projects.

(i) Under the Charter of the Municipality, Sections 16, 17, 19 and 129 of the LGC and other statutes, the Municipality has been given the responsibility and mandate to exercise devolved and delegated powers.

(j) The Municipality, under Section 106 of the LGC, is mandated to draw up and implement a comprehensive multi-sectoral development plan.

(k) LGU P4 shall be pursued by the Municipality consistent with its infrastructure, development, investment, environmental and governance framework embodied in relevant policies, plans, ordinances and codes.

(l) The Municipality, as a partner in a P4 arrangement, may provide equity, subsidy or guarantee and use local funds; and the usage thereof for a PPP project shall be considered for public use and purpose.

(m) Under Sections 34, 35 and 36 of the LGC and in the exercise of its powers, the Municipality may enter into joint ventures and such other cooperative arrangements with people's and non-governmental organizations (POs and NGOs) to engage in the delivery of certain basic

services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversity agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people; provide assistance, financial or otherwise, to such POs and NGOs for economic, socially-oriented, environmental, or cultural projects to be implemented within its territorial jurisdiction.

(n) The Municipality, under Section 3 (l) of the LGC, is duty-bound to ensure the active participation of the private sector in local governance.

(o) The right of the people to information on matters of public concern is guaranteed under Section 7, Article III of the 1987 Constitution. Furthermore, it is the policy of the State to allow full public disclosure of all its transactions involving public interest such as LGU P4 under Section 28, Article II of the 1987 Constitution.

(p) The people's right to effective and reasonable participation and public trust provision under Section 16, Article XIII and Section 1, Article XI, respectively, of the 1987 Constitution guarantee and empower civil society organizations (CSOs) to have effective and meaningful participation in the regulation and management of P4 projects.

3. Rationale for LGU P4. – LGU P4 shall be promoted to provide better, more affordable and timely services to the community. In pursuing P4, the Municipality shall be guided by the following reasons and drivers:

(a) LGU P4 shall be undertaken in furtherance of the Municipal development and physical framework plan.

(b) LGU P4 is an essential part of the overall infrastructure reform policy of the Municipality. By encouraging performance-based management of the delivery of public services applying commercial principles and incentives whenever possible, by introducing competition in and for the market, and by involving users and stakeholders in the decision-making process, infrastructure and regulatory reform shall be achieved.

(c) LGU P4 should be adopted to address a pressing and urgent or critical public need. Under the principle of "Additionality", the increased economic benefits to consumer welfare of having needed public services and infrastructure accessible now because of the LGU P4, rather than having to wait until the Municipality could provide the public services much later. LGU P4 would also encourage the accelerated implementation of local projects.

(d) LGU P4 can be adopted to avoid costs and public borrowing. By contracting with the private sector to undertake a new infrastructure project, scarce Municipal capital budgets can be directed to other priority sectors such as social services, education and health care.

(e) LGU P4 allow for technology transfer, and improved efficiency and quality of service. These could be valuable contribution of the private sector in local governance.

(f) LGU P4 should be feasible and affordable, demonstrating the need for the project, broad level project costs estimation, and indicative commercial viability. The assessment of affordability shall be the cornerstone for all P4 projects, both to the Municipality and the general public.

(g) LGU P4 Projects should be bankable. High participation costs, unreasonable risk transfer or lengthy and complex contract negotiations must be avoided. A cost recovery pricing policy attractive to the private sector must be in place; provided that the same will not be disadvantageous to government and public interest.

(h) LGU P4 Projects should provide value-for-money and good economic value as far as practicable, including allocation of risks to the party best able to control, manage, mitigate or insure these risks, and maximization of the benefits of private sector efficiency, expertise, flexibility and innovation.

(i) LGU P4 must provide economic and social benefits and should be evaluated on this basis rather than on purely financial considerations. The Municipality remains responsible for services provided to the public, without necessarily being responsible for corresponding investment.

(j) LGU P4 Projects must give consideration for empowerment of Filipino citizens as a strategy for economic growth and sustainability and must thus provide for the participation of local investors to the furthest extent practicable given the nature of the project. The Municipality shall also ensure the hiring and employment of local labor in the P4 venture.

(k) Procurement of LGU P4 Projects must be competitive and must be undertaken through open competitive bidding. Competition must be legitimate, fair and honest. In the field of government contract law, competition requires, not only bidding upon a common standard, a common basis, upon the same thing, the same subject matter, the same undertaking, but also that it be legitimate, fair and honest; and not designed to injure or defraud the government. Where competitive bidding cannot be applied, a competitive process ensuring both transparency and economically efficient outcome must be employed.

(l) The regulation of the LGU P4 shall be pursuant to the LGU P4 contract and exercised by the appropriate regulatory authority. A duly executed and legal LGU P4 Contract shall be

respected and not impaired, and shall be binding on the successor administration pursuant to the provision on corporate succession. Procedures, activities and steps duly undertaken by the Municipal Mayor, P4-SC and the Sangguniang Bayan shall be continued by the successor Administration. Any amendment or revision to this Ordinance by the next Administration shall not in any way prejudice vested and contractual rights of the Municipality and PSPs as to the substance of agreements signed, certifications issued, resolutions issued and procedures undertaken.

(m)To provide efficient public service, the Municipality must ensure, through stronger performance management and guidance, proper implementation of LGU P4 contracts that will result in value for money, on-time delivery of quality services to the public, achievement of government policy goals, all within sustainable and integrated development.

1. ***Rules of Interpretation***. - This Code and the provisions hereof shall be liberally interpreted to accomplish the policy and objectives set forth in Sections 2, 3 and 4 hereof.

5. ***Authorities***.

(a) This Code is being adopted pursuant to the Municipality's constitutional and statutory authorities enumerated under Section 3 hereof; and when not inconsistent with the relevant laws aforementioned, shall govern the adoption and implementation of the LGU P4 modalities.

(b) In pursuing BOT and its Variants, the Municipality shall comply with the BOT Law and its implementing Rules and Regulations.

(c) In entering into Management and Service Contracts where Municipal funds are used, the Municipality shall comply with Republic Act 9184 or the Government Procurement Reform Act (GPRA) and its Implementing Rules and Regulations.

(d) For Dispositions, COA Circular No. 89-296 (January 27, 1989) shall govern.

(e) For Corporatization, the incorporation of the corporation must be done in accordance with the Corporation Code of the Philippines.

(f) For Local Concessions, Leases and Affermage, Rehabilitate-and-Transfer, Rehabilitate-Lease-and-Transfer, and Rehabilitate-Transfer-and-Operate, Managements and Service Contracts where Municipal funds are not used to procure the services of the PSP, and donations, the Municipal ordinances policies or ordinances will be the governing instrument.

(g) For Joint Ventures, Sections 35 of the LGC and Article 62 of the Implementing Rules and Regulations of the LGC shall be the governing law, and the Law on Partnerships of the Civil Code of the Philippines shall apply suppletorily.

(h) For Leases and Affermages, the Law on Leases of the Civil Code of Philippines may be referred to.

6. LGU P4 Projects and LGU P4 Modalities

6.1 LGU P4 Projects. –

a. The Municipality, through the appropriate and viable LGU P4 mode, may undertake Development Projects, including but not limited to, singly or with other related components, energy and power, renewable energy, waste-to-energy, roads, bridges, causeways, waterways, highways, ports, wharfs, terminals, airports, community airports, canals, dams, desilting, dredging, mining and exploration, hydropower projects, water supply and distribution, sewerage, irrigation, drainage, water conservation such as impoundment areas and rainwater harvesting, telecommunications, railroads and railways, short-haul transit services such as monorail, guided bus, bus services and trams, intermodal and multi-modal transit systems, transport systems, traffic control and management, parking facilities, reclamation projects, platform settlements, industrial estates or townships, central business and industrial park development, hotels and resorts, socialized housing, non-conventional low-cost housing, settlement/resettlement and relocation facilities, residential subdivisions, parks and open space development/redevelopment, pocket parks, public art, libraries, heritage conservation, government buildings, sustainable/green public buildings, sports facilities, wellness establishments, tourism such as eco-tourism, wellness tourism and agri/agro-tourism, public markets, commercial buildings, slaughterhouses, storage buildings, warehouses, cold storage, solid waste management, sanitary landfills, meeting and convention centers, information technology networks and database infrastructure, education-related, classrooms, health facilities, hospitals, social services related, prisons, agriculture related, post-harvest facilities, environmental management and protection, climate change adaptation, disaster risk reduction, among other developmental projects.

b. The determination of the appropriateness and viability of the P4 mode shall be specified, explained and justified in the feasibility or project study weighing all the relevant value drivers and reasons for pursuing an LGU P4 project.

c. Parties to LGU P4 arrangement shall undertake an activity in order to accomplish either an integrated or multi-use arrangement of specific goal or purpose with the end view of serving the public good or generating revenues.
d. No LGU P4 Project shall bear the name of any past or incumbent local official.

6.2 ***List of LGU P4 Priority Projects***. – The Municipality shall identify specific priority developmental projects that may be undertaken under any of the LGU P4 Modalities defined under Sec. 10 hereof.

6.3 LGU P4 Modalities.– In undertaking a specific LGU P4 Project, the Municipality may adopt and pursue any of the following LGU P4 Modalities and provide for other modalities not inconsistent with law:
(1) Build-and-Transfer (BT);
(2) Build-Lease-and-Transfer (BLT);
(3) Build-Operate-and-Transfer (BOT);
(4) Build-Own-and-Operate (BOO);
(5) Build-Transfer- and-Operate (BOO);
(6) Contract-Add-and Operate (CAO);
(7) Develop-Operate-and-Transfer(DOT);
(8) Rehabilitate-Operate-and-Transfer (ROT);
(9) Rehabilitate-Own-and-Operate (ROO);
(10) Rehabilitate-Lease-and-Transfer (RLT);
(11) Rehabilitate-and-Transfer (RT);
(12) Rehabilitate-Transfer-and-Operate (RTO);
(13) Concession Arrangement;
(14) Joint Venture (JV);
(15) Lease or Affermage;
(16) Management Contract using Municipal Funds;
(17) Management Contract without using Municipal Funds;
(18) Service Contract using Municipal Funds;
(19) Service Contract without using Municipal Funds;
(20) Divestment or Disposition;
(21) Corporatization;
(22) Incorporation of a Subsidiary with PSP Equity;
(23) Onerous Donations;
(24) Gratuitous Donations; and
(25) Any other modality akin to any of the above or features thereof which falls under the alternative definition of an LGU P4 under Section 5 (u) hereof.

6.4 General Requirements. – These are the general requirements for the Municipality in entering into LGU P4:
(a) Undertaking an LGU P4 for a Development Project must be premised on any or all of the reasons and drivers mentioned in Section 4 hereof.
(b) The list of projects to be implemented by the Municipality under any of the BOT Law variants shall be submitted for confirmation to the Municipal Development Council for projects costing above Twenty up to Fifty Million Pesos; above Fifty Million up to Two Hundred Million Pesos to the regional development councils; and those above Two Hundred Million Pesos to the Investment Coordination Committee of the National Economic and Development Authority (NEDA).
(c) Projects included in the List of Priority Projects shall not be eligible for unsolicited proposals under any of the BOT Law variants, unless involving a new concept or technology; provided, that for any of the other LGU P4 Modalities, unsolicited proposals may be accepted even if the project is included in the List of Priority Projects or whether the same features a new concept or technology or not.
(d) The prohibition for extending Direct Municipal Guarantee, Direct Municipal Subsidy and Direct Municipal Equity only applies to unsolicited proposals for BOT Law variants under the BOT Law.
(e) For BOT Law variants that will be subjected to bidding, Concession Arrangements, Leases or Affermage, Management and Service Contracts, and Joint Ventures, the Municipality may provide Direct Municipal Guarantee, Direct Municipal Subsidy, Direct Municipal Equity, or Viability Gap Funding; provided, that the Municipality can use a portion of its general fund, its development fund comprising its annual share in the Internal Revenue Allotment, and/or its equitable share in the proceeds of the utilization and development of the national wealth found within its territory for this purpose; provided further, that any amount used for subsidy or equity for an LGU P4 project shall

be deemed for development purposes and for the direct benefits of the inhabitants pursuant to Sections 287 and 294 of the LGC respectively.

(f) For all LGU P4 Modalities, the Municipality may provide Credit Enhancements and Cost-Sharing schemes.

(g) Official Development Assistance (ODA) as defined in R.A. 8182, otherwise known as the ODA Act of 1996, as amended by R.A. 8555, may be availed of for an LGU P4 project where there is difficulty in sourcing funds; provided, that ODA financing shall not exceed 50% of the project cost, with the balance to be provided by the PSP.

(h) Any subsidy to the constituents that will be extended by the Municipality must be targeted, transparent and efficiently administered.

(i) Each LGU P4 Modality adopted for a specific P4 project must specifically provide and adopt a tariff-mechanism such as but not limited to cash-needs, price cap, revenue cap, rate of return, hybrid of the foregoing, or any other appropriate scheme.

(j) For negotiated contracts for BOT Law variants for public utility projects which are monopolies, the rate of return on rate base shall be determined by existing laws, which in no case shall exceed twelve per centum (12%).

(k) In case of a project requiring a franchise or license to operate, the winning PSP shall automatically be granted by the Municipality the franchise or license or permit to operate and maintain the facility, including the collection of tolls, fees, rentals, and other charges in accordance with the schedules stipulated in the approved LGU P4 contract. The original franchise period as stipulated in the contract agreement may be extended, as may be authorized by the Municipality, provided the total franchise period shall not exceed fifty (50) years.

(l) The Municipality shall have the option to form or allow the formation of special purpose vehicle or single-purpose project company to implement the PPP project as may be appropriate under the chosen LGU P4 Modality.

(m) In participating in LGU P4, the Municipality may, subject to Sections 16, 17, 18, 19 and 20 of the LGC, exercise police power, perform devolved powers, power to apply and generate resources, expropriate and reclassify and enact or integrate zoning ordinances.

(n) The Municipality shall prescribe and impose Procurement Ethics to be followed by the Municipality and all bidders based on the principles of honesty, integrity, probity, diligence, fairness, trust, respect and consistency for all PSPs and bidders.

(o) In a JV or appropriate modality, the co-venturers or parties to a JV shall contribute money, capital, services, personnel, assets including equipment, land, intellectual property or anything of value, or a combination of any or all of the foregoing to the JV arrangement. The contribution of the Municipality shall be subject to third party independent valuation. Further:

    (i) The Municipality may allocate a portion of its Internal Revenue Allotment, real property tax, development fund, regular funds, proceeds from the utilization and development of its national wealth, Special Education Fund when the JV project is education-related, Calamity Fund when the JV project is calamity- or reconstruction-related, and special funds, if appropriate, as its contribution or share in the JV activity. These may be the actual or current funds, or future or monetized value of these funds of the Municipality.

    (ii) The Municipality may contract a loan, avail of Official Development Assistance, secure grants, issue bonds, debentures, securities, collaterals, and notes the proceeds of which can be earmarked for the JV activity.

    (iii) On the part of the Municipality , in addition to the foregoing contributions, it may extend goodwill, grant a franchise, concession, usufruct, right-of-way, equity, subsidy or guarantee, provide cost-sharing and credit enhancement mechanisms, exercise police power, give tax incentives or tax holidays, perform devolved powers, expropriate and reclassify and enact or integrate zoning ordinances.

    (iv) The Municipality shall be a minority equity or shareholder while the PSP shall be majority equity or shareholder, except in the case where fifty percent (50%) of the outstanding capital stock or contribution is owned or made by the Municipality. A reasonable percentage of the equity to be provided by the PSP should come from its own resources and not borrowed.

    (v) Notwithstanding having only a minority share or equity, the written consent of the Municipality may be obtained, based on the JVA, prior to any divestment of any asset or facility, dissolution, transfer or sale of share or equity on the part of the PSP, purchases or transactions beyond prescribed thresholds, or other activities which may affect the rights and stake in the Project of the Municipality.

    (vi) Any cost avoidance or substantial savings that will be made by the Municipality because of and directly attributable to the JV activity may be factored in the computation of the respective shares of the Municipality and the PSP.

(vii) For the utilization and development of natural resources located within its jurisdiction, the Municipality shall be entitled to an equitable share which may come in the form of a portion of the benefits, revenues and profits thereof.

(viii) The share of each JV party shall be set as fixed or determinable percentages or values either based on an overall or across-the-board assignment of contributions, revenues, profits, losses, risks and functions; or on specific assignment of contributions and functions to each JV party, provided that, the agreed percentage share is maintained and that joint governance is ensured where the Municipality shall have representation in the governing structure based on in proportionate share at the minimum.

(ix) Subject to the terms of the competitive selection process and agreement of the parties, the Municipality may be entitled to a share greater than its contribution or equity.

(x) Each party shall be entitled to dividends, profits, income and revenues and will bear the corresponding risks, losses and obligations in proportion to its share, either based on gross or net revenues or income, unless the parties agree that the Municipality will have a greater share in the dividends, profits, income and revenues and/or bear lower risk and percentage loss than what it contributes to the JV arrangement.

(xi) For as long as the Municipality is involved in the JV undertaking, the PSP shall not sell/transfer its interest in the JV Company without the express written consent of the Municipality.

(xii) The share or equity of the Municipality in the JV arrangement may be advanced, in full or in part, by the PSP where the PSP shall be paid from the future revenues due to the Municipality either by set-off or actual payment.

(xiii) The JV activity may, subject to the terms of competitive selection process, include the divestment, disposition or transfer of ownership of the JV activity, equity, asset or project to the PSP or JV partner. The divestment or disposition may take place at the end of the JV period or before the term ends.

(p) Procurement made by the Municipality using public funds shall be subject to the GPRA and its Revised Implementing Rules and Regulations. Procurement made by the PSP using private funds shall not be covered by said statute.

(q) The revenues, funds, expenditures and contributions of the Municipality shall be subject to the audit examination by the COA. Revenues, funds, expenditures and contributions of the PSP shall be subject to audit by a private auditing firm.

(r) Any subsidy, guarantee, equity or contingent liability assumed or given by the Municipality must be reflected, disclosed and recognized in the annual appropriations of the Municipality.

6.5 ***Government-to-Government Joint P4 Undertakings***. – The Municipality by mutual agreement in a Government-to-Government arrangement with other local governments, national government agencies, government-owned and controlled corporations, government instrumentalities and government corporate entities, may implement LGU P4 Projects for projects located within the Municipality's territory or those projects that will benefit the Municipality and its community even if the project site is outside the Municipality's territory; provided, that the collaborating or partner government entity jointly undertakes with the Municipality the selection of the PSP using the appropriate LGU P4 Modality.

7. LGU P4 Procedures and LGU P4 Contract

7.1 ***LGU P4 Procedures***. – The following procedures shall apply:

(a) For BOT Law variants, the Municipality must comply with the procedure set forth in the BOT Law and its Implementing Rules and Regulations.

(b) For Management and Service Contracts where Municipal funds will be used, the Municipality shall comply with Republic Act No. 9184 or the Government Procurement Reform Act and its Implementing Rules and Regulations.

(c) For Concessions, Leases or Affermage, and Management and Service Contracts where public funds are not used to procure the services of the PSP, competitive selection, limited negotiations, competitive negotiations or competitive challenge as defined herein may be utilized to select the PSP.

(d) For onerous donations, competitive negotiations or competitive challenge as defined herein may be utilized to select the PSP. For gratuitous donations, the competitive processes mentioned herein need not be followed. However, the deed of donation must be made known to the public.

(e) For Joint Ventures, Rehabilitate-Transfer, Rehabilitate-Lease-Transfer and Rehabilitate-Transfer-and Operate, competitive selection, limited negotiations or competitive challenge as defined herein may be utilized to select the PSP/JV partner.
(d) For Divestment or Disposition of a property, COA Circular No. 89-296 (January 27, 1989) shall be applicable.
(f) For Divestment or Disposition of a property, COA Circular No. 89-296 (January 27 shall be applicable.
(g) For the incorporation of a subsidiary with equity from the PSP, the Corporation Code shall be followed.
(h) For the Divestiture of a subsidiary or corporation incorporated by the Municipality under Corporatization, the sale may be pursued via a public offering or through a public auction or other relevant schemes under COA Circular No. 89-296 (January 27, 1989).
(i) If the Municipality opts to select a PSP using either Competitive Selection or Competitive Challenge, the Municipality in the Competitive Selection and Competitive Negotiations, and the PSP in the Competitive Challenge approach must prepare and submit a Feasibility or Project Study. The cost of preparing the Feasibility or Project Study may be reimbursed by the winning PSP to the Municipality under the Competitive Selection mode.
(j) All recommendations of the LGU P4 Selection Committee shall be submitted to the Municipal Mayor for consideration and approval.
(k) All LGU P4 contracts must be signed by the Municipal Mayor with prior authorization by the Sangguniang Bayan through a resolution. The terms and provisions of the LGU P4 contract must be approved or confirmed by the Sangguniang Bayan through an ordinance.
(l) During the consideration of the draft LGU P4 Contract by the Sangguniang Bayan, a public consultation/hearing shall be conducted explaining the LGU P4 Project, LGU P4 Contract, accountability mechanisms built into the LGU P4 arrangement, the benefits and costs of the LGU P4 Project, among other relevant matters.
(m) After the signing of the LGU P4 Contract by the Municipal Mayor, the LGU P4-SC shall issue the Notice of Award to the PSP. After the required condition precedents are complied with by the winning PSP, the Municipal Mayor, upon the recommendation of the LGU P4-SC, shall issue the Notice to Proceed.
(n) While the LGU P4 Contract is already valid, perfected and enforceable, it may be submitted for judicial, executive or administrative confirmation from the courts or appropriate government institutions.

7.2 *P4 Selection Committee*. –

(a) There is hereby created an LGU P4 Selection Committee (LGU P4-SC) for purposes of selecting a PSP for a specific LGU P4 Project. The LGU P4-SC, to be constituted and convened by the Municipal Mayor, shall be composed of the following:
    (i) Chairperson – At least a third ranking officer of the Municipality;
    (ii) Secretary – Municipal Legal Officer;
    (iii) The Municipal Treasurer;
    (iv) The Municipal Planning and Development Officer;
    (v) One (1) representative from and selected by the Sangguniang Bayan designated in an appropriate resolution; and
    (vi) Two (2) representatives from and chosen by the accredited CSOs, POs and NGOs who are members of the Municipal Development Council.

    A quorum of the LGU P4-SC shall be composed of a simple majority of all voting members. The Chairperson shall vote only in case of a tie.

(b) The LGU P4-SC with the approval of the Municipal Mayor, may invite provisional non-voting members from the national government agencies, regulatory agencies, NEDA, DILG, and the private sector to observe in the proceedings of the LGU P4-SC; and form a support staff composed of employees and staff of the Municipality.
(c) the LGU P4-SC shall be responsible for all aspects of the pre-selection and selection process, including, among others, the preparation of the Feasibility or Project Study and selection/ tender documents; determination of the minimum designs, performance standards/ specifications, economic parameters and reasonable rate of return or tariff-setting mechanism appropriate to the LGU P4 Modality; drafting or evaluation of the LGU P4 contract; publication of the invitation to apply for eligibility and submission of proposals or comparative proposals; defining the eligibility requirements, appropriate form and amount of proposal securities, and schedules of the selection and challenge processes; pre-qualification of prospective PSPs, bidders or challengers; conduct of pre-selection conferences and issuance of supplemental notices; interpretation of the rules

regarding the selection process; conduct of the selection or challenge process; evaluation of the legal, financial and technical aspects of the proposals; resolution of disputes between PSPs and challengers; defining the appeal mechanisms; and recommendation for the acceptance of the proposals and/or for the award of the contract.

7.3 ***Competitive Selection***. –

(a) The Competitive Selection procedure shall consists of the following steps: advertisement, issuance of instructions and tender documents, conduct of pre-bid conferences, eligibility screening for respective bidders, receipt and opening of bids, posting of proposal securities, evaluation of bids, post-qualification, and award of contract.

(b) The Municipal Mayor shall approve the tender documents and the draft LGU P4 Contract before they are issued to the prospective PSPs/ bidders.

7.4 ***Limited negotiations***. - Where the Municipality:

(a) fails to identify an eligible PSP for a desired LGU P4 activity when there is only one qualified bidder after subjecting the same to a competitive selection or bidding; or

(b) considers a project or activity either through competitive selection or competitive challenge where an indispensable or integral component thereof has already been subjected to a competitive process by the appropriate administrative agency, government instrumentality or government-owned and –controlled corporation which gives the PSP/offerer a vested and exclusive right over that component without which, the LGU P4 Project cannot be implemented as envisioned, Limited Negotiations may take place. The negotiations will cover all the technical and financial aspects of the LGU P4 project or activity; provided, that the minimum designs, performance standards/specifications and economic parameters stated in the Feasibility or Project Study and Terms of Reference for the competitive Selection are complied with. The Municipal Mayor shall approve the terms of the Limited Negotiations prior to the award of the contract to the PSP. Under the 2nd instance, the Municipality shall publish a notice to the public prior to the start of the negotiations, and if pursued under Competitive Challenge, the 3rd stage as defined below may be dispensed with.

7.5 ***Competitive Negotiations***. – For concession arrangements, leases or affermage, management and service contracts where public funds are not used to procure the services of the PSP, and onerous donations and the Municipality invites two or more qualified PSPs to enter into negotiations for an LGU P4 project, unless there is only one qualified offeror with a unique specialization, informing all the qualified PSPs that there is more than one offeror and simultaneous negotiations are being conducted and that the LGU P4 contract shall be awarded to the PSP which offers the best combination of quality and price based on the feasibility or project study prepared by the Municipality. Prior to the start of the negotiations with the identified PSPs, the Municipality shall publish the announcement.

7.6 ***Competitive Challenge***.– The competitive Challenge process shall be divided into three (3) Stages, described as:

Stage One/ Unsolicited Proposal – The steps are:

(i) A PSP submits an unsolicited proposal accompanied by a Feasibility or Project Study and draft LGU P4 contract to the Municipality for a projected LGU P4 Project.

(ii) The LGU P4-SC shall make a determination of the completeness of the unsolicited proposal, the eligibility of the PSP, the necessity for the proposed project, the consistency of the terms of the draft LGU P4 contract with this ordinance, and the appropriateness of the proposed LGU P4 modality.

(iii) Upon completion of the initial evaluation, the Municipal Mayor, upon recommendation of the LGU P4-SC, shall either issue a certificate of acceptance or non-acceptance of the proposal for purposes of detailed negotiations. Upon the issuance of the certificate of acceptance, the PSP is *ipso facto* conferred original proponent status and no other proposal for the same project may be subjected to the competitive challenge process.

(iv) If there is more than one unsolicited proposal submitted for the same LGU P4 Project, the Municipal Mayor, upon recommendation of the LGU P4-SC, may reject all proposals and pursue competitive selection, or accept the unsolicited proposal that is complete and provides the greater advantage and benefits to the community and revenues to the Municipality.

Stage Two/ Detailed Negotiations – The steps are:

(i) The parties shall negotiate and agree on the terms and conditions of the P4 Project concerning its technical and financial aspects.
(ii) Once negotiations are successful, the Parties shall issue a joint certification stating that an agreement has been reached and specifying the eligibility of the PSP and the technical and financial aspects of the LGU P4 Project as agreed upon.
(iii) The issuance of the certification commences the activities for the solicitation for comparative proposals.
(iv) However, should negotiations not result to an agreement acceptable to both parties, the Municipality shall have the option to reject the proposal by informing the PSP in writing stating the grounds for rejection and thereafter may accept a new proposal from other PSPs, decide to pursue the proposed activity through other LGU P4 Modalities or subject the LGU P4 Project to a Competitive Selection.

Stage Three/ Competitive or Swiss Challenge Proper – The steps are:
(i) The LGU P4-SC shall prepare the tender documents. The eligibility criteria used in determining the eligibility of the PSP shall be the same as those stated in the tender documents. Proprietary information shall, however, be respected and protected, and treated with confidentiality. As such, it shall not form part of the tender and related documents.
(ii) The Municipal Mayor shall approve all tender documents including the draft contract before the publication of the invitation for comparative proposals.
(iii) The LGU P4-SC shall publish invitation for comparative proposals.
(iv) The PSP or Original Proponent shall post the proposal security at the date of the first day of the publication of the invitation for comparative proposals in the amount and form stated in the tender documents.
(v) In the evaluation of proposals, the best offer shall be determined to include the original proposal of the PSP. If the Municipality determines that an offer made by a comparative PSP or challenger other than the negotiated terms with original proponent is superior or more advantageous to the Municipality than the original proposal, the PSP who submitted the original proposal shall be given the right to match such superior or more advantageous offer. Should no matching offer be received within the stated period, the LGU P4 Project shall be awarded to the comparative PSP submitting the most advantageous proposal. If a matching offer is received within the prescribed period, the LGU P4 Project shall be awarded to the original proponent. If no comparative proposal is received by the Municipality, the LGU P4 Project shall be immediately awarded to the original proponent.
(vi) In the event that the Original Proponent is not able to match the superior offer of the challenger, the winning challenger shall reimburse, within 30 days from issuance of the notice of award, the original proponent the cost of preparing the project study, provided, that this reimbursement arrangement and the cost of preparing of the project study are expressly stated in the terms of reference for the competitive challenge, and that the LGU P4-SC has determined that the cost is reasonable.

7.7 ***Schedules and Timelines***.– The Municipal Mayor, through an executive order, upon the recommendation of the LGU P4-SC, shall have the authority to adopt and prescribe the appropriate schedules and timelines for each PSP selection process provided, that the periods are reasonable and will not undermine free competition, transparency and accountability.

7.8 ***LGU P4 Contract***.–
(a) The LGU P4 Contract shall be signed by the Municipal Mayor on behalf of the Municipality with the prior authorization or ratification by the Sangguniang Bayan approving all terms of the P4 Contract, and the duly authorized representative of the PSP.
(b) The direct and ultimate beneficiary of any LGU P4 Contract shall be constituents of the Municipality. Representatives of accredited CSOs, NGOs and POs may sign the P4 Contract as monitoring entity or witness.
(c) The principal P4 Contract shall describe the LGU P4 Project, the rights, functions, obligations and responsibilities of and risks assumed by each of the contracting party, dispute mechanisms and all other provisions enumerated under Section 5 (v) hereof. Whenever appropriate, the LGU P4 Contract shall contain the Pre-ambulatory Clauses or Whereas Clauses, Party Clause, Rules of Interpretation, Nature of the LGU P4 Contract, Term of the Project, Contract Objective, Performance Bonds, Key Performance Indicators, Risk Allocation, Rights, Payment to PSE or PSP, Tariff Scheme, Subsidy or Support Mechanism, Insurance Requirements, Delay Provisions, Force Majeure, Governmental Action, Government and Public Sector Entity (PSE) Warranties,

PSP Warranties, Change in the Law, Regulatory Regime, Variations, Termination, Indemnification, Intellectual Property, Claims, Financial security, Dispute Resolution, Step-in Rights, Changes in the Composition of the PSP/ Service Provider, Partnership Management, Compliance with all Laws, Personnel, Conditions, Precedent, among others.

(d) The other ancillary contracts may include insurance contracts; loan agreements; bonds; guarantee arrangements; equity arrangements; operations and maintenance contracts; and engineering, procurement and construction (EPC) contracts.

(e) The Municipal Mayor shall not proceed with the award and signing of the contract if there are material deviations from the parameters and terms and conditions set forth in the proposal/tender documents that tend to increase the financial exposure, liabilities and risks of the Municipality or any other factors that would cause disadvantage to government and any deviation that will cause prejudice to losing PSPs.

(f) Neither party shall unilaterally rescind or amend an LGU P4 Contract. Any amendment to the LGU P4 Contract, which if effected will not violate the policy on competition and fairness and does not materially affect the substance of the LGU P4 Contract, after award and signing of contract shall undergo approval by the Municipal Mayor with prior authorization by the Sangguniang Bayan. Non-compliance with the corresponding approval process stated shall render the amendment null and void. Any form of amendment may be allowed after the P4 contract has been executed, provided that, the right to amend is accorded to all bidders and challengers and specified in the tender documents, and such right is stipulated in the LGU P4 contract. Any amendment must be approved by the Sangguniang Bayan through an ordinance by two-thirds (2/3 vote of the members present, there being a quorum.

(g) All laws and ordinances are read or deemed to form part of the P4 Contract, Regulation and Contract Management.

(h) The gist of the LGU P4 Contract shall be annotated at the back of the title of the property over which the LGU P4 project is located.

(i) An LGU P4 Contract, upon the favorable action of the Sangguniang Bayan through an ordinance by two-thirds (2/3) vote of the members present, there being a quorum, may be the subject of a plebiscite funded by local funds pursuant to a referendum under Section 126 of the LGC.

8. Regulation and Contract Management

8.1 ***LGU P4 Regulatory Authority's Mandate***. – The LGU P4 Regulatory Authority (P4-RA) created under this Code shall be tasked with performing contract management functions, such as partnership management (i.e., corporate governance, communication and information sharing, and dispute resolution), performance or service delivery management (i.e., risk management and performance management), and contract administration (i.e., variation management, contract maintenance and financial administration), for all LGU P4 arrangements entered into by the Municipality. Aside from these, the LGU P4-RA shall be responsible for setting and monitoring the tariff, and administering the subsidy pursuant to the LGU P4 contract.

8.2 ***Composition of the LGU P4 Regulatory Authority***. –

(a) The membership of the LGU P4-RA shall be composed of the following:
   (i) Chairperson – The Municipal Mayor or the Municipal Administrator if so designated by the Municipal Mayor;
   (ii) Vice–Chairperson – The Vice Mayor or a member of the Sangguniang Bayan to be chosen by the Sanggunian as evidenced by an appropriate resolution;
   (iii) Two (2) representatives of the Sangguniang Bayan belonging to two (2) distinct registered political parties to which the Municipal Mayor does not belong, and to be chosen on the basis of proportional representation of all parties represented in the Sangguniang Bayan.
   (iv) Municipal Legal Officer
   (v) Municipal Treasurer;
   (vi) Municipal Planning and Development Officer; and
   (vii) Two (2) representatives from and chosen by the accredited CSOs, POs and NGOs who are members of the Municipal Development Council. These representatives shall not be the same representatives in the P4-SC.

(b) For projects covered by government-to-government joint LGU P4 undertakings, the collaborating or partner government entity shall have one (1) representative in the LGU P4-RA, provided that such representative shall only sit in meetings of the LGU P4-RA, or

portions thereof, and have a vote on matters directly affecting the LGU P4 project covered by such joint LGU P4 undertaking. For this purpose, government-to-government joint P4 undertakings means such mutual agreement entered into by the Municipality with other local governments, national government agencies, government-owned and controlled corporations, government instrumentalities and government corporate entities, for the implementation of LGU P4 projects that will benefit the Municipality and its community even if the project site is outside the Municipality 's territory.

(c) The LGU P4-RA may appoint a contract manager for a LGU P4 project depending on the LGU P4 contract value, complexity and associated risks. The contract manager shall have the necessary management skills and technical knowledge of the goods, services or works to be provided under the PPP contract. The LGU P4-RA shall determine the manner and source of payment for the contract manager's compensation, provided that if a regular employee of the Municipality is appointed as a contract manager, he/she shall not receive additional compensation for such appointment. The contract manager shall have a vote on matters directly affecting the LGU P4 project that he/she is managing.

(d) A quorum of the LGU P4-RA shall be composed of a simple majority of all voting members. The chairperson shall vote only in case of a tie.

(e) The LGU P4-RA with the approval of the Municipal Mayor may invite third party experts to attend its meeting to act as advisors and observers. Such third party experts may represent national government agencies, regulatory agencies, the NEDA, the LGU P4 Center, the DILG, private sector, CSOs, POs and NGOs.

(f) The LGU P4-RA may form a support staff composed of employees and personnel of the Municipality. The LGU P4-RA may also engage consultants hired pursuant to law.

8.3 ***Contract Management Manual*****.** –

(a) The Municipal Legal Officer, Municipal Treasurer and Municipal Planning and Development Officer and one of the CSO representatives of the P4-RA, acting as the LGU P4-RA Manual Committee (LGU P4-RA-MC), shall jointly prepare a contract management manual for each executed LGU P4 contract, which shall serve as a guide to the Municipality and its personnel in ensuring a consistent, high quality contract monitoring process that is specific for such LGU P4 contract.

(b) The contract management manual in (a) shall be submitted to the LGU P4-RA for approval within twenty-one (21) days from the execution of LGU P4 contract, provided that, for outstanding P4 contracts concluded prior to the effectivity of this Code, the contract management manual shall be submitted to the LGU P4-RA within one hundred and twenty days (120) days from the effectivity of this Code and the provisions of this Code shall apply *mutatis mutandis*.

(c) The LGU P4-RA may accept, reject or order the revision of the contract management manual at any time during the life of the LGU P4 project, provided that any revision subsequent to the first acceptance of the contract management manual at the inception of the LGU-P4 project shall require written notice to the PSP and opportunity to be heard.

(d) If the contract management manual has not been approved by the LGU P4-RA within seven (7) days from its submission as provided in paragraph (b), the same shall be deemed issued and approved by the LGU P4-RA for all purposes.

(e) The LGU P4-RA shall evaluate each contract management manual quarterly, which shall be amended as may be necessary. Any amendment to the contact management manual shall be effective upon the approval of the LGU P4-RA.

(f) The LGU P4-RA, all throughout the life of the LGU P4 Contract, shall present, make available and explain, before and after any material action is taken, all relevant information regarding the implementation of the LGU P4 Contract, the submissions of the PSP and actions taken by the LGU P4-RA , to the Municipal Development Council.

8.4 ***Contents of the Contract Management Manual***. – Each contract management manual shall include the following information:

(a) a description of the LGU P4 project and its history;

(b) a summary of the key terms of the LGU P4 contract;

(c) roles and responsibilities of each member of the LGU P4-RA and other Municipal personnel and contractors, as applicable, who are involved in the LGU P4 project;

(d) roles and responsibilities of key personnel of the PSP;

(e) details of the post-award conference;

(f) partnership management procedures;

(g) performance or service delivery management;

(h) contract administration; and

(i) project closeout procedures.

8.5 ***Post-Award Conference***. –

(a) Immediately after the LGU P4 contract is awarded, the P4-RA Chairperson shall call a post-award conference to ensure that the Municipality and PSP have a clear and mutual understanding of the terms and conditions of the LGU P4 contract, and to determine the responsibilities of parties. Notice of the post-award conference shall be sent by the LGU P4-RA Chairperson at least five (5) working days before the scheduled date thereof.

(b) The post-award conference shall be attended by the members of the LGU P4-RA, such employees and contractors of the Municipality involved in the management of the P4 contract, and key personnel of the PSP.

(c) The LGU P4-RA Chairperson shall preside at the post-award conference, and shall appoint a secretary of the conference from the Municipal personnel present.

(d) The minutes of the conference shall be sent to each participant within five (5) days of the adjournment of the conference.

8.6 ***Personnel and Training Requirements***. –

(a) The contract management manual shall identify the Municipal personnel involved in contract management, the specific roles and responsibilities of each, and the skills and technical knowledge required to perform their functions.

(b) Independent contractors may be engaged in the absence of the qualified Municipal personnel, provided that, except in the case of contract managers engaged in accordance with Section 8 (c), contractors may only be engaged for a period not exceeding three (3) years from the effective date of the LGU P4 contract. Such contractor shall:

(i) have at least two (2) understudies; and

(ii) provide a training program for Municipal personnel in his field of specialization, with such training being done regularly during regular office hours.

(c) During the contract life, the Municipal personnel shall undergo such continuous training on contract monitoring to ensure that the Municipality is equipped to monitor reliably the PSP's performance over the entire life of the LGU P4 contract.

8.7 ***Partnership Management***. – Each contract management manual shall identify processes to ensure accountability and manage the relationship between the Municipality and the PSP, and shall describe:

(a) Each party's governance structure, including the overall system of institutional structures, operating rules, compliance mechanisms and accountability procedures;

(b) Guidelines on communication and information sharing between the Municipality and the PSP, including reporting requirements, frequency and purpose of regular meetings, record-keeping of all exchanges, and the acceptable modes of correspondence between them; and

(c) The process of resolving disputes between the parties, identifying, among others, the different levels of dispute resolution, offices and officials involved, timetable for resolving such disputes, and possible actions to compel a party to adequately comply with contractual terms.

8.8 ***Performance or Service Delivery***. – The contract management manual shall identify measures to ensure that the services or goods provided by the PSP are in accordance with the standards and prices agreed in the LGU P4 contract. Such measures shall include:

(a) An identification of risks under the LGU P4 contract, the timetable for resolving such risks when they arise, contingency plans that ensure immediate resumption of services in the event of an interruption of service delivery by the PSP, and penalties for failing or refusing to resolve them, provided that a separate risk mitigation plan shall be developed and periodically reviewed and updated throughout the life of the contract for contracts with significant risks;

(b) Clear and demonstrable key performance indicators that demonstrate evidence of poor, satisfactory or non-performance by the PSP, taking into consideration the cost and value obtained, performance and customer satisfaction, delivery improvement, delivery capability, benefits realized and relationship strength and responsiveness;

(c) A performance management plan and performance monitoring system that will be used by the Municipality to monitor affordability, service delivery, value for money, quality, and performance improvement, which shall in all cases include:

(i) milestones with accompanying timeframes, dependencies, required or desired outcomes, and acceptable performance levels;

(ii) requirements and standards to be used to monitor PSP performance;

(iii) procedures and guidelines for measuring customer satisfaction and mechanisms to solicit end user feedback;

(iv) submission of regular, accurate and timely reports by the PSP, Municipal personnel or the contract manager, as applicable, to the LGU P4-RA detailing performance monitoring efforts and the types of information that should be included in such reports;
(v) Municipal access to PSP records to allow Municipal personnel to verify the information that the PSP reports to them to ensure that funds are expended properly;
(vi) random inspection of PSP records and on-site monitoring visits; and
(vii) regular meetings with PSP to review progress, discuss problems and consider necessary changes.

(d) a performance review and corrective actions system that apply to non-compliance or breach of contract, and penalties for non-performance and bonuses for good performance.

8.9 ***Contract Administration***. – The contract management manual shall lay down a contract administration system, which shall include:
(a) systems and procedures for variation management, the roles and responsibilities of Municipal personnel, and reportorial requirements for each event of proposed or successful contract variation;
(b) a system for contract maintenance, identifying key contract deliverables and schedules, as well as trigger events; and
(c) systems and procedure for financial administration, including an estimate of the resources that the Municipality will devote thereto, systems and procedures to make and receive financial payments, and rules for keeping records of financial transactions in accordance with the requirements of the contract.

8.10*Closeout Procedures*. – Formal, written closeout procedures shall be included in contract management plan to ensure that all goods and services have been delivered satisfactorily, all properties are disposed accordingly, all Municipal properties are returned, and all amounts due under the LGU P4 contract have been paid.

8.11*Post-Contract Review*. – A post-contract review shall be conducted at the end of a contract period, which shall include a post-contract analysis, evaluation and reporting of the P4 project, the PSP's performance, and the Municipal's contract management system. The post-contract review shall likewise include a financial audit of the entire P4 project and determination of lessons learned. Municipal policies and procedures shall be updated where required. Notwithstanding the requirement herein, if the P4 contract is subject to renewal or extension, the post-contract review shall be conducted within a reasonable time before the deadline for such renewal or extension.

8.12*Document Control.* – The LGU P4-RA shall act as the administrator of documents and correspondence relating to the LGU P4 project and LGU P4 contract. The contract management manual shall:
(a) identify the documents and correspondences that must be retained by the LGU P4-RA;
(b) require that all such documents be kept in both electronic and paper format during the contract life or such longer period as may be required under applicable law; and
(c) lay down the protocol for document storage, logging, accountability, disclosure and access by the parties and the public.

9. Accountability, Information, Education and Monitoring

9.1 ***Code of Conduct***. – Before commencing their functions, each member of the LGU P4-SC and LGU P4-RA and the contract manager shall sign a Code of Conduct, which shall guide each member in the performance of their duties as such. Such Code of Conduct shall require each member to, among others:
(a) act at all times in accordance with relevant legislation and regulations;
(b) act at all times with fidelity, honesty, integrity and in the best interest of the Municipality and its constituents;
(c) recognize the public's right to access to information in accordance with law;
(d) Not misuse his or her position and privileges of a member of the LGU P4-SC and LGU P4-RA, whether or not such will prejudice the interest of the public, the PSP, or any third person;
(e) to take the utmost care in ensuring reasonable protection of the records of each LGU P4 project, and to not disclose any confidential and proprietary information to persons without a need to know such information, or in violation of any non-disclosure requirements under law or contract;

(f) carry out his or her duties with the skill and care expected from a person of knowledge and experience, and to exercise prudent judgment;
(g) forthwith report to the appropriate authorities any act of negligence, fraud, corruption, misuse of government funds, failure or refusal to perform duties, or any other act which may constitute a crime or an offense, or which is prejudicial to the public interest, in the selection of the PSP and implementation of an LGU P4 contract;
(h) forthwith declare any personal or business interest that he or she, or any of his or her relatives within the fourth degree of affinity or consanguinity, may have in any business of a PSP, in which case, the official or representative shall no longer be a member of the LGU P4-SC and LGU P4-RA;
(i) forthwith declare any conflict of interest, insofar as the P4 Project concerned, that he or she may have or will have, in which case, the official or representative shall no longer be a member of the LGU P4-SC and LGU P4-RA;
(j) not vote or act in a particular way on any matter in consideration of any offer, promise, gift or present, from a member of the public, government, a political party, social group or CSO, PO, NGO, or any stakeholder or potential stakeholder;
(k) not receive any gift or anything else of value which is or may be viewed as aimed at influencing or directing his or her vote or actions; and
(l) to disclose immediately to the LGU P4-SC or LGU P4-RA as the case may be, any attempted inducement that may be construed as aimed at influencing or directing his or her acts as a member of the LGU P4-SC and LGU P4-RA.

9.2 ***Disciplinary Action***. – Violation of this Code and the Code of Conduct insofar as Municipal elective officials are concerned shall constitute a ground for disciplinary action or amount to loss of confidence under the LGC and relevant laws, and with regard to local appointive officials, such violation shall render them administratively liable. Officials may also be rendered criminally liable under applicable laws and ordinances.

Representatives of the PSP shall be held liable for damages, offenses and crimes depending on the nature of their participation and involvement in the unlawful act or omission.

9.3 ***Liability***. – The Municipality and its officials, in undertaking an LGU P4 project, selecting a PSP and implementing an LGU P4 contract, shall not be exempt from liability for death or injury to persons or damage to property. Failure to respect a duly-executed LGU P4 contract by successor officials shall render them liable without prejudice to the application of Alternative Dispute Resolution mechanisms under Section 42 hereof.

9.4 ***Social Accountability***. – The Municipality shall ensure, promote and eliminate all obstacles to social accountability and allow and enhance constructive engagement between citizens' groups, academe, consumers, rate-payers, general public, Municipality, national government agencies, regulatory agencies, and PSP.

9.5 ***Transparency and Right to Information***. – The LGU P4 Contract, feasibility or project studies, bidding documents, terms of reference, results of the PSP selection process, Code of Conduct, Contract Management Manual, minutes of the post-award conference, LGU P4-RA, and LGU P4-RA-MC, and other relevant documents and instruments shall be posted in two conspicuous places in the Municipality and uploaded in a dedicated website of the LGU P4-RA which can be freely accessed by the public. The Municipality shall also implement a strategic communication plan addressed to all stakeholders.

9.6 ***Capability-Building Program*****.** –
(a) The Municipality shall design and implement a continuing education and capacity-building program on LGU P4 for its officials, and the members of the LGU P4-SC and LGU P4-RA.
(b) The Municipality shall also undertake a comprehensive and sustained education and governance campaign aimed at informing all stakeholders and CSOs, POs and NGOs about LGU P4 ventures of the Municipality and allowing them to participate in the overall P4 program of the Municipality. The program shall include strategic and annual evaluation and planning sessions, workshops, seminars, focus-group discussions on LGU P4, market opportunities, projects, management of contracts and regulation of LGU P4 and other LGU P4 -related topics.
(c) The Municipality may tap consultants to assist them in implementing LGU P4 and in building capability for LGU P4.

9.7 ***Monitoring and Governance Audit Program***. – The Municipality, in order to ensure transparency and accountability, shall encourage CSOs, POs, NGOs and civic aggrupations to establish an LGU P4 monitoring, evaluation and governance audit body functionally and fiscally independent from the Municipality and other government institutions.

9.8 ***Technical and Financial Assistance***. – The DILG, Department of Finance, Department of Budget and Management, NEDA and the PPP Center may extend technical and financial assistance to the Municipality and such assistance may be embodied in a memorandum of understanding or agreement.

10. Final Provisions

10.1 ***Appropriations*****. -** To carry out the provisions of this Code, the amount of Three Hundred Thousand Pesos (P300,000.00) shall be appropriated. Thereafter, such sums as may be necessary for the continuous implementation of this Code shall be included in the annual budget of the Municipality.

10.2 ***Alternative Dispute Resolution***. – All LGU P4 contracts of the Municipality shall include a provision on the use of Alternative Dispute Resolution (ADR) mechanisms in resolving disputes arising from the LGU P4 contract. All controversies in connection with P4 undertakings and projects of the Municipality shall likewise be addressed using ADR.

10.*3* ***Implementing Rules***. – While this Code and the provisions hereof are already operative upon the Code's effectivity, the Municipal Mayor may issue the appropriate and relevant rules and regulation for the proper implementation of the Code or its provisions, including the issuance of relevant mechanisms to insure competition, manuals, guidelines, sample contracts and bid documents, P4 indexes and comparators, and performance scorecards.

10.4 ***Confirmation of Executed LGU P4 Contracts and Procedures Commenced.***

(a) LGU P4 contracts entered into prior to the enactment of this LGU P4 Code in strict compliance with the provisions hereof are hereby confirmed.

(b) LGU P4 contracts entered into prior to the enactment of this LGU P4 Code without strictly complying with the applicable procedures set forth herein for the selection of the PSP shall be considered as negotiated agreements under State Two of Section 17 which must be subjected to competitive challenge; provided that, after publication and no expression of interest is submitted by an interested qualified party at the designated time, the subject P4 contract shall be deemed perfected, and vested contractual rights shall continue to subsist and operate.

(c) LGU P4 contracts entered into prior to the enactment of this LGU P4 Code may be amended; provided, that the terms of the original LGU P4 contract allow for amendments, or the amendments do not tend to increase the financial exposure, liabilities and risks of the Municipality or any other factors that would cause disadvantage to the Municipality and any deviation that will cause prejudice to losing PSPs; provided further, that the revised terms or amendments are approved by the Municipal Mayor and confirmed by the Sangguniang Bayan through the enactment of an ordinance.

(d) Procedures and steps commenced and undertaken for the selection of, and statuses and rights conferred on a PSP prior to the effectivity of this ordinance shall be operative, confirmed and recognized, and shall henceforth be continued under this Ordinance.

10.5 ***Application of Other PPP/ LGU P4 Laws and Regulations***. – Whenever relevant and appropriate as determined by the Municipal Mayor and in the absence of a specific provision to the contrary, upon recommendation of the LGU P4-SC and LGU P4-RA as the case may be, the BOT Law, the GPRA, Executive Order No. 301 (26 July 1987), COA Circular No. 89-296 (January 27, 1989), and their applicable rules and regulations, and the JV Guidelines adopted by the NEDA, either the 2008 or 2013 versions, shall apply in a suppletory manner.

10.6 ***Authority of Component LGUs***.

(a) The authority of component LGUs to enact their respective LGU P4 ordinances, and to implement LGU P4 projects is hereby recognized by the Municipal Government.

(b) The Municipal Government encourages the component LGUs on their own or in partnership with other LGUs and national government agencies, government-owned and controlled corporations, government instrumentalities, state universities and colleges and government financial institutions to pursue LGU P4 as a development

strategy and implement LGU P4 projects that shall serve the general welfare and the public good.

SECTION 21. RECLASSIFYING AND REZONING OF VARIOUS LANDS LOCATED IN BARANGAY CORDOVA NORTE AND BARANGAY BANTUD, THIS MUNICIPALITY, COMPRISING AN AREA OF 55.6152 HECTARES MORE OR LESS FROM AGRICULTURAL INTO INDUSTRIAL THEREBY AMENDING PORTION OF THE COMPREHENSIVE LAND USE PLAN.

1. *COVERAGE:* This ordinance shall cover properties particularly described as follows:

	LOTS INVOLVED	**SURVEY NO.**	**AREA /SQUARE METER**
1.	6884 – 1	BSD 06 – 000387	A=9,538
2 .	6884 – 2	-do-	A=15,619
3.	6884 – 3	-do-	A=24,316
4.	6884 – 4	-do-	A=22,608
5.	6884 – 5	-do-	A=16,052
6.	6884 – 6	-do-	A= 9,643
7.	6884 – 7	-do-	A=17,101
8.	6884 – 8	-do-	A= 8,045
9.	6884 – 9	-d0-	A=11,844
10.	6884 – 10	-do-	A = 664
11.	6884 – 11	-do-	A = 423
12.	6884 – 12	-do-	A=3, 041
13.	6884 – 13	-do-	A=7,914
14.	6884 – 14	-do-	A= 2,607
15.	6884 – 15	-do-	A= 5,886
16	6884 – 16	-do-	A= 1,857
17.	6884 – 17	-do-	A=11,610
18.	6884 – 18	-do-	A=10,580
19.	6884 – 19	-do-	A=9,249
20.	6884 – 20	-do-	A= 1,548
21.	6884 – 21	-do-	A=15,989
22.	6884 – 22	-do-	A=15,788
23.	6884 – 23	-do-	A=20,979
24.	6884 – 24	-do-	A=69,428
25.	6884 – 25	-do-	A=11,551
26.	6884 – 26	-do-	A= 976
27.	6884 – 27	-do-	A=34,306
28.	6884 – 39	-do-	A= 281
29.	6884 – A	CSD 06 – 001278	A= 8,044
30.	6889 – B-1	CSD 063045 – 004779	A= 311
31.	6889 – B-2	-do- (Road)	A= 701
32.	6889 – B-3	CSD 063045 – 004779	A= 57,616
33.	9 – D	PSD – 06-066837	A= 8,367
34.	9 – I	-do-	A= 9,711
35.	16 – A	PSD 06 – 066837	A= 9,507
36.	16 – B	-do-	A=2,180
37.	18 – A	-do-	A=10,293
38.	18 – B	-do-	A=12,179
39.	18 – C	-do-	A= 3,290.
40.	18 – D	-do-	A= .0056
41.	19 – A	-do-	A= 3,900
42.	19 – B	-do-	A= 2,219
43.	21 – A	-do-	A= .8605
44.	21 – B	-do-	A= .0439
45.	21 – C	-do-	A=.0078
46.	6882	PSC 49 Tigbauan Cad.	A=7,925
47.	1	CCS –0 6 – 000078	A=7,504
48.	2 (PORT.)	-do-	A= 8,911
49.	13	-do-	A=10,152
50.	4538	PSC 49 Tigbauan Cad.	A= 8,635
51.	7-B Portion of 11-12233	PSD 12999	A= 3,000
52.	23-A	PSD -06-066837 (AR)	A= .6057
53.	23-B	PSD -06-066837 (AR)	A= .7020

2. MANNER OF UTILIZATION AND DISPOSITION. The agricultural lands covered under Section 2 hereof shall be utilized for industrial and compatible uses. Particularly, portions of the said area will be utilized for industrial use. Other portions may also be utilized for commercial purposes in view of the development of the site as a possible tourist destination in the near future.

3. UPDATE ON COMPREHENSIVE LAND USE PLAN. This ordinance shall likewise update the existing Approved Comprehensive Land Use of the Municipality of Tigbauan.

SECTION 22. OPERATION OF BOARDING HOUSES

A. REGULATORY CLAUSE

a. Licensing - No person shall own, keep, maintain, operate or conduct any house or place for accommodation of boarders or bed spacers for compensation or rent without first having obtained a Mayor's Permit, Sanitary Permit, Fire Safety Inspection Certificate and paying such other required taxes, fees, and charges under the Municipal Revenue Code.

b. Classes Of Boarding Houses. Boarding houses shall be classified as follows:

1. Class "A"
- **a1.** Made of strong materials;
- **a2.** Forty (40) sq. meters reception area with radio, television and telephone;
- **a3.** Room accommodation measuring at least twenty (20) square meters;
- **a4.** Accommodates three (3) or less persons in one room;
- **a5.** Four (4) or more toilets and bathrooms;
- **a6.** Sufficient water supply with storage tank;
- **a7.** Adequate space for kitchen;
- **a8.** Bedrooms are lighted with fluorescent lamp with at least two (2) convenient outlets with good ventilation.

2. Class "B"
- **b1.** Made of strong materials;
- **b2.** Reception area of at least thirty two (32) square meters with television and telephone;
- **b3.** Room accommodation of at least twenty (20) square meters;
- **b4.** Accommodation between four (4) to six (6) persons in one room;
- **b5.** Three (3) toilets and bathrooms;
- **b6.** Sufficient water supply;
- **b7.** Adequate kitchen area; and
- **b8.** Bedrooms are lighted with fluorescent lamp with at least two (2) convenient outlets with good ventilation.

3. Class "C"
- **c1.** Made of strong materials;
- **c2.** Double deck beds;
- **c3.** Toilet and bathroom at a ratio of one (1) to ten (10) persons; and
- **c4.** Well-ventilated rooms and with fluorescent bulbs per room.

4. Class "D"

All others falling below the standard set forth in Class "C"

Provided however, that boarding houses shall be equipped with fire extinguisher at a ratio of one (1) fire extinguisher for every twenty (20) persons or fraction thereof. The said fire extinguishers shall be placed in a strategic area of the boarding house.

Provided furthermore, where a boarding house accommodates more than twenty (20) boarders, house shall install a fire alarm system and shall have an adequate fire exit aside from the main door.

Provided finally, for purposes of identification, the owner/operator of the boarding house/dormitory shall put up a signboard which shall be placed conspicuously at the front of the house containing the following data:
- **a.** Trade name or style
- **b.** Class

c. Control number
d. Owner
e. Telephone number (if any)

Further, signboards shall be uniform in specifications and shall be procured by the Commission and color-coded for easier identification as to "class" and provided to the owners/operators of boarding houses/dormitories at a reasonable cost on the same manner as license plates of bicycles and trisikads. A facsimile of said signboard for the guidance of the committee is measured 1 foot by 1 'A feet.

5. Rates - The owner or operator of a boarding house shall charge the following maximum rates, subject to review and modification as recommended by the Commission every year before the start of each school year.

a. Class "A"
a1. Board and lodging ……. P2,000 – P2,500 per month
a2. Bed space only …….. P450 – P500 per month

b. Class "B"
b1. Board and lodging ……. P1,500 – P2,000 per month
b2. Bed space only …….. P400 – P450 per month

c. Class "C"
c1. Board and lodging ……. P1,000 – P1,500 per month
c2. Bed space only ……. P150 – P200 per month

d. Class "D"
d1. Bed space only ……. P280 – P300 per month

Any additional charge on electric consumption by owners/operators to boarders using personal radio cassette or television set, electric iron, utensils, laundry facilities, stove and other electrical appliances and effects, shall be by mutual agreement between the owner/operator and the boarder, provided, however, that the additional charges shall he reasonable and not exorbitant.

Any stipulation of contract of agreement to the contrary notwithstanding, the boarder shall promptly and regularly pay his rent or bills on or before the fifth (5) day of the succeeding month.

6. Business License Application - Every person desiring to secure a Mayor's Permit and/or license to own, keep, operate, conduct or maintain any boarding house, shall state in his application a sworn statement detailing the following:

a. The kind of construction of the building;
b. The size, ventilation and lighting of each room;
c. Toilet, bathroom and sanitary facilities;
d. The greatest number of persons that can be accommodated at any one time;
e. Firefighting equipment and fire alarm system; and
f. Safety exits.

7. Boarding House Registration/Inspection- No owner, manager, or operator of a boarding house shall accept a boarder unless he or she has signed his/her name and entered his/her home address, residence certificate (if applicable) and personal circumstances in a register of boarders.

Minors less than eighteen years old shall not be accepted unless accompanied by one of the parents or lawful guardian at the time of registration. Every owner of the boarding house shall keep and carefully preserve a well-bound Register of Boarders, which shall be open to the inspection of lawful authorities or members of the Commission or their duly designated representative.

8. House Rules and Regulations - the owner or operator of boarding houses shall post in each room and reception room, in printed form, a house rules and regulations for the information and guidance of the boarders, which shall prohibit among others, gambling, drinking intoxicating liquor, use of drugs, and other violations of laws, rules and regulations.

9. **Duties and Responsibilities of the Parties**

   a. **Owners/Operators**- The following shall be the duties and responsibilities of the owner or operator of boarding house:
      a1. To maintain the cleanliness of the boarding houses and sanitation of its premises;
      a2. Undertake major and minor repairs whenever necessary to prevent danger to life or cause injuries to boarders and to see to it that the facilities are all in good condition.
      a3. To provide and institute safety measures such as fire escape, locked doors, etc.
      a4. Except for legally married boarders, the owner/operator shall provide separate rooms and leaving quarters, and also separate toilets or comfort rooms for male and female boarders.

   b. **Boarders / Bedspacers -** The following shall be the duties and responsibilities of the boarders/bedspacers:
      b1. To faithfully comply with the contract of accommodation or agreement;
      b2. Follow the house rules, regularly and;
      b3. Promptly pay his/her bills or rent, and such other obligation that will promote harmony, good order and mutual respect.

10. **Tigbauan Boarding House Commission**- There is hereby created an Oversight Body to be known as the Tigbauan Boarding House Commission to be composed of the following:

   a. Chairman - to be designated by the Municipal Mayor, subject to confirmation by the Sangguniang Bayan from among the ranks of non-governmental organizations (NGOs) or civic or religious organization;

   b. Vice-Chairman - the Municipal Engineer or his duly authorized representative;

   c. **Members:**
      c1. Chief, Tigbauan Police Station or his duly authorized representative;
      c2. Chief, Tigbauan Fire Station or his duly authorized representative;
      c3. Municipal Health Officer or his duly authorized representative;
      c4. Liga ng mga Barangay President or his duly authorized representative;
      c5. A representative from the student sector;
      c6. A representative from the owner and operators of boarding house.

   The Liga ng mga Barangay President shall recommend three (3) nominees each from the student sector association of boarding houses to the Municipal Mayor who shall select and designate the representatives from both sectors.

   The Chairman, Vice-Chairman and members of the Commission shall serve without compensation; provided, however, that they may be provided honorarium of One Hundred (P100.00) pesos each for every meeting actually attended. The Sangguniang Bayan shall appropriate an amount to cover for his honorarium. Expenses of the Commission shall be provided as an annual budgetary allocation under the Office of the Municipal Mayor.

11. **Functions and Duties of the Commission** - The Commission in the exercise of its oversight functions shall have the following functions and duties:
   a. Formulate and issue, subject to the approval of the Sangguniang Bayan, rules and regulations, necessary for the efficient and effective implementation of any and all provisions of the ordinance;
   b. Meet regularly, but not often than twice a month, to take up matters relative to the implementation of this ordinance and promote harmonious relations between the boarding house owners/operator and boarder/bed spacer;
   c. Undertake either by themselves or through their representatives, ocular inspection of boarding houses to determine compliance with this ordinance and other related laws, rules and regulations for the purpose that the interests of all concerned are well protected;
   d. Recommend from time to time to the Municipal Mayor and the Sangguniang Bayan such matters that will redound to the best interests of the boarding houses, owners/operators, boarders/bed spacers, and the general public; and

e. Undertake such other program or action relative to the smooth implementation of this ordinance.

12. Updating Of Physical Facilities

a. The boarding house owner/operator shall have six (6) months from the effectivity of this ordinance within which to upgrade and improve the physical facilities of his boarding house to conform with the requirements of this ordinance, the building code, the fire code and other allied laws, rules and regulations.

b. The owner/operator who improves and upgrades his/her boarding house facilities pursuant to this ordinance may petition the Sangguniang Bayan for local business tax exemption, through the Commission, except the payment of other taxes and regulatory fees.

13. Prohibition - It shall be prohibited by this ordinance that boys and girls, regardless whether brothers and sisters, shall stay/live/sleep in one room.

B. PENAL CLAUSE

Any person, owner, operator or keeper of boardinghouse who shall violate the provisions 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 to the revocation of permit to operate of boarding house owners and closure of the boardinghouse.

SECTION 23. REQUIRING COMPLIANCE WITH THE PROVISIONS OF THE NATIONAL BUILDING CODE (P.D. 1096) AND RA 9514 ALSO KNOWN AS FIRE CODE OF THE PHILIPPINES OF 2008

A. REGULATORY CLAUSE

Pursuant to PD 1096 dated February 19, 1977 known as the National Building Code (NBC) and RA 9514 known as the Fire Code Of the Philippines of 2008 and their amendments, the following are subject for compliance with its provisions:

1. All persons;
2. All private or public buildings, facilities, structures and their premises, constructed before or after the effectivity hereof;
3. Design and installations of electrical system;
4. Storage, handling or use of explosion and/or combustible, flammable, toxic, and other hazardous materials;
5. Fire safety construction; and
6. Fire protective and warning equipment or systems.

B. PENAL CLAUSE

1. Any person who violates without prejudice to the application of the administrative fines provided for under the National Law shall be fined with not exceeding Two Thousand Five Hundred (P2,500.00) Pesos or imprisonment at the direction of the court or in the proper case, by stoppage of operation or by closure of such buildings, structures and their premises or facilities which do not comply with the requirements or by both such administrative fine and closure/stoppage of operation to be imposed by the Director General. Provided, that the payment of the fine, stoppage of operation and/or closure of such buildings, structures, and their premises or facilities shall not be absolve the violator from correcting the deficiency or abating the fire hazard.

2. In case of willful failure to correct the deficiency or abate the fire hazard as provided in the section, the violator shall upon conviction, be punished by imprisonment of not less than six (6) months or not more than six (6) years, or by a fine of more than twenty thousand pesos(P20,000.00) or both such fine and imprisonment; Provided, however, that in case of a corporation, firm, partnership or association, the fine and/or imprisonment shall be imposed upon its official responsible of such violation, and in case the guilty party is an alien, in addition to the penalties herein prescribed, he shall immediately be deported; Provided, finally, that where the violation is attended by loss of life and/or damage to property, the violators shall be proceeded against under the applicable provisions of the Revised Penal Code.

CHAPTER VI
TRANSPORTATION AND TRAFFIC CODE

SECTION 24. **SCOPE OF APPLICATION**. – The provisions of this ordinance shall control, as far as they apply, the registration and operation of motorized and non-motorized vehicles such as tricycles, pedicabs, e-trikes and issue permit for drivers and owners, regulating and designating franchise routes, terminals and parking areas and similar matters.

SECTION 25. ADMINISTRATION OF ORDINANCE

1. **Creation and Composition of the Municipality of Tigbauan Traffic Management Coordination Committee (MTTMCC).** A coordinating body to be known as the Municipality of Tigbauan Traffic Management Coordination Committee, hereinafter referred to as the Committee is hereby created which shall be composed of eleven (11) members, including the Chairman and Vice Chairman who shall be designated by the Honorable Mayor from among the members. Membership of the committee shall consist of six (6) persons selected by the Mayor from the private sectors and five (5) ex–officio members, namely:

   a. SB Member, Chairman Committee on Transportation
   b. Chief of Police, Tigbauan Municipal Police Station
   c. Police Officer in charge of Traffic
   d. Municipal Engineer
   e. Municipal General Services Office

2. **Functions of the MTTMCC. The MTTMCC shall have the following functions:**

   2.1. Coordinate, monitor and evaluate the planning and implementation of traffic management components.
   2.2. Review and approve all traffic engineering and management schemes.
   2.3. Recommend to the Sangguniang Bayan the passage of resolutions and ordinances relative to traffic and the routing of common carriers operating in the Municipality of Tigbauan.
   2.4. Perform such other relative functions as maybe necessary to ensure the effective planning and implementation of traffic management schemes.
   2.5. The Committee shall meet in regular session once a month, and if the chairman finds it necessary, he may convene the same in special session by serving notice to the members one day before the scheduled meeting.

3. **Creation of Public Safety and Traffic Management Task Force.**
   The MTTMCC may recommend to the Mayor for the creation of a Public Safety and Traffic Management Task Force with the Chief of Police as the Chairman.

4. **Employment of Traffic Aides**. The MTTMCC may recommend the number of traffic aides to be employed to augment the present strength of the Tigbauan PNP Personnel.

   4.1. All traffic aides shall only render services exclusively within the Municipality of Tigbauan and shall be under the supervision of the Chief of Police of Tigbauan PNP.

SECTION 26. REGISTRATION OF TRICYCLES, PEDICABS AND E-TRIKES

1. **Duty to Register and Schedule of Registration.**

   1.1. No tricycles, pedicabs and e-Trikes shall be used or operated on or upon any public roads in the municipality of Tigbauan unless the same is properly registered for the current year in accordance with the provisions of this code.
   1. 2. Any registration of tricycles, pedicabs and e-trikes not renewed on or before the date fixed for different classifications, as provided hereunder shall become delinquent and invalid:

      1.2.1. For Hire tricycles, pedicabs and e-trikes – the whole month of January
      1.2.2. Tricycles used for hauling of animals and other cargoes, private-owned pedicabs and e-trikes – the whole month of March.

1.3. Operators of tricycles, pedicabs and e-trikes FOR HIRE not renewed within the specified schedule shall pay the corresponding penalty for delinquency through the treasurer's office:

1. one day – one month	P350.00
2. one month and one day – 3 months	P700.00
3. 3 months and one day – 6 months	P1,000.00
4. 6 months and one day – one year	P1,500.00
5. one year and one day – two years	P2,000.00

6. two years and one day – three (3) years – Revocation of Franchise/MTOP

SECTION 27. REGISTRATION, CERTIFICATES, BODY AND PLATE NUMBER

1. **Issuance of Certificates of Registration.** A properly numbered certificate of registration shall be issued for each classified vehicle after due inspection and payment of corresponding registration fees.

2. **Use and Authority of Certificate of Registration.**
The said certificate shall be preserved and carried in the vehicle by the owner/driver as evidence of the registration of the vehicle described therein, and shall be presented with subsequent applications for re-registration, transfer of ownership, Provided, that in lieu of the Certificate of Registration a true copy or photostat thereof may be carried in the vehicle.

3. **Suspension of Registration Certificate**. If on inspection, any vehicle is found to be unsafe, overloaded, improperly marked or equipped, or otherwise unfit to be operated, or capable of causing excessive damage to public roads, or not conforming to minimum standards and specifications, the municipal government may refuse to register the said vehicle, until the defects of the vehicle are corrected and/or the minimum standards and specifications are fully complied with.

SECTION 28. ISSUANCE OF MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOP) AND REGULATING ITS OPERATION

1. **Issuance of MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOP).**

1.1. The grant of franchise or issuance of MTOP shall be issued to any Filipino Citizen and a native- born Tigbauanon at least eighteen years (18) of age, and in possession of unit or units with valid registration papers from the Land Transportation Office (LTO), with common carrier's insurance with sufficient to answer to any liability it may incur not only to passengers but also to third party (person) injury or damaged and third party property damaged in case of accident, are qualified to be tricycle operator or operators.

1.2. Operating Conditions

1.2.1. No tricycle should operate on national highways utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40 kilometer per hour (kph). Exceptions may be permitted only if there is no other alternative road and with clearance from the traffic/engineering office with the concurrence of the Mayor.

1.2.2. Tricycles for hire not registered in the Municipality, and have an origin in one municipality and a destination in another, or had an intervening point outside its territory, the joint approval of the respective Sangguniang Bayan and Mayor shall be secured unless it is for family/emergency use)

1.2.3. A common color shall be imposed on tricycle operating in the same zone in the Municipality of Tigbauan. Each unit shall bear a municipal issued permanent body number upon application for new or renewal of franchise/permit and a number plate issued upon LTO registration.

1.2.4. An operator wishing to stop service completely, or to suspend service for more than one month, should report such termination to their zone Chairman and the same shall report such termination to the office of the Municipal Mayor, which originally granted the MTOP. Failure to report shall be ground for revocation of franchise. No operator shall be prevented from withdrawing from the business of tricycles-for-hire. However, transfer into another zone may be permitted upon application.

1.2.5. The term of the MTOP is one (1) year, subject to the renewal which shall be every month of January.

1.2.6. Each MTOP is valid for one (1) unit tricycle for hire. Tricycle operators are entitled to a maximum of five (5) MTOP under their names.

1.2.7. Each Tricycle Zones in the municipality of Tigbauan shall be given allowable number of tricycle units to operate which shall be based on riding population. Sangguniang Bayan shall pass a resolution on the opening and closing of issuance of franchise or MTOP.

1.2.8. Operators must employ drivers duly licensed by LTO to drive motorcycles or tricycles and had attended the seminar for Driver's Professionalism Program

1.2.9. Tricycle for hire operator shall operate within its zone to avoid overlapping from other zones.

1.3. All applications for MTOP must be submitted to the Franchise officer designated by the Office of the Municipal Mayor which shall issue MTOP to qualified applicants and to perform such other franchising functions, powers and responsibilities.

1.4. Transfer of ownership or zone shall be construed as an amendment to an MTOP and shall require appropriate approval of the Sangguniang Bayan and of the Municipal Mayor.

1.5. Tricycles for hire plying within the Municipality of Tigbauan are hereby prohibited to cut trip in any barangay except for emergency cases or any unavoidable circumstances. Even if there is only one passenger left, the driver shall transport or deliver the passenger to the point of destination as agreed by both of them.

2. Requirements for MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOP)/ Franchise.

2.1. Requirements for New Franchise/MTOP Application

1. Duly Accomplished Application Form
2. Receipt of Purchase/Deed of sale/Proof of Ownership
3. Certification from route/zone President
4. Barangay Clearance with Official Receipt
5. Photocopy of O.R. and C.R.
6. Stencil of Motor number and chassis number
7. Original copy of Inspection report from Tigbauan PNP including report on road worthiness of the unit
8. Photocopy of Insurance
9. Photocopy of Driver's License
10. Picture of Tricycle unit to be registered.
11. Payment Receipt from Treasurer's Office

2.2. Requirements for Renewal of MTOP

1. Duly Accomplished Application Form
2. Old MTOP/Franchise for Verification/Confirmation/Authorization
3. Certification from route/zone President
4. Barangay Clearance with Official Receipt
5. Photocopy of O.R. and C.R.
6. Stencil of Motor number and chassis number
7. Original copy of Inspection report from Tigbauan PNP including report on road worthiness of the unit
8. Photocopy of Insurance
9. Photocopy of Driver's License
10. Picture of Tricycle unit to be registered.
11. Payment Receipt from Treasurer's Office

2.3. Requirements for Change of Motorcycle

1. Duly Accomplished Application Form
2. Old MTOP/Franchise for Verification/Confirmation/Authorization
3. Certification from route/ zone President
4. Barangay Clearance with Official Receipt
5. Photocopy of old and new O.R. and C.R.
6. Stencil of Motor number and chassis number
7. Original copy of Inspection report from Tigbauan PNP including report on road worthiness of the unit
8. Photocopy of Insurance
9. Photocopy of Driver's License
10. Picture of old and new Tricycle unit to be registered.
11. Affidavit for Change of Motorcycle unit
12. Payment Receipt from Treasurer's Office

2.4. Requirements for Dropping of MTOP/Franchise

1. Duly Accomplished Dropping Form
2. Old MTOP/Franchise for Verification/Confirmation/Authorization
3. Certification from route/zone President
4. Barangay Clearance with Official Receipt
5. Photocopy of O.R. and C.R.
6. Stencil of Motor number and chassis number
7. Picture of Tricycle unit to dropped.
8. Payment Receipt from Treasurer's Office

SECTION 29. ISSUANCE OF MAYOR'S PERMIT FOR OPERATORS AND DRIVERS OF TRISIKADS FOR HIRE AND REGULATING ITS OPERATION

1. Requirements for Issuance of Mayor's permit for operators and drivers of trisikads for hire and its operation regulations.

1.1. The applicant shall be a Filipino Citizen, at least 18 years of age, and a resident of the Municipality of Tigbauan, Iloilo for at least six (6) months prior to the date of his application as shown in the barangay clearance as to his place of residence in the municipality.

1.2. He shall submit proof of ownership of the unit (s) being applied for.

1.3. He shall state the route where the unit(s) will be operated. If the route applied is not yet declared by the Sangguniang Bayan as open for operation of public utility trisikad, he shall first petition said unit(s) for the declaration of said route as allowable for public utility trisikad operation and such declaration shall be available to all who may desire to operate public utility trisikad and said route subject only to the limitation herein set forth to avoid over-crowding and clogging of traffic.

1.4. The Sangguniang Bayan shall pass a resolution as to the opening or closing of the issuance of Permit for Trisikads for hire in the Municipality of Tigbauan

1.5. Trisikad for hire are zoned and assigned a permanent body number to eliminate colorum plying within the municipality.
Zone I – Areas Covering Barangays 1,2,9
Zone II – Areas Covering Barangays 3,4,5
Zone III - Areas covering Barangays 6 and 7
Zone IV – Areas covering Barangays 8 and TanPael
Zone V – Areas covering Barangays Barroc and Atabayan

1.6. Trisikad for hire is allowed to transport their passenger to their destinations outside their designated Zone or boundary and could pick-up passengers in going back to the parking area.

1.7. Trisikad for hire shall have a proper Mayors Permit, certificate of ownership, and plate number which is renewable every year.

1.8. Trisikad for hire must have a permanent body number attached at the forward end of sidecar's roof.

1.9. Trisikad owners/operators shall employ drivers with proper mayor's permit and attended the seminar for Drivers Professionalism Seminar

1.10. No trisikads should ply and park along national highway except those plying the barangay 7 to ILECO route.

1.11. Trisikads for hire operators shall place an adequate 2x4 inches ORANGE-Colored Reflectorized stickers in front and back part of their unit and lights are required during night time which shall be check upon renewal of permit. Failure to comply this provision may result to holding in abeyance of applications

2. Application requirements for Pedicab/Trisikad Registration.

1. Duly Accomplished Application Form
2. Receipt of Purchase/Deed of sale/Proof of ownership
3. Certification from Pedicab/Trisikad Association President
4. Barangay Clearance with Official Receipt
5. Original copy of Inspection report from Tigbauan PNP including report on road worthiness of the unit
6. Photocopy of Driver's Permit
7. Picture of Pedicab/Trisikad unit to be registered.
8. Payment Receipt from Treasurer's Office

SECTION 30. ISSUANCE OF MAYOR'S PERMIT TO OPERATOR AND DRIVER OF E-TRIKE FOR HIRE, AND REGULATING ITS OPERATION

1. Requirements for Issuance of Mayor's Permit for operators and drivers of E-trikes for hire and its operation regulations.

1.1. The applicants for operator and or driver shall be a Filipino Citizen, at least 18 years of age, and a resident of the Municipality of Tigbauan, Iloilo for at least six (6) months prior to the date of his application as shown in the barangay clearance as to his place of residence in the municipality.
1.2. He shall submit proof of ownership of the unit (s) being applied for,
1.3. E-trike for hire is given a permanent body number attached at the forward end of the sidecar's roof, thus to eliminate colorum plying within the municipality.
1.4. E-trike for hire are not allowed to carry load exceeding 100 kilos in weight or any object, like bamboo poles or lumber exceeding the length of two (2) meters.
1.5. E-trike for hire shall have a proper Mayors Permit, certificate of ownership and number plate which is renewable every year.
1.6. The Sangguniang Bayan shall pass a resolution as to the opening or closing of the issuance of Permit for E-trike for hire in the Municipality of Tigbauan
1.7. E-trike owners/operators shall employ drivers with proper mayor's permit and attended the seminar for Drivers Professionalism Seminar.
1.8. No E-trikes should ply and park along national highway except those plying barangay 7 to ILECO route.
1.9. E-trike for hire operators shall place an adequate 2x4 inches ORANGE-Colored Reflectorized stickers in front and back part of their unit and lights are required during night time which shall be check upon application for renewal of permit. Failure to comply this provision may result with holding in abeyance of applications until such provision fully complied.

2. Application Requirements for E-trike Registration

1. Duly Accomplished Application Form
2. Receipt of Purchase/Deed of Sale/Proof of Ownership
3. Certification from E-trike Association President
4. Barangay Clearance with Official Receipt
5. Original copy of Inspection report from Tigbauan PNP including report on road worthiness of the unit
6. Photocopy of Driver's Permit
7. Picture of E-trike unit to be registered.
8. Payment Receipt from Treasurer's Office

SECTION 31. DRIVERS ASSOCIATION

1. Creation of Drivers and Operators Zonal Associations. All drivers of different for hire vehicles such as TJODA, Multicabs, TODAS, Pedicabs and E-trikes shall have a zonal associations.

2. Creation of Drivers and Operators Federated Association. There shall be a Federated Association for transportation sector and shall apply for CSO accreditation of the municipality. The Federation shall represent transportation sector in any municipal development assembly.

SECTION 32. REGISTRATION FEE AND OTHER FEES

1. Registration Fee and Other Fees for TRICYCLES

1.1. New Franchise

	Category A- Tricycle for hire	Category B – Tricycle for Hauling Livestock's Passenger Tricycle Agricultural Products and other commodities
Application fee	P150.00	P100.00
Legalization Fee	P100.00	P100.00
Annual franchise fee	P250.00	
Mayor's Permit	P200.00	P200.00
Confirmation Fee	P100.00	
One time charge per unit	P250.00	P250.00
Tricycles Plate	P100.00	P100.00
Body Number plate	P100.00	
TOTAL	P1,250.00.	P750.00

1.2. Renewal of Franchise/Permit

	Category A- Tricycle for hire	Category B – Tricycle for Hauling Livestock's Passenger Tricycle Agricultural Products and other commodities
Legalization Fee	100.00	100.00
Annual franchise fee	250.00	
Mayor's Permit	200.00	200.00
Confirmation Fee	100.00	
Tricycles Plate	100.00	100.00
TOTAL	750.00	**400.00**

1.3. Dropping of Franchise Fee ***P100.00***

1.4. Change of Motorcycle Fee

One time charge	***P250.00***
Plate number	***P100.00***

2. Registration Fee and Other Fees for PEDICAB/TRISIKAD

2.1. New Permit

	Pedicab for hire	Privately owned Pedicab
Mayor's Permit	150.00	150.00
Sidecar's fee	100.00	
Plate number	100.00	100.00
Body Number plate	100.00	
TOTAL	**450.00. . . . . .**	**250.00**

2.2. Renewal of Permit

	Pedicab for hire	Privately owned Pedicab
Mayor's Permit	150.00	150.00
Sidecar's fee	100.00	
Plate number	100.00	100.00
TOTAL	**350.00 . . . . . .**	**250.00**

3. Registration Fee and Other Fees for E-TRIKE

3.1. New Permit

	E-trike for hire	Privately owned E-trike
Mayor's Permit	200.00	150.00
Sidecar's fee	100.00	
Plate number	100.00	100.00
Body Number plate	100.00	
TOTAL	**500.00 . . . . . .**	**250.00**

3.2. Renewal of Permit

	E-trike for hire	Privately owned E-trike
Mayor's Permit	200.00	150.00
Sidecar's fee	100.00	
Plate number	100.00	100.00
TOTAL	**400.00 . . . . . .**	**250.00**

4. **Body Number Assignment.** Upon registration of tricycles, pedicabs and e-trikes for hire, a permanent body number shall be assigned to each vehicle and to be attached at the forward end of the sidecar's roof. A plate number corresponding to the body number shall also be provided for pedicabs and e-bikes which is renewable every month of January.

5. **Use of Body Number and Number Plates** - At all times, tricycles, pedicabs and e-trikes for hire shall display at the upper forward part of the roof the municipal issued body number.

24.1. For Tricycles both for hire or privately owned shall attached the LTO issued number plates at the rear end of the motorcycles
24.2. For pedicabs and e-trike both for hire and privately owned shall attach the municipal issued number plates at the front bumper of the sidecar.
24.3. The body number shall be permanently assigned to all tricycles, pedicabs and e-trikes for hire. This will be attached at the forward end of sidecar's roof. The size of the plate for the body number shall be 4 inches in width and 6 inches in length, colored white and the numbers are in black color.
24.5 The body number and number plates shall be kept clean and cared for, and shall be firmly affixed to the vehicle in such a manner as will make it entirely visible and always legible.

SECTION 33. LICENSE TO DRIVE VEHICLES FOR HIRE

1. **Duty to Procure License, Mayor's Permit and Identification Cards.**
   1.1. Except as otherwise specifically provided in this Code, no person shall operate any motor vehicle without first procuring a LTO license to drive a motor vehicle for the current year, nor while such license is delinquent, invalid, suspended or revoked. Driver's with LTO issued license are exempted to have a mayor's permit but must attend the driver's professionalism program seminar to avail an identification card.
   1.2 No drivers of pedicabs and e-trikes shall be allowed to drive without procuring mayor's permit and must attend the driver's professionalism program seminar to avail an identification card.
   1.3. No person below the age of eighteen (18) shall be issued a mayor's permit and Identification cards
   1.4. Filipino Citizen and a native Tigbauanon or a bonafide residents of the municipality for at least six months prior to the date of application, must submit a barangay clearance as to his place of residence in the municipality and a community tax certificate.
   1.5. Schedule of fee for pedicab and e-trike for hire drivers

Mayor's Permit	150.00
Identification card	100.00
Total	**250.00**

2. **Carrying/Displaying of ID Cards**. Drivers of for hire vehicles shall be at all times carry or display in their position the Identification card when driving.

SECTION 34. ILLEGAL USE OF LICENSES, MAYOR'S PERMIT AND IDENTIFICATION CARD

1. Imitation and False Representations. - No person shall make or use attempt to make or use a driver's license, badge, certificate of registration, number plate, tag, or permit in imitation or similitude of those issued under this Code, or intended to be used as or for a legal license, badge, certificate, plate, tag or permit, or with intent to sell or otherwise dispose of the same to another. No person shall falsely or fraudulently represent as valid and in force any driver's license, badge, certificate, plate, tag or permit issued under this code which is delinquent or which has been revoked or suspended.

   No person shall, knowingly and with intent to deceive, make one or more false or fraudulent statements in an application for the registration of vehicles, or for a driver's license or permit.

SECTION 35. PASSENGER AND FREIGHT

1. Exceeding registered capacity. - No person operating any vehicle shall allow more passengers or more freight or cargo in his vehicle than its registered carrying capacity.
   1.1. PUJ/ Public Utility Jeep – shall be based on their LTFRB registered passenger capacity. Provided there are no passengers at the hood, canopy, step board and bumpers.
   1.2. Tricycle –the seating capacity of the side car shall be the basis for the number of passengers but must not exceed to a maximum of three (3) passengers in front seat, back seats and at the back of the driver.
   1.3. Pedicabs and e-trikes – shall limit to two (2) passengers in sidecar only.

SECTION 36. DESIGNATING TERMINALS FOR PUJ, TRICYCLES AND TRISIKADS/E-TRIKES

1. Terminal Area for Tigbauan Jeepney Owners and Drivers Association (TJODA).The terminal area of Tigbauan Jeepney Owners and Drivers Association (TJODA) public utility vehicles

plying Tigbauan-Iloilo City and vice versa shall be at Allera Street, after the entrance of the covered court. Three (3) units having a diagonal parking shall be allowed at a time. There shall be a designated temporary terminal at Brgy.3 and 7 Poblacion. For PUJ with Poblacion–Jamog Route, the terminal area is along Tejero Street. Only two (2) units having diagonally parked shall be allowed at a time. PUJs with franchise Poblacion –Jamog Route must drop at their terminal in going to and coming from Barangay Jamog.

2. Terminal Area for TEDOA. The terminal for TEDOA/Orange-colored tricycles shall be located along Allera Street besides the perimeter fence of the Catholic Church. Only five (5) units are allowed to park. The parking area for turn assignment shall be at Tigbauan National High School.

3. Terminal Area for STCTODA. The terminal for STCTODA/Green-colored tricycles plying Terminal– Cordova-Barosong Route and vice versa shall be at the back of the Municipal Building located along Tejero Street. Only five (5) units having a nose out parking shall be allowed to park at a time. The Parking Area for turn assignment shall be designated at Brgy. 4 Poblacion.

4. Terminal Area for PBTODA. The terminal for PBTODA/Red-colored tricycles plying Terminal– Parara-Buyuan Route and vice versa, the terminal is located at Tejero street near the side gate of Tigbauan Central School. The Parking area shall be at Tejero Street and in nose out parking towards Barangay 9 Poblacion.

5. Terminal Area for NBBATODA. The terminal for NBBATODA/Yellow-colored tricycles plying Terminal– Barroc Route and vice versa the terminal is at corner Allera Street and Leonardia Street. The parking area shall be at Leonardia Street and in nose out park single pile towards Tanales street.

6. Terminal Area for TTODA. The terminal for TTODA/Blue- colored tricycles plying Terminal– Jamog Route and Vice versa the terminal shall be along Tejero street. The parking area shall be at RC drive and in single pile towards Talaver Street.

7. The Parking Area for Trisikad for Hire at the Public Market
   a. For Zone 1 the parking area is along Tejero street at the entrance of side gate of the Public Market going to RC road.
   b. For Zone II, the parking area is along AlleraStreet, at the left side of the main entrance when facing the Public Market;
   c. For Zone III. The parking area is at Allera Street at the entrance of the side gate of the Public Market going to corner public market road.
   d. For Zone IV, the parking area is at corner Allera Street- Public Market Drive and in single pile towards Barangay 8.

8. The Parking Area for E-trike for Hire is at Corner Allera and Tejero Street together with trisikads.

SECTION 37. DESIGNATING ZONES AND ROUTES FOR TODAS AND TRISIKAD/E-TRIKE

1. Zones and Routes for TEDOA/Orange Colored Tricycles – covering the whole Poblacion area and Sitio Sambiday to terminal area shall pass corner Taldelore-Allera streets and may exit at any designated exit points.

2. Zones and Routes for PBTODA/Red Colored Tricycles – covering Parara Norte, Parara Sur, Buyuan, Supa and Cansilayan to terminal area entering Poblacion through Allera Street to Tejero Street and exit at the Roman Catholic drive.

3. Zones and Routes for TTODA/Blue Colored Tricycles – covering Bagacay, Dorong-an, Buenavista, Lanag, Guisian, Danao, Bugasongan, Bayuco, San Rafael, Binaliuan Mayor, Sitio Sapa Sab-a, Binaliuan Menor, Nagba, Dapdap, Sermon, Lubog, Taro, Alupidian, Jamog to terminal area through Allera Street to Tejero Street and exit at RC drive.

4. Zones and Routes for STCTODA/Green Colored Tricycles – covering Bagumbayan, Bitas, Sitio Tabuc Danao, Napnapan Sur, Sitio Lino Flores, Napnapan Norte, Sitio Nasuli, Bangkal, Olo-Barroc, Bantud, Cordova Sur, Cordova Norte, Linobayan, Sipitan, Barosong, Isian, Canabuan to terminal area through Allera Street to Tejero Street and exit Poblacion through Teruñez-Tronco- Tupan street.

5. Zones and Routes for NBBATODA/Yellow Colored Tricycles – covering Namocon, Baguingin, Atabayan and Barroc including Sitio Riverside to terminal area through Leonardia Street and exit Poblacion through Leonardia -Tupas Street.

6. Zones and Routes for Trisikads for hire – covering the whole Poblacion area only.

7. Zones and Routes for E-trike for hire – covering the whole Poblacion area only.

8. Zones and Routes for TJODA –Iloilo –Poblacion Terminal –Jamog Route.

SECTION 38. DESIGNATING TERMINAL AND ROUTE FOR MULTI CAB PLYING TIGBAUAN-LEON AND VICE VERSA

1. Multi-Cabs Terminal Area and Route.

1.1. The parking area for multi-cabs shall be located at the corner of Rivas and Tupas Streets, Tigbauan Iloilo.

1.2. Entrance and exit for multicabs plying Tigbauan-Leon Route and vice versa shall pass at Tronco Street to their terminal at Rivas street.

1.3. Multicabs shall traverse from Rivas street, Tronco street, Tupan street to the national high way passing Barangay Bagumbayan, Bitas, Napnapan Sur, Napnapan Norte, Cordova Sur and Cordova Norte to the Municipality of Leon and vice versa.

1.4. Cutting of trip and transporting passengers in any section of barangay roads or NIA road in the Municipality of Tigbauan are strictly prohibited.

SECTION 39. DESIGNATING THE ROUTE OF PUBLIC UTILITYJEEPNEY/ VEHICLES (PUJ/PUV) PASSING THE MUNICIPALITY.

1. **PUV/PUJ Route from Antique to Iloilo.** All Public Utility Jeepney/Vehicles coming from the southern part of the province bound for Iloilo City shall pass along the National Highway and traverse through Barangay Buyuan, Parara Sur, Parara Norte, Poblacion Proper, Namocon, Baguingin, Atabayan and Barroc.

2. **PUV/PUJ Route from Iloilo to Antique.** All Public Utility Vehicles coming from Iloilo City bound for the southern Municipalities of Iloilo and Antique shall pass along the national highway and traverse through Barangay Barroc, Atabayan, Baguingin, Namocon, Poblacion Proper Tupas to Taldelore Streets, Parara Norte, Parara Sur and Buyuan.

3. TJODA Route

a. Tigbauan – Iloilo City Routes Public Utility Vehicles are allowed to ply the municipal streets and barangay roads to load and unload passengers and cargoes.

b. Poblacion to Jamog route shall drop in their designated terminal in going and coming from Barangay Jamog.

SECTION 40. DESIGNATING THE LOADING AND UNLOADING AREAS OF MOTOR VEHICLES PROVIDING PENALTIES IN VIOLATION HEREOF.

1. Loading and Unloading Areas.

1.1. All public utility vehicles/jeepneys, while operating within the territorial jurisdiction of the Municipality of Tigbauan, Province of Iloilo shall be allowed to load and/or unload passenger(s) and cargoes only in areas designated as loading and Unloading Areas.

1.2. All public utility vehicles/jeepneys (except for the PUVS/PUJS whose franchise route or line of operation from Tigbauan to Iloilo city and vice versa)are prohibited by this code to enter the municipal streets to pick-up, fetch, transport or conduct regularly the passengers and/or cargoes for Iloilo City and vice versa, except for justifiable reasons and/or provided by law.

1.3. Taxicabs operating or passing/ entering the Municipality of Tigbauan, Province of Iloilo shall not be allowed to load and unload passengers or cargoes in areas designated as loading and unloading for public utility vehicles. Taxicabs, instead, shall be allowed to load and unload passengers and cargoes in any other area in the municipality as not to obstruct operation of public utility vehicles.

1.4. For public utility vehicles bound for Iloilo city, the loading and unloading area shall be:

1.4.1. at corner Taldelore and Talaver street in front of Tigbauan Central School;

1.4.2. at Corner Tupas and Leonardia Streets. And for passenger's convenience, public utility vehicle could unload only in the designated area in front of the municipal plaza.

1.5. For Public Utility buses bound for Iloilo City the unloading area is at Tupas Street, in front of municipal plaza.
1.6. For public utility vehicles bound to southern part of Iloilo and to the Province of Antique, the loading and unloading areas shall be:
   1. at Corner Tupas and Leonardia Streets;
   2. at Tupas Street in front of Municipal Plaza;
   3. at Taldelore and Tamayo-Talaver Streets.
1.7. For Public Utility buses bound for Antique, the Loading and unloading area is at Tupaz Street, in front of municipal plaza.
1.8. Public market road and Trompeta drive shall be the designated loading and unloading areas for Delivery vehicles carrying supplies in the Public Market.
1.9. For delivery trucks and vehicles forwarding construction, animal feeds and other supplies along the national highway including Tupas-Leonardia-Terunez Streets to Taldelore–Talaver Streets are banned from 6:00 to 8:00 in the morning and 4:00 to 6:00 in the afternoon. But they are allowed to unload off of national highway in any particular time but must not create obstruction in the flow of traffic.
1.10. All delivery vehicles are prohibited to load and unload on the designated loading and unloading areas designated for public utility vehicles.
1.11. Tricycles, trisikads and E-trikes both for hire and privately-owned are not allowed to park at the designated PUV's and PUJ loading and unloading areas
1.12. Drivers of PUJs and delivery vehicles upon loading and unloading must properly observed the Five (5) meters distance from the intersections as provided in R.A.4136 otherwise known as the land Transportation and Traffic code.

SECTION 41. DECLARING ONE – WAY ROAD STREET AND TEMPORARY ROAD CLOSURE AND PROVIDING EXEMPTION AND PENALTIES IN VIOLATION HEREOF.

1. **One-Way Road Street**. It is hereby declared that the following municipal streets shall be declared a one-way street:

1.1. Corner Taldelore-Allera Street from the National Highway to Corner Tejero Street shall be declared one-way entrance street. All Vehicles Park in front of the Catholic Church shall observe a single line diagonal parking alongside of the plaza.
1.2. RC Drive shall be declared one-way exit only street. TTODA tricycles shall observe a single line parking alongside the Tigbauan Central School perimeter fence.
1.3. Corner Tupas–Tejero- Allera Streets shall be declared two-way street.
1.4. Corner Tupas–Leonardia streets shall be declared entrance and exit for NBBATODA route tricycles and shall use the right lane (facing the public market) of the road as parking area for units waiting for their turns in the terminal area.
1.5. Trompeta Drive shall be declared one-way entrance only
1.6. Public Market Road shall be declared one-way exit only
1.7. Talaver Street shall be declared one way with entrance at Taldelore Street and Exit at Corner Tamayo and Taneza Street.
1.8. Corner Tamayo and Taneza shall be declared entrance and corner Taneza –Trance shall be exit only.
1.9. Corner Torres to E. Tantiado Streets shall be declared No Entry
1.10. Rivas Street shall be declared one-way to Corner E. Tantiado Street.

2. Temporary Road Closure.

2.1. During Sunday- Market Day in the Municipality of Tigbauan, the following roads are declared one-way streets for market flea:
   2.1.1. When facing the main gate, at right lane of Corner Tejero–Allera Leonardia Streets and the left lane is open for pedestrians only.
   2.1.2. When facing the main gate, at the left lane of Corner Allera-Tejero Streets / the right lane shall be used as an entrance for vehicles.
   2.1.3. The effectivity of this provision shall be from 5 o'clock in the morning to 2 o'clock in the afternoon for the market vendors to display their merchandize/products.

2.2. Activity at the Municipal Building

   2.2.1. The road in front of Tigbauan Municipal Building shall be close during Flag Ceremony, Sangguniang Bayan Session and Court Session. However, during SB and Court session parking of vehicle on the vacant space in front of the municipal building is allowed. Blowing of horns and excessive engine revolution is prohibited.
   2.2.2. Municipal road in front of the Municipal Building as Parking Zone. Vehicles shall be allowed to park within the vicinity of the municipal building from 8 o'clock in the

morning to 5 o'clock in the afternoon and from Monday to Friday. Driver of the vehicle before making business transactions shall inform the front desk officer on duty the time, brand, color, plate number and purpose for proper log in.

2.2.3. No vehicle shall be allowed to park in front of the Municipal building during flag ceremony and Municipal sanctioned activities held within the vicinity.

2.2.4. Government owned vehicles are exempted from the above provision.

2.3. During Municipal Devotional Town Fiesta:

2.3.1. Section of Allera Street and Tejero Street shall be temporarily close during the celebration of Municipal Devotional Fiesta celebration every month of January.

SECTION 42. TRAFFIC RULES

1. Classification of roads and designating speed limit.
As provided in the R.A.4136, the following speed limit shall be strictly implemented:

MAXIMUM ALLOWABLE SPEEDS	National, provincial, municipal and barangay roads	Passengers Cars and Motorcycle	Motor trucks and buses
1. On open country roads, with no "blinds corners" not closely bordered by habitations.	Cordova Norte to Boundary of Leon	80 km. per hour	50 km. per hour
2. On "through streets" or boulevards, clear of traffic, with no "blind corners," when so designated.	Bagumbayan to Cordova Norte Road Parara to Jamog Road	40 km. per hour	30 km. per hour
3. On city and municipal streets, with light traffic, when not designated "through streets".	Buyuan to Parara Road Namocon to Barroc Road	30 km. per hour	30 km. per hour
4.Through crowded streets, approaching intersections at "blind corners," passing school zones, passing other vehicles which are stationery, or for similar dangerous circumstances.	All roads passing Poblacion from Taldelore to Tupas Street Municipal Streets-Barangays 1-9 and Tan Pael, All Schools Zones	20 km. per hour	20 km. per hour

Exemptions:

1. A physician or his driver when the former responds to emergency calls;
2. The driver of a hospital ambulance on the way to and from the place of accident or other emergency;
3. Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic, or any other similar place;
4. The driver of a motor vehicle belonging to the Armed Forces while in use for official purposes in times of riot, insurrection or invasion;
5. The driver of a vehicle, when he or his passengers are in pursuit of a criminal;
6. A law-enforcement officer who is trying to overtake a violator of traffic laws; and
7. The driver officially operating a motor vehicle of any fire department, provided that exemption shall not be construed to allow unless or unnecessary fast driving of drivers aforementioned.

2. Parking prohibitions and other violations:

2.1. Within and into intersection.
2.2. Within Five (5) meters of the intersection.
2.3. Within Four (4) meters of the driveway entrance.
2.4. At any place where official signs of prohibitions have then installed.
2.5. Allowing passengers to ride on top or cover of the vehicle.
2.6. Permitting passengers to ride on running board, step board or mudguard while the motor vehicle is in motion.
2.7. Disregarding traffic signs.
2.8. Over speeding
2.9. Refusal to render service to public or to convey passenger to his destination.
2.10. Driving against traffic rules and regulations

2.11. Overloading
2.12. Failure to give way to ambulance, police or fire department vehicles
2.13. Failure to give proper signal before starting, stopping and turning from a direct line.
2.14. Obstruction to free passage of other vehicles while discharging or taking on passengers or loading or unloading freight or driving the motor vehicle to impede the passage of another vehicle.
2.15. Failure to install Early Warning Device (EWD) at four (4) meters distance from the front and rear of the stalled /disabled motor vehicle.
2.16. Overloading/allowing more passengers and/ or more freight or cargo in vehicles more than the registered carrying capacity.
2.17. Employing discourteous or arrogant drivers or conductors.
2.18. Smoking in public utility vehicles.
2.19. Indiscriminate sounding/blowing of horns.
2.20. Indiscriminate use of loud speaker/playing of music

3. Acts violations of drivers and all concerned:

3.1. Driving without license
3.2. Driving with invalid, suspended, revoked license.
3.3. Failure to show or surrender driver's license for cause upon due demand by person with authority to confiscate.
3.4. Failure to carry driver's license when operating a motor vehicle.
3.5. Driving while under the influence of liquor or prohibited drugs
3.6. Allowing an unlicensed person to drive a motor vehicle on his/her behalf.
3.7. Student-drivers operating a motor vehicle not accompanied by a person with professional drivers licensed.
3.8. Failure to carry within the vehicle the original or photocopy of OR /CR
3.9. Driving a vehicle without plate
3.10. Operating an unregistered motor vehicle.
3.11. Out of route PUJs/PUVs.
3.12. Proper attire and proper hygiene … (exemption during rainy season)
3.13. Driving a vehicle with very loud sound system.
3.14. Discriminating against Senior Citizens, PWDs and Pregnant Women
3.15. Failure to observe the authorized load/weight limit of vehicles when using public roads/highways, concrete bridges/overflows and hanging bridges

SECTION 43. ROAD CLEARING

1. Use of Public Roads, Plaza, Streets, Sidewalks and Alleys.

1.1. It shall be unlawful for any person or persons to stock, block, display any obstructing materials /articles and establishing structures on all streets / roads or parts thereof.
1.2. No person shall use public roads, sidewalks, alleys, lanes or parts thereof, for purposes of bathing, laundering or washing of clothes or other similar purposes.
1.3. No person shall use and/or occupy any sidewalk or alley or portion thereof, which is owned by the municipality in connection with any construction works or other allowable purposes, without securing a permit therefore from the Mayor and paying the corresponding permit fee imposed under existing tax ordinances.
1.4. The period of use and/or occupancy of sidewalk or alley or portion thereof shall commence from the time the permit is issued and shall terminate upon the completion of the construction work other allowed activities or upon cancellation of the permits thereof or on the period as specified in the permit.
1.5. No person shall use any portion of any public roads, parks or plaza for the drying of whatever kind of cereals, buri palms or drying of palay or for other similar purposes.
Exemption. The drying of palay alongside of the public roads will be allowed during harvest season provided it will not constitute obstructions on the flow of traffic to ensure public safety.
1.6. No person, natural or juridical shall construct or cause the construction of any kind of hump, or place any kind of protuberance, on any public road, without first securing a permit therefore from the Mayor through the Municipal Engineering Office.

1.7. Administrative provisions.

1.7.1. Any person, natural or juridical, desiring to construct humps or place any kind of protuberance on any public road shall file an application for that purpose with the Office of the Municipal Engineer.
1.7.2. Upon the receipt of the said application, the Municipal Engineer or his duly authorized representative shall coordinate with the In-charge of the Traffic Management to discuss the merit of the application.

1.7.3. No permit from the Mayor shall be issued without the written recommendation coming from the Municipal Engineering Office and Traffic Management.

1.7.4. Displacement Plan. The Municipal Task Force on Road Clearing shall provide for the Displacement Plan.

1.8. Rules and Regulations

1.8.1. The municipal engineer shall determine the appropriate specifications as the thickness, width and length of the hump or protuberance to be placed or constructed.

1.8.2. The municipal engineer is hereby authorized to alter or modify the existing humps or protuberance on any municipal or barangay roads to conform to the necessary specification prescribed by his office.

1.8.3. The municipal engineering office and the traffic management shall issue the necessary additional rules and regulations or implementing guidelines for the effective enforcement of this article.

1.8.4. The barangay officials are authorized to monitor and report to the office of the municipal engineer, any violation of this ordinance.

1.9. Roles of Punong Barangays and Sangguniang Barangay Members Relative to the Presidential Directive to Clear Roads of Illegal Structures and Constructions/ Obstructions

1.9.1. Revisit approved ordinances and makes them consistent with existing Municipal Ordinance, and other related laws and policies pertaining to road clearing operations;

1.9.2. Collaborate with the Municipal Mayor concerned for harmonization of the efforts in the clearing of roads of illegal structures and obstructions;

1.9.3. Undertake strategies to ensure a peaceful, smooth, orderly and continuous implementation of the road clearing operations within their respective jurisdiction. Such strategies may include the conduct of information dissemination campaign, for or assembly to inform the community of the President's directive on road clearing.

1.9.4. Mobilize the Barangay Tanods to conduct monitoring/ronda to ensure that public roads are rid of illegal structures and constructions.

1.9.5. Ensure to maintain and sustain the cleanliness of all cleared roads within their respective jurisdiction.

SECTION 44. ACCESSORIES AND IMPLEMENTS OF MOTOR VEHICLES

1. **Use, Installation and Selling of Modified Mufflers.**

1.1. Every motor vehicle propelled by an internal combustion engine shall be equipped with a muffler, and whenever said motor vehicle passes through a street of any city, municipality, or thickly populated district or barrio, the muffler shall not be cut out or disconnected. No motor vehicle shall be operated in such a manner as to cause it to emit or make any unnecessary or disagreeable odor, smoke or noise.

1.2. Selling, Installation and Use of Modified mufflers which create excessive and irritating sounds is strictly prohibited in the municipality of Tigbauan

2. **Use of Lights**. Driving of traveling rice mills, motorcycles, tricycles, scooters and the like at night without or with defective lights.

2.1. It shall be unlawful for owners and or drivers of traveling mills, motorcycles, tricycles, scooters, pedicabs and e-trikes to drive at night without or with defective lights.

2.2. Wearing of Standard Motorcycle Helmet. All riders of motorcycle plying along the barangay, municipal and national roads within the territorial jurisdiction of Tigbauan are hereby required to wear standard protective motorcycle helmet while riding a motorcycle.

SECTION 45. REGULATING/PRESCRIBING FARE RATES FOR TRICYCLE, PEDICABS AND E-TRIKES FOR HIRE

1. **Fare Matrix.**

The following are the new fare rates for motorized tricycles operating in the Municipality of Tigbauan, Province of Iloilo:

1.1. TTODA (Terminal-JAMOG ROUTE)

FROM TERMINAL TO:	**NEW FARE RATES**

	Regular Passengers	Students/Senior Citizens PWDs
Sitio Bolocaue	P10.00	P 8.00
Sitio Barocanan	P10.00	P 8.00
Crossing Buenavista	P11.00	P 8.80
Crossing Bayuco	P12.00	P 9.60
Tarog (Crossing Binaliuan Menor)	P15.00	P12.00
Crossing Binaliuan Mayor	P15.00	P12.00
Crossing Sermon	P17.00	P13.60
Dapdap	P20.00	P16.00
Jamog	P25.00	P20.00
San Rafael	P25.00	P20.00

REMOTE AREAS:	**Regular Passengers**	**Students/Senior Citizens PWDs**
SitioAlegria	P15.00	P12.00
Bagacay proper	P17.00	P13.60
SitioLugutan	P20.00	P16.00
Danao Proper (Takas)	P25.00	P20.00
Buenavista proper	P15.00	P12.00
Crossing Guisian	P17.00	P13.60
Guisian Proper	P22.00	P17.60
Crossing Lanag	P20.00	P16.00
Lanag proper	P25.00	P20.00
SitioMalipayon	P27.00	P21.60
Danao (Ubos)	P25.00	P20.00
Bayuco Proper	P17.00	P13.60
BinaliuanMenor Proper	P17.00	P13.60
Nagba	P17.00	P13.60
Binaliuan Mayor Proper	P17.00	P13.60
Sermon Proper	P17.00	P13.60
Isauan	P25.00	P20.00
Lubog	P25.00	P20.00
Taro	P25.00	P20.00
Alupidian	P25.00	P20.00
Sapa Sab-a	P25.00	P20.00

BAGGAGES:	
1 Sack Rice/Cement/Feeds	Same as Passenger's rate
1 Case Beer/Whisky/Softdrinks	P5.00 (empty); P 10.00 (with content)
Nipa 100 Pcs.	P60.00

1.2. PBTODA (Terminal- PARARA-BUYUAN ROUTE)

FROM Terminal TO:

	Regular Passengers	Students/Senior Citizens PWDs
Parara Sur/Norte Highway	P10.00	P 8.00
SulodKudal	P12.00	P 9.60
Sitio Tina-an	P12.00	P 9.60
SitioTacuyong	P12.00	P 9.60
Bolocaue Boundary	P10.00	P 8.00
Buyuan Proper	P10.00	P 8.00
Takas Buyu-an/Brgy. Road	P12.00	P 9.60
SEAFDEC Highway	P10.00	P 8.00
SEAFDEC Takas	P10.00	P 8.00
Aliputos	P15.00	P12.00
Cansilayan	P20.00	P16.00
Supa	P20.00	P16.00

SPECIAL TRIPS:	**Parara-Buyu-an P50.00** **Supa/Cansilayan P80.00**

BAGGAGES:

Rice/Fertilizer/Uling sack	Same as passenger's rate
Cement (per sack)	P10.00
Softdrinks (per case)	P 5.00 (empty); P 10.00 (with content)
Nipa (per 100)	P60.00
Hollow blocks (per piece)	P 3.00
LPG	P 5.00 (empty); P10.00 (with content)

1.3. STCTODA (Terminal – CORDOVA ROUTE)

FROM TERMINAL TO:

	Regular Passengers	**Students/Senior Citizens PWDs**
Bagumbayan	P10.00	P 8.00
Bitas	P10.00	P 8.00
Napnapan Sur	P10.00	P 8.00
Napnapan Norte	P12.00	P 9.60
Cordova Sur	P14.00	P11.20
Cordova Norte	P15.00	P12.00
Sitio Dolocutan (Bitas)	P15.00	P12.00
SitioTabuc Danao (Bitas)	P15.00	P12.00
Sitio Genis (Nap. Sur)	P20.00	P16.00
Sitio Dungis (Nap. Norte)	P17.00	P13.60
Sitio Nasuli (Nap. Norte)	P17.00	P13.60
Sitio Flores (Baguingin)	P20.00	P16.00
Bangkal	P17.00	P13.60
Linobayan	P20.00	P16.00
Barosong	P20.00	P16.00

SPECIAL TRIPS:

Sitio Lanot
Isian — P180.00 per trip
Canabuan — As per settlement between passenger/ dispatcher concerned
Sipitan
Bantud

BAGGAGES:

Fertilizer/sack
Rice/sack
Salt/sack — As per passenger's rate
Corn/sack

Nipa (100's)	P 60.00
Cartoon's/bags	P 10.00
Cases (softdrink, beer, etc.)	P 5.00 (empty); P 10.00 (with content)
LPG Cylinder/container	P 5.00 (empty); P 10.00 (with content)

1.4. TEDOA (Terminal–BAGUMBAYAN-SAMBIDAY ROUTE)

	Regular Passengers	**Students/Senior Citizens PWDs**
Poblacion Proper	P10.00	P 8.00
Bagumbayan	P10.00	P 8.00
Sitio Ising	P10.00	P 8.00
UPEHCO (Highway)	P10.00	P 8.00
Sambiday	P15.00	P12.00
Pangpang	P17.00	P13.60

BAGGAGES:

1 Sack Rice/Corn/Charcoal	Same as passenger's rate
1 Bag Cement/Fertilizer	P10.00
1 Container Tuba	P10.00
1 bundle Bitlag	P10.00
1 Cartoon/Bag Whisky	P10.00
1 Case Beer/Soft drinks	P10.00 (with content) 5.00 (empty)
1 Cyclinder LPG	P10.00 (with content) 5.00 (empty)
1 live pig	P 2.00/kilo
Nipa (100")	P60.00

1.5. NBBA (NAMOCON- BAGUINGIN- BARROC-ATABAYAN ROUTE)

FROM TERMINAL TO:

	Regular Passengers	**Students/Senior Citizens PWD's**
Namocon	P10.00	P 8.00
Baguingin	P10.00	P 8.00
Binya-an	P10.00	P 8.00
Atabayan	P10.00	P 8.00
Barroc/Boracay/Talisay	P11.00	P 8.80
Barroc/Takas	P13.00	P10.40
Riverside	P17.00	P 3.60
Baguingin To Barroc high School	P10.00	P 8.00
Baguingin to Namocon Elem. School	P10.00	P 8.00

1 Sack Rice/Corn/Charcoal 1 Bag Cement/Fertilizer 1 sack salt/sugar	same as passenger's rate	
1 Cartoon/Bag Whisky	P 5.00 (empty)	P 10.00 (with content)
1 Case Beer/Soft drinks	P 5.00 (empty)	P 10.00 (with content)
1 Cyclinder LPG	P 5.00 (empty)	P 10.00 (with content)
Nipa (100")	P60.00	

SPECIAL TRIPS:

Namocon	P 55.00
Baguingin	P 60.00
Atabayan	P 65.00
Barroc	P 70.00
Riverside	P 100.00

1.6. Trisikad and E-Trike Fare	**-**	
Poblacion Proper	P 10.00	P 8.00

NOTE: Students/Senior Citizens/Disabled persons can avail of the 20% discount on all regular rates for motorized tricycles operating in the Municipality of Tigbauan pursuant to Republic Act 9994 (The Expanded Senior Citizens Act of 2010) and Republic Act No. 10754 (An Act Expanding The Benefits And Privileges Of Persons With Disability (PWD)

SECTION 46. PROCEDURE, PENALTIES AND FUNDING

1. **Procedure and Penalties.**
   1.1. Procedure in the issuance of Temporary Citation Ticket (TCT) – any person violating provision of this ordinance shall be issued a TCT. If the violation applies to the transportation and Traffic Code, a duly deputized enforcer shall confiscate the driver's license and the issued receipt shall serve as temporary license for 3 days from date of issuance.
   1.2. Failure to obey summons. Any person who fails to appear at the place and within the time specified in the summon issued to him by an officer upon his arrest for any traffic violation is guilty of misdemeanor.

1.3. When complaint to be filed. Any person who fails to comply with the summon given to him/her or attached to a vehicle the proper authority shall file a complaint against such person and secure the issuance of a warrant of arrest.

1.4. The traffic management through its representative shall submit the machine copies of the Driver's license of the violators of this ordinance to the Land Transportation office Regional Office VI for their guidance and reference and for whatever legal sanction they may act accordingly.

1.5. Penalty. Any person violating provisions of this traffic code shall be penalized with a fine of not exceeding P2500.00 or imprisonment of not less than 5 days or both at the discretion of the court.

1.6. Collection of fines. Payment of violations of this Code as prescribed in the TCT shall be made to the Municipal Treasurer Office or to the duly authorized collecting agent. The fines collected by the Municipality under this ordinance shall be shared 25 percent for the apprehending officer and 75percent for the Municipal Government for the sole purpose of enforcing this ordinance and maintenance/operation of MTTMCC.

SECTION 47. FUNDING REQUIREMENTS

1. **Funding.** The Municipal government shall appropriate funds in the amount indicated herein for the implementation of this code and programs such as but not limited to:
   61.1. Posting of signage containing the important features of road safety traffic rules and regulation of the municipality.
   61.2. Education and information dissemination, seminars and trainings.
   61.3. Procurement of equipment such as speed gun, breath analyzer, and decibel caliper as a requirements for the implementation of the provisions of this code
   61.4. Preparation and reproduction/printing of materials for the traffic and regulation traffic safety tips and Temporary Citation Tickets.
   61.5. Operation cost for the Tigbauan Traffic Coordination Management and additional traffic aides.

   Funding by the Municipal Government shall initially be drawn from the budget of the Mayor's Office. Thereafter, the amount of Four Hundred Thousand Pesos (P400,000.00) shall be included in the Annual General Fund Budget of the Municipality.

CHAPTER VII
PEACE AND ORDER AND PUBLIC SAFETY CODE (POPS CODE)

SECTION 48. POLICIES & PRINCIPLES

Statement of Policies. This Code is a legal and policy framework for a holistic management approach on Peace and Order and Public Safety of the Local Government Unit. It is consistent with the Constitutional Mandate through delegated legislative measures and reforms that can facilitate the effective implementation of Peace and Order and Public Safety Policies. The ultimate purpose of this Code therefore is the promotion of the General Welfare as embodied in Section 16 of Republic Act No. 7160 or otherwise known as the Local Government Code of 1991.

Management Direction. It shall be the policy of the Municipality of Tigbauan to ensure, for the benefit of its people both in the present and the future generations, the effective "exercise of the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for efficient governance, and those which are essential to the promotion of the general welfare. Within their territorial jurisdictions, local government unit shall ensure and support, among other things, promote health and safety, improve public morals, enhance economic prosperity and social justice, maintain peace and order, and preserve the comfort and convenience of their inhabitants."

SECTION 49. PUBLIC SAFETY DURING LOCAL CELEBRATIONS

1. There shall be adopted safety precautionary measures that shall guarantee the protection and preservation of lives of inhabitants during local celebrations such as festivals, fiesta, fairs, carnivals, parades, processions and similar assemblies/activities.

2. Any group or organization intending to hold any celebration in the municipality or in any of its barangays shall coordinate with the local government unit concerned in the observance of the following policies and guidelines:

   On Road and Water Safety there shall be:
   1. A repair of path holes and diggings and other excavations before the actual festivity/ies;
   2. Clearing of sidewalks from obstruction;
   3. Designation of specific areas for ambulant vendors;
   4. Installation of appropriate traffic signs and enforcement of traffic ordinance;
   5. Proper placement of streamers, buntings and other materials installed in alleys and roadways;
   6. Checking of the sea worthiness of bancas and other transport crafts;
   7. Clearing of the river of obstruction like water lilies, garbage and other debris;
   8. Monitoring of the loading capacity of watercraft vessels to ensure safety of passengers;
   9. Use of steel barges towed by tugboats in fluvial parades.

   On Review of Designs of Floats, Platforms, Towers, Stages and Pagodas there shall be:
   1. Inspection for structural soundness and safety;
   2. Proper enforcement of maximum load capacities.

   On Electrical Installation and other Makeshift Connections for Lighting and Sound System there shall be:
   1. Installation for electrical wirings for floats, platforms, towers, stages and sound system shall be supervised by a licensed electrician to ensure that no incidence of electric shocks or fires will occur.
   2. Combustible decorative materials should not be combined with electric bulbs, nor should balloons be inflated or used as decorations near electric light bulbs or lighted candles.

   On Handling Firecrackers and Pyrotechnic Displays there shall be:
   1. Proper regulations on the use of firecrackers during festivals, fiestas, and other similar celebrations;
   2. Handling of firecrackers shall only be done by authorized persons during celebrations;
   3. Persons handling firecrackers shall be prohibited to board bancas/boats participating in fluvial parades:
   4. Place(s) shall be designated where pyrotechnic materials will be exploded during celebrations.

   On Fire Safety and Readiness to Respond to Emergencies there shall be:
   1. Fire trucks and/or other firefighting equipment including local paramedic teams shall be on full alert status during celebrations.

   On Medical and First Aid Teams there shall be:
   1. Assigned medical station in proper designated places in the locality;
   2. Fielding the first aid teams/personnel knowledgeable on the application of Cardio-Pulmonary Resuscitation (CPR) and similar techniques including the application of first aid to take care of fractures and wounds;
   3. Availability of medical vehicles assigned to transport accidents victims from accident site to designated medical station, health clinics, centers or nearest hospitals

   On Sanitation and Hygiene Equipment there shall be:
   1. Supervision by local sanitary inspectors of makeshifts/temporary eating places, e.g., carinderias, turo-turo catering to the people;
   2. Provision on latrines/portable restrooms including garbage and trash receptacles on strategic places in the locality;
   3. Cleaning/Clearing of clogged drainage and sewers to prevent the breeding of rodents or harmful insects such as mosquitoes, cockroaches, etc.

   On Crime and Criminal Elements there shall be:
   1. Fielding of crowd control personnel or marshals to avoid the incidence of panic and stampedes during shows and exhibitions;
   2. Assigning of police personnel to be on the lookout for criminal elements such as pickpockets, drug pushers/users.

SECTION 50. PUBLIC SAFETY DURING THE CONDUCT OF PUBLIC ASSEMBLY

1. The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are

necessary in a democratic society in the interest of municipal security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

2. Designation of Freedom Park. The Municipal Plaza is hereby designated as Freedom Park. A permit for the use of such place, and not for the assembly itself, may be validly required.

3. Regulated Acts.
   a. No public assembly or gathering shall be conducted/organized using public plaza or thoroughfares without a valid permit from the Mayor's Office.
   b. It should be the duty and responsibility of the leader/s and organizers to notify in writing the Municipal Government or proper authorities concerned five (5) working days before the scheduled date regarding their lawful purpose and shall be held responsible for the maintenance of peace and order as well as cleanliness and sanitation of the park/plaza.

4. Responsibility of Leaders and Organizers – it shall be the duty and responsibility of the leaders and organizers to notify the proper authorities concerned of their lawful purpose and shall be responsible for maintaining peace and order.
5. The following shall constitute violations:
   a. Carrying of deadly weapons or devices.
   b. The malicious burning of any object which shall cause damage to the park/plaza or intentionally/maliciously print or put any writing on the floor or on the wall by the use of paints and the like which will destroy the former appearance of the park/plaza.
   c. Failure on the part of the assembly to observe cleanliness after leaving the park/plaza.

SECTION 51. REGULATION ON THE USE OF PUBLIC LAND, PUBLIC BUILDINGS AND STRUCTURES

1. The Sangguniang Bayan of this municipality shall regulate activities relative to the use of land, buildings and structures in order to promote the general welfare.

2. ***Regulated Acts***.
   a. Any group of persons or organizations who want to use Public Facilities and/or Buildings should apply for a permit at least one week before the scheduled date of activities to avoid conflict. "First Come, First Serve Basis" is to be applied.
   b. Application form for the use of the Public Facilities and/or Buildings shall be secured in the Mayor's Office.
   c. The applicant shall pay a regulatory fee to the Municipal Treasurer with corresponding receipts and forward it to the Mayor's Office for approval.

3. ***Exemptions.***
   All programs or activities conducted by educational, religious and government institutions for the public shall be exempted from the payment of the fee imposed by the Municipal Revenue Code provided, that the corresponding Mayor's Permit shall be secured accordingly. Programs or activities requiring admission fees for attendance shall be subject to the fees imposed even if they are conducted by exempt entities.

4. ***Regulating the use of Tigbauan Multi-purpose Gymnasium***
   a. The Multi-Purpose Gym is for the people of Tigbauan.
   b. Students or any group of people shall use the covered gym provided they abide with the rules and regulations set by the management.
   c. Any person or entity who wants to use the covered gym shall apply for a permit from the Office of the Mayor at least one (1) week before the scheduled date. The principle of "First Come First Serve Basis" shall be applied, except when there is an urgent need thereof.
   d. Cleanliness, orderliness and sanitation must be strictly observed in the covered gym and its surrounding.

5. ***Exemptions.***
   a. All students, teams or group of players are free to use the Multi-Purpose Gym provided they don't go beyond the time schedule and they maintain the cleanliness of the place.
   b. All schools of Tigbauan, whether public or private and all programs of organizations or activities approved by the Office of the Mayor provided proper arrangement with the caretaker is done at least three days before the scheduled date.
   c. Federation of Senior Citizens Association of the Philippines [FSCAP], Tigbauan Chapter.
   d. Any program or activity initiated by the LGU of Tigbauan.
   e. Sangguniang Kabataan Municipal Federation [SKMF] activities.

6. ***Use of Various Public-owned Utilities and Facilities***.
   a. No person shall use any public roads, sidewalks, alleys, lanes or parts thereof, for purposes of bathing, laundering or washing of clothes or other similar purposes.
   b. No person shall use and/or occupy any sidewalk or alley or portion thereof, which is owned by the Municipality, in connection with any construction works or other allowable purposes, without securing a permit thereof from the Mayor and paying the corresponding permit fee imposed under existing Revenue Code.
   c. No person shall use any portion of any public roads, parks or plaza for the drying of whatever kind of cereals, buri palms or drying of palay or for other similar purposes, without prior permit from proper authorities.
   d. The drying of palay alongside of the public roads will be allowed during harvest season provided it will not constitute obstructions on the flow of traffic to ensure public safety.
   e. No person, natural or juridical, shall construct or cause the construction of any kind of hump, or place any kind of protuberance, on any public road.

7. ***Road Clearing*** – There shall be established a road clearing operation on illegal structures, illegal parked vehicles and other similar obstructions on barangay, municipal and provincial roads within the territorial jurisdiction of the municipality.

SECTION 52. CLOSED-CIRCUIT TELEVISION [CCTV] INSTALLATION IN PUBLIC FACILITIES AND IN PRIVATE BUILDINGS

1. The following business establishments are required to install CCTVs:
   a. Banks, financial institutions, pawnshops, money lenders, money remittance, money changers, and the like;
   b. Business establishment that are part of a national chain or have several branches in other parts of the country, such as restaurants/fast food chains, 24-hour convenience stores, drug stores, remittance centers and the like;
   c. Shopping malls and centers, supermarkets, hospitals and medical facilities, ports, public transport terminals, licensed cockpits, places of entertainment such as videoke bars, beer joints, games and amusement centers and the like which draw a considerable number of customers/patrons;
   d. Car and motorcycle dealerships, gasoline/fuel refilling/service stations;
   e. Hotels, resorts, tourist inns, apartelles, pension houses and other accommodation establishments;
   f. Internet shops with not less than ten (10) computer units;
   g. All other business establishment operating with not less than Three Hundred Thousand (P300,000.00) Pesos worth of goods and merchandise shall install at least one (1) CCTV Camera;
   h. Other business establishments which the Sanggunian deems proper considering the nature of business and potential risk in their respective areas.
   i. Subject to availability of fund, government establishments such as Municipal Hall, Barangay Halls and Plazas, public educational institutions are strongly enjoined to comply with the provisions.

2. Prohibition. The viewing of recorded or captured video footage of images shall be made with due respect to the privacy of individuals. It shall be unlawful for any person to allow the unauthorized or unofficial public use or public viewing of any saved video-recorded from a CCTV.

3. Owners of business establishments shall give the duly authorized local authorities or police access to the CCTV recordings or video tape/footage if the occasion warrants, provided that the assigned officer or person in authority must show the written authority issued to him for that matter.

SECTION 53. PUBLIC SAFETY DURING COVID- 19 PANDEMIC AND OTHER EMERGING AND RE-EMERGING INFECTIOUS DISEASES

1. Mandatory Social/ Physical Distancing in public and private places. There shall be at least one and a half meter (1.5 m.) radius distance between or among individual persons within public and private establishments, educational institutions, churches, places of work, public markets, commercial establishments and other public places located within the Municipality of Tigbauan.

2. Mandatory Social/ Physical Distancing in public transportations. Public Utilities and Transportation shall observe social distancing among their commuters. Public Utility Vehicles, Tricycles, Motorbikes shall carry passengers in such a way that precautionary measures have been installed to prevent the spread of the disease. Trisikads shall carry only one passenger.

3. Wearing of Face Mask and Face Shield is mandatory while riding in public transportation.

4. Wearing of Face Mask shall be mandatory in all public places such as, but not limited to, public market, commercial establishments, public plaza, churches, restaurants, places of entertainment, work places, government offices, schools, streets and similar places.

5. The Conduct of Social Gathering shall be regulated.

SECTION 54. PUBLIC SAFETY DURING PRE-EMPTIVE OR FORCED EVACUATION

1. The Municipal Disaster Risk Reduction and Management Council [MDRRMC] shall evaluate the situation for the conduct of Pre-emptive or Forced Evacuation.

2. There shall be established a municipal evacuation center.

3. The basis of the recommendation of the MDRRMC, the Municipal Mayor, who is also the Incident Commander, shall give order to the Punong Barangay to execute immediately the implementation of forced evacuation.

4. In the event that local residents refuse to leave their homes, the Municipal Government as well as the members of the mobilized unit may use such reasonable force that is commensurate under the circumstances, to evacuate them from the designated evacuation areas.

5. System of Evacuation shall be:
   a. First to evacuate are Persons with Disability (PWD), Pregnant Women, Senior Citizens, Children and persons with illness.
   b. Advisory to bring basic and necessary things such as personal belongings like utensils, medicines available and beddings.

6. Livestocks shall have separate evacuation centers or areas as determined by barangay officials.

SECTION 55. CREATION OF THE MUNICIPAL DISASTER RISK REDUCTION AND MANAGEMENT [MDRRM] 24/7 OPERATION CENTER

1. The MDRRM 24/7 Operations Center is hereby created and established under the Municipal Disaster Risk Reduction Management Office (MDRRMO) manned by MDRRM Officer with personnel from Administration & Training unit, Operation & Warning unit and Research & Planning unit.

   a. The 24/7 Operations Center shall be opened and maintained twenty four (24) hours daily by personnel who shall be ready to respond to any emergency situation due to natural or man-made causes.
   b. Equipment and tools necessary for the operation of the 24/7 Operations Center shall be adequately funded and provided for.
   c. The competency and skills of the 24/7 Operations Center personnel shall be enhanced, improved and updated through regular trainings and workshops which they will replicate in barangays.

2. Manpower.
   a. The 24/7 Operations Center personnel shall be initially manned by fifteen (15) personnel trained in basic life saving techniques with water safety search and rescue and training on high angled capability.
   b. To ensure the twenty-four-hour operation of the 24/7 Operations Center, personnel shall be divided into three (3) teams initially composed of five (5) members who shall render duty on shifts under a one (1) day eight (8) hours/team scheme. Each team shall be initially composed of:
      1.) one (1) team supervisor,
      2.) one (1) rescue vehicle driver,
      3.) one (1) radio operator/dispatcher and
      4.) two (2) responders/rescuers.
   c. Personnel of the 24/7 Operations Center shall be hired based on service contracts to be entered into and signed by the Municipal Mayor in behalf of the municipality, the authority for which is hereby granted.

3. Use of Municipal Disaster Risk Reduction Management Office (MDRRMO) vehicle and personnel services.
   a. To respond to emergency caused by accidents, calamities and disasters to save lives and properties.
   b. The use of the MDRRMO Vehicle and services rendered by MDRRMO Personnel shall be free of charge.

4. Funds needed to defray the expenses necessary for or incidental to the implementation of the provisions shall be taken from the five percent (5%) MDRRM Fund of the Municipal Government.

SECTION 56. PUBLIC SAFETY ON BEACH RESORTS

1. **Regulatory Acts.**
   a. All beach resorts in Tigbauan shall maintain at least one (1) full-time lifeguard, who shall be a competent swimmer, who shall be ably trained in emergency life-saving measures particularly Cardio-Pulmonary Resuscitation (CPR), who shall be equally trained in first-aid medication, and who shall be on active duty for the duration of the resort's day-to-day operation.
   b. All danger zones, areas, or spots in these beach resorts shall be clearly and conspicuously marked with appropriate warning signs, or shall be isolated with effective constraints or barriers from the access of minors or non-swimmers.
   c. All persons within the premises of these beach resorts who pose a danger to others, or to their own selves, because of extreme intoxication, possession of deadly weapons, unpacifiably belligerent behavior, or some other equally detrimental state or condition, shall be safely or politely brought out of the said premises, or promptly reported to the proper authorities, as prudence and good business policy could dictate.
   d. All beach resorts shall maintain at least one (1) telephone or other communication device for emergency use, which device shall be other than what may be provided for customers within their premises.
   e. All operators of beach resorts in Tigbauan are not limited to implement the above-described precautionary, safety, and life-saving measures, and are hereby enjoined by this municipal initiative to exert greater wisdom and effort in their customers and clients through the health-promoting use, and enjoyment, of their facilities, thereby attracting more customers and clients to their beach resorts.

SECTION 57. PUBLIC SAFETY ON TRAFFIC

1. There shall be adopted a safety precautionary measures that shall guarantee the protection and preservation of lives of inhabitants in observing traffic regulations.

2. There shall be a Traffic Summit to be held once a year to assess the Traffic situation in the municipality.

SECTION 58. FIRE SAFETY

1. The following shall be observed in maintaining fire safety:
   a. The Local Government of Tigbauan, with the cooperation of Bureau of Fire Protection [BFP] and the private sector, shall develop and promulgate sets of standards and regulations in fire prevention and fire safety;
   b. Fire Prevention and fire safety shall be undertaken continuously involving all sectors of the community;
   c. The organization, administration and operation of the Fire Service shall be under the BFP in cooperation with the local government unit.
   d. Awareness, precaution and prevention are the best weapons for the safety of the inhabitants of this municipality for a progressive Tigbauan.

2. The Following are declared as prohibited acts and omissions:
   a. Transporting, storing, display for purposes of selling the highly combustible materials such as gasoline, kerosene, crude oil and refilled canister;
   b. Selling of Highly Combustible Materials such as gasoline, kerosene, crude oil;
   c. Selling of firecrackers/pyrotechnics to minors;
   d. Open flame cooking inside the public market.

3. Any person, establishment or entity who/which desires to engage in the transport, storage, display and sale of motor oil and firecrackers/pyrotechnics is require to secure a business permit to engage in such activity with the local government unit.

4. Any person, natural or juridical, who is a lessee of the Municipal Public Market stalls is prohibited to sell gasoline and diesel fuel anywhere, except in licensed gas/fuel station in the municipality.

5. All business establishments in the Public Market and public buildings are hereby required to be equipped with fire extinguishers as deterrent to hazards of fire.

SECTION 59. REGULATION ON THE USE OF PYROTHECNICS/ FIRECRACKERS

1. The regulation of sale, manufacture, distribution and use of fire crackers and other pyrotechnic devices shall be governed by the following:
   a. It shall be prohibited for any person(s) to display, sell, or manufacture Big Firecrackers and use/ lit Big Firecrackers.
   b. It shall be prohibited to any person to use/ lit their firecrackers and light their pyrotechnic devices outside the designated firecrackers zones in their barangay during Christmas Eve and New Year's Eve.
   c. Stalls for display and sell of regulated firecrackers shall be inspected by local fire marshal.
   d. All Punong Barangays are authorized to designate firecrackers and pyrotechnic devices zone/area in their barangay.
   e. During coronation programs in town and barangay fiesta and other celebrations provided that permit from the Office of the Local Chief Executive has been secured.
   f. The Municipality shall identify a designated Fire Cracker/ Pyrotechnic Zone.

SECTION 60. CREATION OF THE TIGBAUAN ANTI-CRIME, SAFETY AND PEACE ENFORCEMENT TASK FORCE OFFICE

1. The primary objective is to organize and make functional, a Tigbauan Anti-Crime, Safety and Peace Enforcement Task Force that will assist the Philippine National Police (PNP) in the Enforcement of the provisions of municipal ordinances and other pertinent laws.
2. The Tigbauan Anti-Crime, Safety and Peace Enforcement Task Force shall be composed of the following:

Chairman	- Municipal Mayor
Vice Chairman	- Chief of Police
Members	- MLGOO
	- SB Member, Chairman Committee on Peace & Order
	- SB Member, Chairman Committee on Human Rights
	- SB Member, Chairman on Legal Matters
	- 1st Iloilo Provincial Mobile Force Company Commander
	- Fire Marshall
	- Philippine Coast Guard
	- Punong Barangays
	- Local Enforcers
	- Barangay Tanods
	- Citizens Crime Watch

3. The Tigbauan Anti-Crime, Public Safety and Peace and Order Task Force shall be responsible in implementing this Code.

4. The enforcers are authorized to issue Ordinance Violation Receipt (OVR) to violators.
   a. The apprehending enforcers shall sign the OVR and issue the same to the violator stating therein the Municipal Ordinance and pertinent laws violated as well as the penalty being imposed therein.
   b. The OVR issued shall serve as evidence and reference in the prosecution of the cases when such are brought to Court as well as basis in the report of fees collected by the Municipal Treasurer's Office.

5. There shall be annual incentives for barangay tanods dependent on the availability of funds.

6. Insurance Coverage for Barangay Tanods – The Sangguniang Bayan shall provide group insurance coverage for Barangay Tanods.

7. An initial amount of One Million Five Hundred Thousand Pesos (P1,500,000.00) shall be appropriated for the operational expenses of the Task Force chargeable against the Peace and

Order and Public Safety Fund as indicated in the Peace and Order and Public Safety Plan [POPS Plan].

SECTION 61. ILLEGAL GAMBLING

1. It is prohibited for any person to directly or indirectly take part in any prohibited games as defined in Article 195 of the Revised Penal Code.

2. Cockfighting in the municipality is allowed in accordance with PD 449. Cockfighting outside the licensed cockpit shall also be governed by PD 449.

3. Applicability Clause - The provisions of PD 449, otherwise known as the Cockfighting Law of 1974, PD 1802 (Creating the Philippine Gamefowl Commission), and such other pertinent laws shall apply to all matters regarding the operation of cockpits and the holding of cockfights in this Municipality.

4. Regulatory Acts.
   (a) *Holding of cockfights*. Cockfighting shall be allowed in this Municipality only in licensed cockpits during Sundays and legal holidays and during local fiestas for not more than three (3) days. It may also be held during Municipal agricultural, commercial, or industrial fairs, carnival, or exposition for a similar period of three (3) days. No cockfighting on the occasion of such affair, carnival or exposition shall be allowed within the month if a local fiesta or for more than two (2) occasions a year. No cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day), November 30 (Bonifacio Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.

   (b) *Cockfighting for entertainment of tourists or for charitable purposes*. Subject to the preceding subsection hereof, the holding of cockfights may also be allowed for the entertainment of foreign dignitaries or for tourists, or for returning Filipinos, commonly known as "Balikbayans", or for the support of national fund-raising campaigns for charitable purposes as may be authorized upon resolution of the Sangguniang Bayan, in licensed cockpits or in playgrounds or parks. This privilege shall be extended for only one (1) time, for a period not exceeding three (3) days, within a year.

SECTION 62. ILLEGAL DRUGS

1. It shall be prohibited for any person to directly or indirectly engage in the proliferation of illegal drugs activities as defined in the Comprehensive Anti-Illegal Drugs Act.

2. The barangays are encouraged to strengthen their respective Barangay Anti-Drug Abuse Councils [BADACs].

3. The Municipal Anti-Drug Abuse Council shall assist the BADAC in its Drug Clearing Operations.

4. The Community Drug Rehabilitation Program [CDRP] shall be strengthened and made functional.

5. The Bahay Silangan or Community Rehabilitation Program for Drug Surrenderees [pushers] shall be established.

6. There shall be a monetary reward for civilian informants leading to the arrest of drug personalities.

SECTION 63. INSURGENCY

1. The Municipality shall adopt the Whole-Of-Nation Approach in attaining Inclusive and Sustainable Peace to End Local Communist Armed Conflict [ELCAC].

2. The Whole-of-Nation Approach addresses the root causes of local communist armed conflict, internal disturbances and tensions by prioritizing and harmonizing the delivery of basic services and social development packages in accordance with the Municipal Peace Framework.

3. There shall be a “Peace Summit” which shall be held once a year to review and update the Municipal Peace Framework.

SECTION 64. VANDALISM

1. Any person who commit acts of vandalism such as, but not limited to, slashing of seats by means of any bladed instrument, placing chewing gum or any other adhesive and obnoxious substances on the seats, destroying the seats through physical means, destroying comfort room fixtures, and other similar act which shall damage to school, government, or public properties and inconvenience to viewers, site seers, tourists as well as to the lovers of a sanitary ecology and management shall be fined in accordance with this Code.

SECTION 65. NUISANCE

1. It shall be prohibited for any person to urinate and cause alarm and scandal in Public Places within the municipality.

2. It shall be unlawful for any person to carry about any bladed, pointed or blunt weapon in public place within the municipality.

3. Exceptions to Section 68. The provision quoted above shall not apply to law enforcement personnel when in the discharge of their official duties as such and acting under orders requiring them to carry arms and weapon and such bladed, pointed or blunt weapon is being used as necessary tools or equipment to earn a livelihood and while being used in connection therewith.

4. It shall be prohibited for a person to make/ possess manufacture/ display an improvised deadly weapon powered by “lighter fluid/ alcohol” popularly known as “buga.”

5. It shall be unlawful for any person to connect on Municipal Streets lights, public market, public plaza and other public places.

6. Regulatory Acts on Stray Animals
   a. It will be unlawful for any person to graze their cattle like cows, carabaos, horses or any hoofed animals like goats, sheep or pigs in any public place within the municipality.
   b. Any animal mentioned above caught by the authorized apprehending officers shall be impounded by the Municipality under the custody of the Municipal Treasurer or the Punong Barangay and shall send notices to the neighboring barangays about said animal/s.
   c. All ranch owners who have ranches in this municipality are required to submit to the chief of police a certified inventory of all large cattle in their respective ranches.

SECTION 66. SELLING AND BUYING OF POULTRY PRODUCTS, ANIMALS, LIVE FOWLS AND OTHER COMMODITIES IN ANY STREETS OR SIDEWALKS ON THE POBLACION DURING SATURDAYS AND MARKET DAYS

1. It shall be unlawful for any person to offer to sell or to buy or to engage in buying and selling of poultry products, animals, live fowls and other commodities during Saturdays and Market days (Sundays) in any street or sidewalks in the Poblacion of the Municipality of Tigbauan, Province of Iloilo except that it shall be done in the Municipality’s public market and its premises or surroundings or in the designated areas for market.

SECTION 67. REGULATING THE SALE AND CATERING OF ALCOHOLIC DRINKS AND BEVERAGES

1. It shall be unlawful for any person or establishment to sell alcoholic drinks and beverages within a radius of two hundred (200) meters from all school premises or other educational institutions, except Tigbauan Public Market and other wholesalers.

2. No person shall be allowed to drink beer, alcoholic beverages, wine and other intoxicating liquors at any store, business establishment or open public places within the time from and commencing at 10:00 o'clock in the evening until 8:00 o'clock in the morning. Every owner, operator, manager or employee of a business establishment or store is hereby prohibited to sell cater beer, alcoholic beverages, wine and other intoxicating liquors on the premises of his establishment or store within the same period of time.

3. Exemptions.
   a. Celebration of the Tigbauan Town Fiesta and other municipal festivals and festivities.

b. On the 24th day of December
c. During legal Holidays both national and local whether working or non-working.

SECTION 68. COMPUTER GAMES AND OTHER AMUSEMENT DEVICES

1. Regulated Acts.
   a. No operator/owner shall be allowed to operate computer shops and other amusement devices without securing the Business Mayor's Permit.
   b. No operator/owner shall allow minors student or pupil to play during class hours.
   c. All owners/operators shall post a clear, visible sign indicating "MINOR STUDENTS/PUPILS ARE NOT ALLOWED TO PLAY DURING CLASS HOURS" in a conspicuous place of the establishment.
   d. No computer and other amusement devices shall be allowed to operate within Fifty (50) meter radius from schools and churches.

CHAPTER VIII
HEALTH AND SANITATION CODE

SECTION 69. POLICIES AND PRINCIPLES

1. **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."

2. **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.

3. **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.

SECTION 70. WATER SUPPLY

1. **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].

2. **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.

3. **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.

4. **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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **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.

10. **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.

11. **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.

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

7. **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.

14. **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.

15. **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.

16. **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.

17. **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.

SECTION 71. MARKET AND SLAUGHTERHOUSE

1. **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:
   a. Suitability of site insofar as elimination of nuisance conditions and prevention of contamination are concerned;
   b. Availability of ample water supply for cleaning;
   c. Presence of adequate drainage facilities;
   d. Durability of construction to protect vendors and costumers from any hazard and exposures to the elements and
   e. Facilities for maintenance of sanitation, such as cleaning and elimination of harborages of vermin.

2. **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].

3. **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.

SECTION 72. FOOD ESTABLISHMENTS

1. **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.

2. **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 or clean potable water.

3. **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 lad 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.

4. **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.

5. **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.

6. **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.

7. **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

8. **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.

9. **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.

10. **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.

11. **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.

12. **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.

13. **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.

14. **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.

15. **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.

16. **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.

17. **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.

18. **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.

19. **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.

20. **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.

21. **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.

22. **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.

23. **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.

24. **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.

25. **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.

26. **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.

27. **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.

28. **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.

29. **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 cartoons 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.

30. **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 advice 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.

31. **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.

32. **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.

SECTION 73. SCHOOL SANITATION AND HEALTH SERVICES

1. **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.

2. **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.

3. **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.

4. **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.

5. **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.

SECTION 74. REST AREAS, BUS TERMINALS AND SERVICE STATIONS

1. 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.

2. **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.

SECTION 75. CAMPS AND PICNIC GROUNDS

1. 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.

2. **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, ad 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.

SECTION 76. PUBLIC SWIMMING OR BATHING PLACES AND RESORTS

1. **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.

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

3. **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.

4. **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.

SECTION 77. TONSORIAL AND BEAUTY ESTABLISHMENTS

1. **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.

2. **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.

3. **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

SECTION 78. PUBLIC LAUNDRY

1. **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.

2. **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.

3. **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.

SECTION 79. LODGING, BOARDING HOUSES, APARTMENTS, MOTELS AND HOTELS

1. **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.

2. **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

3. **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.

SECTION 80. MASSAGE CLINICS

1. **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.

2. **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 be 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.

3. **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.

4. **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.

5. **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.

6. **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

SECTION 81. REFUSE DISPOSAL

1. **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].

2. **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.

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

4. **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.

5. **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.

SECTION 82. NUISANCES

1. **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.

2. **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.

3. **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.

SECTION 83. HYGIENE AND SANITATION IN INDUSTRIAL ESTABLISHMENTS

1. **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.

2. **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.

3. **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.

4. **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.

5. **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.

SETION 84. ENVIRONMENT POLLUTION AND DISPOSAL OF DEAD PERSON

1. **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.

2. **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.

3. **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.

4. **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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **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.

10. **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.

11. **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.

12. **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.

SECTION 85. PHILHEALTH CAPITATION FUND

1. 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.

2. 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 wit 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.

3. 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 (No. 4 and 5.)

4. **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.

5. **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 n 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.

SECTION 86. THE NEW BORN SCREENING

1. **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.

2. **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.

3. **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.

4. **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.

SECTION 87. BIRTHING FACILITY

1. **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.

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

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

4. **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.

5. **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)

SECTION 88. AFFILIATION AND TRAINING OF STUDENTS

1. **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:

A. **Functions:**
   1. Screen and approve affiliation applicant (school/universities/colleges) as per Administrative Order issued.
   2. Supervise activities of students' affiliation and training activities at the RHU at all levels in accordance with the set standards by NCATS/RCATS.
   3. Formulate guidelines appropriate to their situation based on the set affiliation policies and procedures.
   4. Monitor and evaluate all affiliation program and activities at the RHU.
   5. Determine proration of affiliation fees both for the groups directly and indirectly involved in affiliation and training.
   6. Facilitate purchase of equipment, supplies, materials, journals and other needed paraphernalia for affiliation and training to prevent interruption of affiliation activities.
   7. Update and maintain a list of schools/universities/colleges affiliating in the RHU.
   8. 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.
   9. Conduct regular dialogue with the school/colleges/universities affiliating to facilitate discussion of problems

2. **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.

3. **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.

4. **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.

SECTION 89. AEDES – BORNE DISEASES

1. **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.

2. **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.

3. **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.

4. **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.

5. **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 0f the Local Government Unit (LGU) of the Municipality of Tigbauan.

6. **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).

SECTION 90. STI, HIV & AIDS PREVENTION & CONTROL

1. **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.

2. **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.

3. **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.

4. **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.

5. **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.

6. **Secretariat of the Council** – The Secretarial 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.

7. **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;

8. **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.

9. **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.

10. **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.

11. **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.

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

13. **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.

14. **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.

15. **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.

16. **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.

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

18. **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.

19. **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.

20. **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.

21. **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.

22. **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.

23. **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.

24. **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.

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

26. **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.

27. **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.

28. **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.

29. **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.

30. **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.

31. **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).

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

33. **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.

34. **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.

SECTION 91. ZERO OPEN DEFECATION

1. **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.

2. **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.

3. **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

4. **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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **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

SECTION 92. ANNUAL GENERAL PHYSICAL EXAMINATION

1. All officials and employees of the Municipality of Tigbauan, Iloilo whether permanent or co-terminous shall undergo an annual physical examination.
2. The annual general physical examination may include Complete Blood Chemistry, CBC, Urinalysis, Fecalysis, ECG and Chest X-Ray.
3. The annual general physical examination shall be done at RHU and accredited laboratories.
4. The Human Resource Management and Development Office shall schedule the annual general physical examination during the first quarter of every year.

5. The records of such general physical examination shall from 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.
6. Appropriations necessary for supplies for the annual general physical examinations shall be included in the Annual Executive Budget of the Municipality of Tigbauan.
7. 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.
8. 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.

SECTION 93. USE OF THE MUNICIPAL AMBULANCE

1. **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

SECTION 94. NATIONAL HEALTH INSURANCE PROGRAM (NHIP)

1. **Regulatory Clause**

   A. Undertakings of the Municipality
      1. 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;
      2. Grant of authority to the Mayor to enter into an agreement with PhilHealth and/or interpose favorable modification, revisions and/or amendment thereto;
      3. 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.
      4. 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.

   B. Enforcement Agency – The Municipal Health Office, Sangguniang Bayan Office, and the Municipal Treasurer's Office are hereby mandated to strictly enforce this Ordinance.

SECTION 95. BLOOD TYPING REGISTRY PROGRAM

1. **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.

SECTION 96. ANTI-SMOKING

1. **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.
   a. Selling of tobacco products and/or ENDS within premises of a government facility;
   b.) Selling tobacco products and/or ENDS without a municipal permit to sell tobacco products or ENDS;
   c.) Selling of tobacco products and/or ENDS as individual pieces or per stick, or in tobacco product packs containing less than 20 sticks/pieces;
   d.) Selling tobacco products and/or ENDS removed from its original product packaging or without the proper government-regulated and approved health warning;

e.) Selling tobacco products and/or ENDS by ambulant or street vendors, including other mobile or temporary stalls, kiosks, stations or units;
f.) Selling or distributing of sweets, snacks, toys or any other objects in the form of tobacco products which may appeal to minors;
g.) Placing cinema or outdoor advertisements of tobacco products and/or ENDS;
h.) 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*;*
i.) 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;
j.) 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;
k.) Displaying and placing tobacco products and/or ENDS in open store shelves/racks, except in enclosed, opaque and single-colored storages/containments;
l.) 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.

2. **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 NO SMOKING/VAPING

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.

3. **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.

4. **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:

      a. **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

      b. **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

      c. **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.

      d. **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.

      e. **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).

      f. **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.

g. **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.

h. **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.

5. **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.

6. **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.

7. **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.

8. **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 of 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.

9. **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.

10. **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.

11. **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.

12. **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.

13. **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.

14. **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.

15. **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.

16. **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.

SECTION 97. RABIES CONTROL

1. **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.

2. **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.

3. **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.

4. **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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **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

10. **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.

11. **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.

12. **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.

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

14. **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

15. **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

16. **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.

17. **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.

18. **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.

19. **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.

20. **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 data 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.

21. **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.

22. **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.

23. **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.

24. **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.

25. **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.

26. **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.

27. **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.

28. **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.

SECTION 98. SALT IODIZATION

1. **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.

2. **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.

SECTION 99. MUNICIPAL CEMETERY

1. **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.

SECTION 100. UTILIZATION OF TB-DOTS PACKAGE FUND

1. **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**	

SECTION 101. 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

1. **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.

2. **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.

SECTION 102. COMMERCIAL, SMALL, MEDIUM AND LARGE SCALE PIGGERY FARM

1. **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.

2. **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.

3. **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.

SECTION 103. BACKYARD SWINE RAISING

1. **Regulated Acts:**
   a. Backyard swine raising shall be allowed for a maximum of 2 heads.
   b. Sows are not allowed in identified urban areas and densely populated areas in the municipality.
   c. 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:

1. 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.
2. It shall be built of concrete, whether pre-cast or poured in place. Brick, concrete blocks or adobe may be used.
3. It shall not be constructed under any building and within 25 meters from any source of water supply.

d. The distance of the pigpen shall be at least 25 meters from the nearest groundwater.
e. It shall be unlawful to directly discharge animal wastes in any irrigation canal, river/riverbanks, or any body of water.
f. It shall be the responsibility of swine raisers to regulate the odor/waste discharge of their own pigpens.
g. This regulation does not cover commercial small, medium or large scale piggery farms.
h. 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.

2. **Regulatory Committee**:

a. **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

b. **Responsibilities of the Regulatory Committee**

1. The Committee shall have a regular quarterly meeting to discuss topics regarding this ordinance.
2. The Committee shall require a comprehensive listing of swine raising activities in all barangays in the municipality.
3. 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
4. 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.

SECTION 104. OPERATION OF OPTICAL CLINICS AND OPTICAL SUPPLIERS OR DISTRIBUTORS FOR THE PURPOSE OF PREVENTING ILLEGAL PRACTICE OF OPTOMETRY

1. **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.

2. **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.
   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.
   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.

3. **Acquiring Permits and Clearances to Perform and Render Optometric Services or to Sell or Distribute Optical Supplies.**
   a. 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.
   b. 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.
   c. Provided, that purely acts of advertisement without selling of optical supplies shall require only a Mayor's Permit.

4. 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 IX
CHILD AND YOUTH WELFARE DEVELOPMENT CODE

SECTION 105. RIGHTS AND OBLIGATIONS OF THE CHILD

1. **All Proceedings to Be Conducted In the Best Interest of the Child.** Proceedings before authority shall be conducted in the best interest of the child. All doubts in the implementing rules and regulations shall be solved taking into consideration the best interest of the child.

2. **Participation of the Child**. - All proceedings before any authority shall be conducted in a manner, which allow children in program and policy formulation and implementation related with children's concerns should be ensured by the Municipal Government of Tigbauan.

3. **Duties and Responsibilities of the State.** – It is the duty of the State to defend the rights of the children to assistance including proper care and nutrition, special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development. Further, the state shall:
   - **a.** Undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the UNCRC. With regard to economic, social and cultural rights, the State shall undertake such measures to the maximum extent of its available resources and, where needed, within the framework of international cooperation;
   - **b.** Ensure to the maximum extent possible the survival, development, protection and participation rights of the child;
   - **c.** Take all appropriate legislative, administrative, social and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent/s, legal guardian/s or any person/s who has the care of the child;
   - **d.** Assure to the child who is capable of forming his/her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with his/her age and maturity;
   - **e.** Render appropriate assistance to parents and legal guardians in the performance of their child rearing responsibilities and shall ensure the development of institution, facilities and services for the care of children.

4. **Rights of the Child. -** Every child shall be entitled to the rights herein set forth without distinction to legitimacy, sex, social status, religion, political antecedents, and other factors.

   Every child shall possess the following rights which are classified into survival, development, protection and participation rights:
   - **a.** "***Survival Rights***" ensure the child's inherent right to life and to the needs that are most basic to existence, the right to a name and to a nationality, the right to identify and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation. The following are the survival rights:
     - **a1.** Every child has the right to be born well, endowed with the dignity and worth of a human being from the moment of his/ her conception;
     - **a2.** Every child has the right to a wholesome family life that will provide him/her with love, care, and understanding, guidance and counseling, moral and material security. The dependent or abandoned child shall be provided with the nearest substitute to a home.
     - **a3.** Every child has the right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
     - **a4.** Every child has the right to live in the community and a society that can offer him an environment free from pernicious influence and conducive to the promotion of his/her health and the cultivation of his/her desirable traits and attitudes.

a5. Every child has the right to the care, assistance, and protection of the state of the state, particularly when his/her parents or guardians fail or unable to provide him/her with his/her fundamental needs for growths, development and improvement.

a6. Every child has the right to live his fullest potential free from disability, physical or mental, congenital or acquired after birth due to lack or poor compliance for health interventions of their parents or guardians.

b. *"**Development Rights***" refer to the rights of a child to education to develop his or her personality, talents, mental and physical abilities to the fullest extent. These also include participation in cultural activities, access to appropriate and relevant information, and to opportunities for rest, play and leisure. The following are the rights:

b1. Every child has a child to a well-rounded development of her/his personality to the end that she/he may become happy, useful, and active member of society specifically:

- **i.** The gifted child shall be given the opportunity and encouragement to develop her/his special talents;
- **ii.** The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding shall be entitled to treatment, education and care required by her/ his particular condition;
- **iii.** The physically or mentally disabled child shall be given treatment, education and care required by her/his particular condition;

b2. Every child has the right to be brought up in an atmosphere of morality and rectitude for the enrichment and the strengthening of her/his character.

b3. Every child has the right to grow up as a free individual in an atmosphere of peace, understanding, tolerance, and universal sisterhood/brotherhood, and with the determination to contribute her/his share in the building of a better world.

b4. Every child has the right to basic education. Primary education shall be compulsory and higher education shall be available and accessible to all on the basis of capacity by every appropriate means. The education of the child shall be directed to:

- **i.** The development of the child's personality, talents and mental and physical abilities to the fullest extent.
- **ii.** The preparation of the child for responsible adult life free in free society;
- **iii.** The development of respect for the child's parents, her/his cultural identity, languages and values, and the cultural background and values or others;
- **iv.** The development of respect for the natural environment.

b5. Every Child has the right to full opportunities for safe and wholesome recreation and activities, individuals as well as social. For the wholesome use of her or his leisure hours.

b6. Every child has the right to live in a community and society that can offer her/him an environment free from pernicious influences conducive to the promotion of her/his health and the cultivation of her/his desirable traits and attributes.

c. "Protection Rights" cover those rights protecting the child from all forms of abuse and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuse in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation. The following are the protection rights:

c1. The right to protection against exploitation, improper influence, hazards and other conditions or circumstances prejudicial to one's physical, mental, emotional, spiritual and moral development.

c2. The right to live in the community and society that can offer an environment free from pernicious influences and conducive to the promotion of health and the cultivation of the desirable traits and attributes.

c3. The right to care, assistance, and protection of the state, particularly when parent/s or guardian/s fail or unable to provide the fundamental needs for growth, development, and improvement.

c4. The right to efficient honest government that will deepen one's faith in democracy and inspire child and youth with the morality of the constituted authorities both in public and private lives.

c5. The right to grow up as a free individual in an atmosphere of peace, understanding, tolerance, and universal human hood, and with the determination to contribute one's share in the building of a better world.

c6. The right to privacy shall be protected against unlawful interference with such privacy, family, home or correspondence and to unlawful attacks against one's honor and reputation.

d. "Participation Rights" refer to the child's rights to participate in matters that affect her/him most of providing all appropriate venues where she /he can express her/his opinions freely and to have these opinions taken into account, involvement in decision-making in a consultative process, freedom of association and peaceful assembly. The following are the participation rights:

d1. Every child has the right to be provided by the opportunity to be heard in any judicial and administrative proceedings affecting her/him, either directly, or through a representative or an appropriate body, in a manner consistent with the procedure and rules of national law;

d2. Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;

d3. Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kinds;

d4. Every child has the right to express her/his opinions freely and to have these opinions taken into account in any matter or procedure affecting her/him.

d5. Every child has the right to privacy and shall be protected against unlawful interference, and to unlawful attacks against his or her honor and reputation.

5. **Responsibilities of the Child.** Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:
   - **a.** Strive to lead an upright and virtuous life in accordance with the tenets of her/his religion, the teaching of her/his elders and mentors, and the building of a clean conscience;
   - **b.** Love, respect and obey her/his parents, and cooperate with them in the strengthening of the family;
   - **c.** Extend to her/his brothers and sisters love, thoughtfulness, and helpfulness and endeavor with them to keep the family harmonious and united;
   - **d.** Exert her/his utmost effort to develop her/his potentials for service, particularly by undergoing a formal education suited to her/his abilities in order that she/he may become an asset to herself/himself and to society;
   - **e.** Respect not only her/his elders but also the customs and traditions of her/his people, the memory of her/his people's heroes, the duly constituted authorities, the laws of the country, and the principles and institutions of democracy;
   - **f.** Actively participate in civic affairs and in the promotion of the general welfare recognizing that the youth will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future; and
   - **g.** Help in the observance of individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuit of their common aspiration for unity and prosperity, and furthermore of world peace.

SECTION 106. ROLES AND FUNCTIONS OF VARIOUS SECTORS

1. **The Family. -** The family is the central unit responsible for the primary socialization of children, which is important in the prevention of children's rights violations. Governmental and social efforts to preserve the integrity of the family, including the extended family, should be pursued.
   - **a.** ***Primary Rights of Parents.*** - The family has the primary responsibility, of educating, nurturing and protecting children from infancy to adolescence. Introduction of children to the culture, values and norms of their society shall begin in the family. The parents shall have the right to the company of their children and, in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.
   - **b.** ***Rights under the Family Code.*** - Parents shall continue to exercise the right mentioned in Articles 209 to Articles 237 of the Family Code over the person and property of their children.
   - **c.** ***Right to Discipline Children.*** - Parents have the right to discipline their children as may be necessary for the formation of their good character, provided it does not fall under the prohibited acts mentioned in this Code. Parents may require from their children obedience to just and reasonable rules, suggestions and admonitions.
   - **d.** ***General Duties of Parents.*** - Parents shall have the following general duties toward their children:
     - **d1.** To give them affection, companionship and understanding;
     - **d2.** To extend to them the benefits of moral guidance, self-discipline and religious instructions;
     - **d3.** To supervise their activities, including their reaction;
     - **d4.** To inculcate in them the value of industry, thrift and self-reliance;

d5. To stimulate their interest in civic affairs, teach them the duties of citizenship, and develop their commitment to their country.
d6. To advise them properly on any matter affecting development and well-being:
d7. To always set a good example;
d8. To provide them with adequate support, such as dwellings, clothing, medical assistance, education and transportation as defined in Article 194 of the Family Code.

Education of a person shall include his schooling or training for some profession, trade or vocation, even beyond the age of majority. Transportation shall include expenses in going to and from school, or to and from place of work;

d9. To administer their property, if any, according to their best interest, subject to the provisions of Article 225 of the Family Code of the Philippines.
d10. Apply positive discipline.

2. **Separation of Children from their Families.** Every effort shall be made to prevent the separation of children from their families. Wherever children are separated from their families owing to force majeure, or in their own best interest, arrangements shall be made for appropriate alternative family care or institutional placement, with due regard to continuity in the upbringing of children according to their own cultural milieu. Extended families, relative and community institutions shall be given support to help meet the special needs of orphaned, displaced and abandoned children. Efforts shall be made to ensure that no child shall be treated as an outcast of society.

3. **Role of Women.** Women in their various roles play a critical role in the well-being of children. Efforts for the enhancement of women's status and their roles in development shall be begin with girl children. Enhancement of the status of women and their equal access to education, employment, training, credit, reproductive health and other extension services, constitute a valuable contribution to a nations social and economic development.

   To achieve that and to prepare women for their various roles, equal opportunity shall be provided for the girl children for them to benefit from health, nutrition, education and other basic services for their full growth.

4. **Role of Fathers.** Fathers play a vital role in their children's lives. Policies and legislation shall be enacted and programs shall be designed and implemented for the inclusion of their critical role. Fathers shall be equally responsible in their rearing and nurturing of the children in the home and be their role models.

   Equal opportunity shall be provided the boy children for them to benefit from health, nutrition, education and other basic services for their full growth.

5. **Role of Educational Institutions**. – Educational institutions shall work together with parents, community organizations and agencies concerned with activities of children and youth. Educational institutions shall incorporate into their curriculum a subject on the rights and responsibilities of children, subject to the guidelines set by the Department of Education (DepEd) and the Commission on Higher Education (CHED).

6. **Roles of the Mass and Social Media.** - The mass media shall be aware of their extensive social role and responsibility, as well as their influence, in communications relating to children. They should use their power to protect the rights of children by relaying consistent messages through a balanced and responsible reporting.

   Special attention should be given to effective anti-drug awareness campaigns, early sexual encounter, delinquency prevention, cyber-pornography, and video game addiction.

   Confidentiality must always be observed in the reporting and handling of child abuse related cases involving children.

   In all publicity concerning children, the best interest of the child shall be the primordial concern. Any undue, inappropriate and sensationalized publicity of any case involving a child is considered a violation of the rights of the child.

   The mass and social media shall be encouraged:

1. To ensure that children have access to information and material from a diversity of national and international sources;
2. To portray the positive contribution of children to society;
3. To disseminate information on the existence of services, facilities and opportunities for children in society;
4. To provide venues for children's expression of their issues and concerns.

7. **Role of Judicial Institutions-** In the administration of justice, courts, prosecutors, and other sectors shall ensure that the rights of children are protected and promoted at all times. They shall conduct programs and activities geared towards enhancing children's rights.

8. **Role of the Local Government Units-** The Municipal Government shall come up with comprehensive programs for children and allocate appropriate budget for their implementation. Each concerned LGU shall ensure provision of child protection in emergencies including but not limited to child-friendly spaces and psycho-social support, and establishments of child minding and SPED centers and Anti-Violence Against Women and Children (Anti-VAWC) desk in the locality.

   The LGU shall also assign/designate focal person to ensure functionality of their local council with a corresponding source of compensation. It shall also provide resources for meetings and other capability building activities.

   The LGU shall come up with the following four (4) gifts for children:
   - Local Development Plan for Children
   - Local Investment Plan for Children
   - Local Code for Children
   - Local State of the Children Report

9. **Role of the Local Council for Protection of Children-** The Council shall, in addition to their existing duties and functions, coordinate with and assist the Municipal Government in coming up with comprehensive programs for their children which can be based on Sustainable Development Goals for Children.

10. **Role of the Sangguniang Kabataan-** The Sangguniang Kabataan (SK) as established under the Local Government Code shall, in addition to its powers and functions, actively involve itself in the formulation and implementation of prevention and protection programs in the community. It shall coordinate with the local councils for the protection of children for this purpose.

SECTION 107. PROGRAMS AND SERVICES FOR CHILDREN

1. **Comprehensive Programs for Children**
   1. ***Comprehensive Welfare Program for Children.*** - The Local Government of Tigbauan shall formulate a comprehensive welfare and program for children covering at least a three-year period and a periodic review every three (3) years. Such program shall include prevention, protection as well as rehabilitation programs for children, and shall emphasize prevention of children's rights violations, sexual abuse, juvenile delinquency, worst forms of child labor, CAR, CICL, drug addiction, and other children's problems.

   2. ***The Community Based-Approach.*** The community based-approach shall be given special attention in the Comprehensive Welfare Program for Children***.*** This involves addressing community-wide issues improving the over-all environment of the neighborhood in order to prevent violations of children's rights through mobilization of human resources within the community. Volunteerism among members of the community to assist in the implementation of the programs shall be encouraged. Community-based services and persons which respond to the special needs, problems, interest, and concerns of young persons and appropriate counseling and guidance to children and their families should be developed, or strengthened where they exist.

   3. ***Process in Formulating Comprehensive Children's Programs***- The process in coming up with Comprehensive Children's programs shall be participatory and consultative. The LGU in coordination with the Local Council for the Protection of Children, shall call on all sectors concerned, particularly child-focused institutions, NGO's, CSO's, People's Organizations, Youth Organizations, Children's Councils, educational institutions and government agencies involved with children's concerns like the Department of Social Welfare and Development (DSWD), Department of Health (DOH), Department of Education

(DepEd) and Office of the Civil Defense (OCD), Department of Interior and Local Government (DILG), Parents Teachers Community Association (PTCA), and religious sectors to participate in the planning process.

The LGU shall see to it that the children participate in the formulation, development and implementation of these programs, particularly in the identification of needs.

The Provincial Council for the Protection of Children (PCPC) shall develop a children's profiling tool and provide coaching and technical assistance to MCPC.

The MCPC shall provide technical assistance to the BCPC in administering tool, consolidate BCPC survey results and submit to MCPC. The BCPC shall conduct the baseline survey on children's profile and annual assessment survey and submit results to MCPC.

4. ***Periodic Review and Assessment of the Comprehensive Welfare Program for Children-*** The CWPC shall be reviewed and assessed yearly by the Municipal Government in coordination with the BCPC. The program shall be reviewed by the MCPC as to their effectiveness in preventing children's rights violations based on the MCPC as to their effectiveness in preventing children's rights violations based on the indicators identified in the program. The program may be modified accordingly.

2. **Programs to Prevent Children's Rights Violations**

Prevention program shall be an important component of the Comprehensive Children's Programs to be implemented by the Local Government of Tigbauan through the MCPC, schools, youth organizations and other concerned agencies. These programs shall consist of three levels:

1. Primary prevention - general measures to promote social justice and equal opportunity which tackle perceived root causes of children's rights violations such as poverty and other forms of marginalization;
2. Second prevention – measures to assist children who are identified as being more particularly at risk such as those whose parents are themselves in special difficulty or are not caring appropriately for them;
3. Tertiary prevention – schemes to avoid and prevent children's rights violations from happening again.

In all three levels of prevention, official intervention should be pursued primarily in the overall interest of the young person and guided by fairness and equity.

3. **Proactive Programs**

1. ***Parenting Orientation Courses***

a. Parenting Orientation Courses shall be integrated in the curriculum of high schools in Tigbauan subject to DepEd rules and regulations.
b. Marriage license applicants shall be required to participate in a Pre-marriage Counseling Session with Gender and Child Sensitivity Modules, among other requirements, prior to the issuance of a marriage license by the Office of the Local Civil Registrar. This course becomes an integral part of existing family planning seminars or reproductive health courses. The Municipal Council for the Protection of Children in close coordination with the Municipal Health Office and the Office of Local Civil Registrar shall update the design of the family planning seminar in consonance with this Section.
c. As a follow-up to the Pre-Marriage Counseling Session, the parent/ guardian is also required to participate in the Responsible Parenthood Classes and Family Development Sessions conducted in the barangays.
d. Such courses may also be incorporated in Parents-Teachers-Community Association (PTCA) activities for the school year in the elementary and high school levels.

Implementing Rules and Regulations for these provisions shall be formulated by the Municipal Council for Protection of Children in coordination with the Office of the Municipal Local Civil Registrar and DepEd within one (1) year from the effectivity of the Code of General Ordinances.

The Municipal Council for the Protection of Children, MSWDO and DepEd shall initiate the designing of modules for these courses in close coordination with the religious Sector and NGO's with child focused programs.

2. ***Health Care***

A. *Primary Health Care*.- The Local Government of Tigbauan shall implement primary health care nutrition programs for children through the Municipal Health (MHO) in coordination with other line agencies like MSWD and DepEd.

B. *Promotion of Primary Health Care Programs*. –The Barangay Officials shall implement the primary health care programs. Each Barangay Health Center shall have a Barangay Child Health Officer to be designated by the Punong Barangay and shall be supported by Barangay Health Workers (BHW), Barangay Service Point Officer (BSPO) Barangay Nutrition Scholar (BNS) to monitor children's health at the barangay level, with honorarium commensurate to the task assigned.

To further ensure the implementation of this SECTION, the Local Government of Tigbauan shall take appropriate measures:

a. To combat disease and malnutrition within the framework of primary health care through application of readily available technology and the provision of adequate nutritious food and clean drinking water, taking into consideration the dangers and risks of environmental pollution;

b. To establish a comprehensive Parents Orientation Development Program which includes gender-responsive courses on reproductive health, child health and child-rearing practices in the context of Filipino psychology;

c. To monitor the full implementation of the Milk Code of the Philippines and advocate for the prosecution of milk firms which violate such Code; and the Asin Law;

d. To conduct massive information and education on breastfeeding, utilizing existing reference materials for effective breastfeeding programs. Information on breastfeeding shall be an integral part of all school curricula;

e. To combat diseases related to poor sanitation, the LGU through an ordinance shall require each household to install sanitary toilet in their respective houses; and

f. To establish child and adolescence friendly health facilities in all municipalities in the Province of Iloilo.

4. **Child and Gender Sensitivity Training for Child Service Provider**.- All Barangay Health Workers of the Municipality of Tigbauan shall be required to attend training courses on child and gender sensitivity to be conducted by organizations duly accredited by the Municipal Council for the Protection of Children.

5. **Child and Family-Friendly Hospitals in the Municipality of Tigbauan.** All hospitals, Maternity Clinics in Tigbauan shall set up child friendly units to include rooming – in facilities and pediatric appropriate mechanism and gadgets. They shall also allow husbands/partners inside the delivery room during the delivery of their respective wife/partner.

6. **Program for Children with Special Needs**. – The Local Government of Tigbauan shall make a periodic child-focused and child-specific comprehensive survey on children with disabilities in the Municipality as basis for more systematic coordination of basic services (health nutrition and education) for children with special needs.

7. **Educators' and Health Professionals' Training for the Special Program on Children with Disabilities & Special Needs**. A training program for educators and health professionals handling children with disabilities and special needs shall form part of the priority of the Local Government of Tigbauan.

8. **Under Six Program Framework** – The Local Government of Tigbauan shall ensure to the maximum extent possible the survival, growth and development of the child which shall include the following:

a. Monitoring of registration of births and the completion of the routine immunization for prevention of tuberculosis, diphtheria, pertusis, tetanus, measles, rubella, poliomyelitis, pneumonia, hepatitis and such other diseases for which vaccines have been developed for administration to children up to six (6) years of age and among school children.

b. A Reproductive Health Care Center for pregnant mothers for quality prenatal and postnatal care, with infant and young child feeding program through breastfeeding and complimentary feeding;

c. A barangay level network assistance from among the adults of the community for the total development and protection of children;

d. The barangay officials and their barangay-level support systems, may call upon law enforcement agencies when there is an abused, neglected and exploited child who needs to be rescued from an unbearable home situation;
e. Unstructured combined with structured learning exercise for children under early childhood education shall be instituted in the day care centers respecting the rights and responsibilities of the child;
f. Setting up of day care centers in every barangay for children ages three to four (3-4) years of age;
g. Establishment of child-minding centers in the province and in each municipality/ component city whenever necessary;
h. A pool of trained day care or child development workers with level four (4) and five (5) competencies with an upgraded salary scheme commensurate to the task assigned to them;
i. Ensure that basic education is free and compulsory, encourage different forms of secondary education accessible to every child ensure that school discipline shall be consistent with child's rights and dignity;
j. Protect and promote the right of all children to quality education and shall take appropriate steps to make such education accessible to all;
k. Ensure that basic education shall prepare children to become mature and responsible members of society with opportunities for a full and happy life.

9. **Population-Based Day Care Center Setting-Up.** –Pursuant to Republic Act 6972 or the Barangay Level Total Development and Protection of Children Act, day care centers shall be set-up in each barangay in Tigbauan. The number of such centers shall depend on the population level of the children and how depressed the barangay is as determined by the Local Council for the Welfare of Children and Local Social Welfare Office.

10. **Early Childhood and Development Centers.** –Day care service addresses the needs in the crucial stage of a child's growth. By the age of five (5) years old a child's brain has already grown to 90% of its adult weight and much of the way he/she envisions and interacts with the world have been shaped. Thus, the child's formative years and the care he/she gets during this period would have been affected his/her learning capacity, personal and social interaction well adulthood.

    While parents have the primary responsibility to provide for their children's physical, emotional, psychological, mental and social needs, day care service aims to supplement the inability of some parents to provide their children with the proper care and home environment.

    Specifically, the Day Care Center aims to help the child to:
    a. Become physically fit through proper care and nutrition;
    b. Develop self-confidence, self-statement and self-discipline;
    c. Relate well with others and develop sensitivity to children with special needs;
    d. Developmental, intellectual, verbal and psychomotor skills;
    e. Develop strong spiritual, socio-cultural and nationalistic values as well as positive attitudes towards the family community and society in general;
    f. Be protected from all forms of neglect, abuse, cruelty and exploitation.

    Pursuant to Republic Act 6972 or the Barangay-Level Total Development and Protection of Children Act, day care centers shall be set up in every barangay in the Province of Iloilo. The number of such centers shall depend on the population level of the children and how depressed the barangay is as determined by the respective social welfare offices. The local government unit concerned shall pay for the day care worker's allowance and honorarium. The MSWD and the local social welfare and development officer shall provide continuing technical assistance and supervision to the center services.

11. **Setting-up of Early Childhood Care and Development Centers by Community Based Organizations.** -Community based-organizations can help mobilize resources to complement the effort of the Municipality in establishing day care centers in their communities. In this way more children needing attention can be reached.

12. **Day Care Worker and Support Group**
    1. The Local Government and each barangay shall pay for the Day Care Workers' (DCW) allowance and salary. The MSWDO shall provide continuing technical assistance in the center.

2. A community Volunteer Parents Group shall be organized to be an effective support group to the center. The volunteer group shall help mobilize resources for the improvement of the center's acquisition of some learning materials and play equipment and other support services.

13. **Barangay-Level Recreational and Cultural Facilities and Program-** A barangay level program of the revival of indigenous games and recreation shall be installed. Research and documentation of indigenous games and pastimes shall be undertaken by the Tourism Office of the Local Government of Tigbauan. Every Barangay in the municipality shall allocate space for recreational facilities appropriate for different age groups. A year-round cultural program appropriate for different age groups shall be designed with due respect to cultural diversity. Indigenous games shall be encouraged in various athletic and sports programs of the municipality.

14. **Municipal Children's Literature.** -In support of the thrust for socio-cultural development of children in the Municipality of Tigbauan, the municipality shall invest in the promotion and production of local literature for children and other relevant educational materials recognized by DepEd.

15. **Other Child-Friendly Facilities.** -The Local Government of Tigbauan in partnership with civil society organizations and civic organizations shall put up and maintain other child-friendly facilities such as but not limited to libraries, museums, knowledge center for children parks and playgrounds and facilities for children with disabilities

    To cultivate/ encourage the children the love of books, the barangay shall establish a mini library and learning center in the barangay.

16. **Program for Out of School Youth-** The Municipality of Tigbauan shall establish a center for Out of School Youth in the Municipality which program shall include values formation and Alternative Learning System to provide a viable alternative to the existing formal education instruction.

    The ALS shall be implemented by the DepEd in coordination with the MSWDO.

SECTION 108. CHILDREN'S MONTH CELEBRATION

1. **November as National Children's Month** -In keeping with the mandate of Republic Act No. 10661 declaring the month of November as National Children's Month, the local councils for the protection of children shall conduct child-focused activities for the month promoting the rights and responsibilities of Filipino children as well as the obligations of the people and institutions responsible in ensuring the well-being of Filipino children.

2. **November 17, of Every Year, as the Provincial Children's Day.** - Pursuant to Republic Act No. 10661 dated July 28, 2014 "An Act declaring November of every year a National Children's Month", the Province of Iloilo shall celebrate every 17th day of November as Provincial Children's Day.

SECTION 109. CRISIS INTERVENTION PROGRAM

1. **Crisis Intervention Program**

   A. ***Establishment and Rationale of the Crisis Intervention Center***. In recognition for the special need for protection, assistance and development of children in consonance with the spirit and letter of the Constitution Provisions and the RA 7610, mandating the establishment of a crisis center in every province and city and authorizing the appropriation of funds therefore, a crisis intervention center shall be established in the Municipality of Tigbauan. Services of the center shall not be limited to abused children but equally cater to the other vulnerable sectors of society, particularly women.

   B. ***Objectives of the Crisis Intervention Center***. The Crisis Intervention Center shall have the following objectives:
   1. To provide temporary shelter and basic services to abused children and women.
   2. To network with non-government organizations and government agencies for the provision of the needed medical, psycho-social and legal services necessary in restoring/building the self-esteem of its clients;
   3. To encourage and build the capacities of abused children and women to come into the open and pursue cases in Court whenever they are ready;

4. To provide skills and livelihood training to abused children and women while in the center to enable them to be productive and as form of therapy;
5. To provide livelihood assistance and placement of abused women and children who are ready to be reintegrated with their families and communities;
6. To conduct a municipal-wide education and advocacy program aimed at raising public awareness on the evils of child abuse and domestic violence, and a massive information dissemination on the rights of children and women;
7. To link-up with provincial, city and other government entities mandated to formulate and enforce legislation aimed at the protection of children and women for policy reforms and enforcement of laws.

C. *Organizational Structure, Management and Operations of the Center*

1. The Local Council for the Welfare of Children shall formulate the organizational structure of the center depending on the need for its services;
2. The member agencies of the MCWC and other national agencies and CSO's which shall pledge support for the center will sign a Memorandum of Agreement for their commitment of service and/or resource to ensure the sustainability of center's services;
3. The center shall be under the supervision of the MSWDO;
4. The MSWDO and the MCWC in coordination with the Local Government shall issue the necessary rules, policies. Regulations and guidelines for the effective implementation of the programs of the center.

2. **Budget Allocation for the Crisis Intervention Center, Operations and Maintenance.** – The Local Government of Tigbauan shall provide support for the construction, maintenance and continued operations of the crisis intervention center by appropriating specific funds which shall form part of the MSWDO annual appropriation.

3. **Child-Centered Community Development (CCCD)**- The Local Government Unit shall promote the child-centered community development and develop programs to encourage children to actively participate in community activities and process to promote children's right, identify their own needs, access community resources, design their own project and empower children to continue with their plan of action for the years to come.

4. **Establishment of the Local Population Office.** – There shall be established a Local/Municipal Population Office (MPO) which shall be responsible for the implementation of the Population Management Program with responsible parenthood as the basic policy. The MPO shall likewise implement programs on Reproductive Health (RH) in order to perform and enhance the role of parents in promoting thereon as well as their children's rights and develop and empower the youth and adolescents to become healthy and capable in the achievement of their goals.

5. **Establishment of Adolescent Reproductive Health (ARH) Teen Center.**
   - **a.** A community based ARH Teen Center shall be set-up in the heart of the Municipality to cater the needs of adolescents/youth who are affected by common issues and problems.
   - **b.** Adolescents Reproductive Health Task Committee Members with the Municipal Mayor, as the chairman shall prepare the organization design of the center.
   - **c.** The local agencies and the national agencies shall be coordinated to act on all referrals of clients from the municipality.
   - **d.** The adolescents/youth sector of the municipality, to include the SK, PYA, OSY, ISY be the respondent of the year.
   - **e.** The center shall be operated by identified and qualified adolescents/youth as appointed by ARH Task Force Committee with the close supervision of the Population Office and other members of the committee.

6. **Prohibited Acts and Penalty**. In addition to all acts defined and penalized under Republic Act 3815 as Amended (The Revised Penal Code), P.D. 603 (The Child and Youth Welfare Code), Republic Act 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act) as amended by Republic Act 9231 (An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Protection for the Working Child), Republic Act 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act 9262 (Anti-Violence Against Women and Children), and other pertinent laws, administrative orders, executive orders and issuances involving a child , the following acts shall likewise be punishable:
   - ***a.*** **Illegal Recruitment** – Any recruiter shall be required to register with and secure a permit to operate/recruit for a barangay clearance from the Office of the Punong Barangay, and to secure a Mayor's permit to operate in the concerned municipality, with an undertaking not to recruit children.

b. **Child Trafficking** – Transporting a child/children from his/her place of residence without any justifiable reason and without the consent of his/her parents or guardian there is a presumption of child trafficking when a person is found together with three or more minors not his/her relatives or ward at the pier or port of exit for the purpose of transporting the minors to another place without any clearance/permit from the barangay where the children came from. The Barangay Official who issues a false permit or makes false statements in the permit shall also be liable under this section;

c. **Peonage of Children** - Offering the child or the services of a child as payment for debt or in exchange for a favor, such as but not limited to:

1. Subjecting the child to work in agricultural and industrial establishments like rice and corn plantations or farms;
2. Working as house helpers.

d. **Pre-arrangement for Marriage** – Pre-arrangement (*buya*) made by parents or guardian marry off their children or wards. One manifestation of pre-arrangement may be when two (2) families meet to seriously talk about the marriage of their children to each other;

e. **Using Girls as Commodities in Benefit Dances** – Organizers of benefit dances, persons facilitating or anchoring such benefit dances shall be penalized under this section if they shall use children as dancing partners for payment, fee or any other monetary consideration to the organizers;

f. **Discrimination of Children** – Discrimination of children by prohibiting and depriving them of formal education by reason of their age and sexual orientation, religion or disability;

g. **Discrimination of Illegitimate** – For schools to discriminate against illegitimate children as follows but not limited to the following:

1. Refusal to accept enrolment of illegitimate children in the school by reason of one's illegitimacy; and
2. Requiring the marriage contract of parents as a requirement for enrolment of the child.

h. **Expulsion by Reason of Pregnancy** – For schools to impose a penalty of expulsion against a child who has complied with all academic requirements by reason of her pregnancy;

i. **Refusal to Graduate by Reason of Pregnancy** – For schools to refuse to graduate a child who has complied with or is willing to comply with all academic requirements by reason of pregnancy;

j. **Refusal to Issue Clearances by Reason of Pregnancy** – For schools to issue clearances to a child by reason of pregnancy;

k. **Physical and Degrading Form of Punishment** – Subjecting the child to physical and degrading forms of punishment such as, but not limited to the following:

1. Ordering or directing a child to kneel on salt;
2. Placing a child inside a sack or any container, or hanging him/her;
3. Shaving the head of a child;
4. Harsh whipping of the child with the tail of a stingray *(pagi),* stick, belt and other similar objects.
5. Stripping the child of his/her clothes;
6. Locking up the child in a cabinet or *aparador* or any enclosed structure;
7. Tying up the child or otherwise detaining him/her;
8. Throwing objects such as but not limited to erasers, chalk, books and notebooks at the child;
9. Pulling the hair of the child;
10. Making the child stand under the heat of the sun; and
11. Exposing the child to be bitten by the ants

l. **Prohibiting a Child or Pregnant Minors to Access Health Services and Facilities**;

m. **Pushing/ Enticing Children to Live-In Arrangements** – For parents to entice, encourage and/or push their children to live together with any person as husband and wife in exchange for money or any other consideration;

n. **Sexual Exploitation of Minors** – Sexual exploitation of children by any person, foreigner or otherwise. Consorting with children in any sexual or lascivious conduct, or public display of sexual or lascivious conduct involving children shall be considered prima facie evidence of sexual exploitation;

o. **Entry, Selling, Distributing, and Showing of Pornographic Materials** – Selling, distributing, or showing of pornographic materials to children, or possessing or selling, distributing or showing pornographic materials in places where children are present. There is a prima facie evidence of violation of these section when the act is done in the presence of the child;

p. It shall be unlawful for any person to sell liquor, cigarette, rugby or any addicting substance to a child;

q. Smoking in public places;

r. Recruitment of children as laborers in pyrotechnic industries, illegal fishing, sugar cane plantation, rice plantation, corn plantation and other worst forms of child labor practices;

s. Using children in social and/or cultural activities where they are compelled to wear skimpy outfits and/or perform sexually suggestive movements or immoral activities;

t. Allowing children to smoke, drink alcoholic beverages, use or possess illegal drugs and use or possess deadly weapons. Any adult who has in his company a child who smokes, drinks, use or possess illegal drugs, or use or possess deadly weapon shall be presumed guilty of this provision.

u. Allowing a child below twelve (12) years of age to drive or operate a *pedicab/trisikad* for any purposes. The owners of the *pedicab/trisikad* driven/operated by the child is presumed to have allowed the child to drive/operate such *pedicab/trisikad* in public places, streets, and highways shall be guilty of this provision;

v. Failure to provide possible medical and educational opportunities to a child living in a house other that the child's own home or to a child working as a household helper;

w. Bringing of a child below fifteen (15) years of age to public gatherings or any other situation which may expose the child to harm and danger;

x. Exposing a child to any gambling activity, which may include, but not limited to , any game of jueteng, masiao, animal race, illegal numbers games, longing, pula-puti, and cockfighting or any other games involves risking something of value on an uncertain event in hopes of winning something of greater value. (Forms of Gambling and Betting), R.A. 3063 (Horse racing Bookies), P.D. 449 (Cockfighting), P.D. 483 (Game Fixing), P.D. 510 (Slot Machines) in relation to Opinion Nos. 33 and 97 of the Ministry of Justice, P.D. 1306 (Jai-Alai Bookies). Any adult who brings or has in his company a child in any place where gambling activities. The financer, owner, manager or operator of any place or premises where the gambling activity is held or conducted shall also be presumed guilty of exposing a child to any gambling activity when a child is allowed inside the place where any gambling activity is held or conducted.

y. Having a child on board a public utility vehicle without the adequate seat as a passenger.

7. **Employment of Domestic Helpers of Household Service-** Persons below 18 years of age may be allowed to engage in domestic household service,. Subject in all cases to the limitations prescribed in this Code; provided further that the employer shall give him/her an opportunity to complete at least elementary education.

8. **Enforcement**. – The labor standards enforcement officers of the Department of Labor and Employment shall use the foregoing provisions as additional guidelines in monitoring compliance with labor standards laws related to child labor.

9. **Exception to the Prohibition on Employment of Minors**. – The following shall be only exceptions to the probation on the employment of children below 15 years of age and conditions for the availment of such exceptions:

1. When the child works directly under the sole responsibility of his/her parents or legal guardians who employ members of his/her family only, under the following conditions;
   a. The employment does not endanger the child's life, safety, health and morals;
   b. The employment does not impair the child normal development; and
   c. The employment parent or legal guardian provides the child with primary and or secondary educational prescribed by DepEd.

2. Where the child's employment or participation in public entertainment or information through cinema, theatre, radio or television is essential provided that:
   a. the employment does not involve advertisement or commercials promoting alcoholic beverage, intoxicating drinks, tobacco and its by-products or exhibiting violence;
   b. there is a written contract approved by the Department of Labor and Employment; and

c. the conditions prescribed in Section 5.A.4.a hereof are met.

Before the employer engages a child for employment under the exceptions enumerated above, he/she shall first secure a work permit from the Office of the DOLE.

10. ***Sagip Anghel*** **Task Force*/ Sagip Batang Manggagawa* – Quick Action Team.** The Municipal Inter-Agency Quick Action Team shall be created for detecting, monitoring and rescuing children in extremely abject conditions such as bonded labor, commercial sexual exploitation/trapped in the prostitution, trafficking, mining & quarrying, home-based industries (sub-contract agreements), hazardous work/activities.

11. **Composition**. – The Municipal Mayor as chairman with DOLE, MHO, MSWDO, DILG, PNP, CIDG, Liga ng mga Barangay, DEPED, CHR. NCIP, OMA, NGO, as members.

SECTION 110. CONTROL ON EXPOSURE TO NEW TECHNOLOGY

1. **Control on Exposure to Video Games -** Commercial establishments renting out digital/electronic video games to children during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon, and beyond 7:00 o'clock in the evening, shall be subjected to suspension of business permit for fifteen (15) days during the first offense and, one (1) month suspension of the same for the second offense. Confiscation of Video game equipment and cancellation of the business permit of the same establishment shall constitute the penalty for the third offense.

2. **Control on Children's Exposure to Internet Café's. –** Internet café's catering to children except college students during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon and beyond 7:00 in the evening shall be subjected to suspension of the same for the second offense. Confiscation of computer units and cancellation of the business permit for said establishment shall constitute the penalty for the third offense.

SECTION 111. CHILDREN IN SITUATIONS OF ARMED CONFLICT

1. **Protection of Children in Situation of Armed Conflict.** – Children in situations of armed conflict shall be considered victims and shall be afforded full protection in accordance with the provision of Article X of Republic Act 7610 or the Anti-Child Abuse Act.

SECTION 112. CHILDREN OF INDIGENOUS PEOPLES

1. **Rights of Children of Indigenous Minorities**
   - **1.** In addition to the rights guaranteed to children under this Code and the Indigenous People Right Act (Republic Act No. 8371), children of indigenous cultural communities (ICCs) / indigenous peoples (IPs) shall be entitled to protection, survival, participation and development consistent with the customs and traditions of their respective communities;
   - **2.** The MCPC in coordination with DepEd district office shall encourage and support the integration into the IP curriculum the Indigenous Knowledge System and Practices (IKSP) relevant to the needs and interest of ICC/IP children.
   - **3.** The delivery of basic social services in health and nutrition to children of Indigenous Cultural Communities/ Indigenous Peoples should be given priority. Service providers in hospitals and other institutions shall be culture sensitive in dealing with indigenous people especially children. They shall not be subjected to any form of discrimination and verbal abuses that degrade their dignity and self-esteem. Their traditional health knowledge, beliefs and practices should be respected.
   - **4.** Children of indigenous people shall not be subjected to any form of discrimination.

SECTION 113. CHILDREN IN CONFLICT WITH THE LAW

1. **Guarantee under the United Nations Convention on the Rights of the Child (UNCRC)** – Pursuant to the UNCRC, every child alleged or accused of having infringed the penal law at least the following guarantees:
   - **1.** To be presumed innocent until proven guilty under the law;
   - **2.** To be informed promptly and directly of the charges against him/her, if appropriate, through his/her parents or legal guardians, and to have legal and other appropriate assistance in the preparation of his/her plea/defense;
   - **3.** To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child,

in particular, taking into account his/her age or situation, or his/her parents or legal guardians;

4. Not to be compelled to give testimony or to confess guilt; to examine adverse witness and to obtain the participation of, and examination of the witness on his/her behalf under conditions of equality;

5. If considered to have infringed the penal law, to have the decision and any measure imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

6. To have the free assistance of an interpreter if the child cannot understand or speak the language used;

7. To have his/her privacy fully respected in all stages of the proceedings;

2. **Rights of the Child in Conflict with the Law–** Every child in conflict with the law shall have the following rights, including but not limited to:
   a. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;
   b. The right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;
   c. The right not to be deprived, unlawfully or arbitrarily, of his/her liberty, detention or imprisonment being disposition of last resort, and which shall be for the shortest appropriate period of time;
   d. The right to be treated with humanity and respect for the inherent dignity of the person, and in a manner which takes into account the needs of a person of his/her age. In particular, a child deprived of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He/she shall wait hearing of his/her own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his/her family through correspondence and visits, save in exceptional circumstances;
   e. The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;
   f. The right to bail and recognizance, in appropriate cases;
   g. The right to testify as a witness in his/her own behalf under the rule on examination of a child witness;
   h. The right to have his/her privacy respected fully at all stages of the proceedings;
   i. The right to diversion if he/she is qualified and voluntarily avails of the same;
   j. The right to be imposed a judgment in proposition to the gravity of the offense where his/her best interest, the rights of the victim and the needs of society are all taken into consideration by the court, under the principle of restorative justice;
   k. The right to have restrictions on his/her personal liberty limited to the minimum, and where discretion is given by the law to the judge to determine whether to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
   l. In general, the right to automatic suspension of sentence;
   m. The right to probation as an alternative to imprisonment, if qualified under the Probation Law;
   n. The right to be free from liability for perjury, concealment or misrepresentation;
   o. Other rights as provided for under existing laws, rules and regulations.

3. **System of Diversion** – A system of diversion is hereby established wherein juveniles shall as much as possible be referred to alternative measures without undergoing court proceedings. Diversion shall apply to a child or youth as defined in SECTION 7 of this Code and subject to the conditions hereinafter provided.

4. **Levels of Diversion** – Diversion shall be conducted at the Barangay and Police level. The Lupong Tagapamayapa and the BCPC are the competent authorities to conduct diversion proceedings.

5. **Duty to Inform the Child of His Offense** – The competent authorities are duty bound to the minor in a language known and understood by him/her the consequence of his/her acts and/ or omissions. The minor's responsibility for the commission of any felony shall be explained to

him/her with a view towards counseling and rehabilitating him/her, and avoiding his/her contact with the criminal justice system and indemnifying the victim/s if there be any.

6. **Intervention and Delinquency Prevention** – Each LGU shall establish programs for CICL or CAR intervention and delinquency prevention to address issues that cause the child to commit an offense, taking into consideration the following:
   a. Emphasis on the intervention policies facilitating the successful socialization and integration of all children with the family, through the community, peer group, schools, vocational training and world of work, as well as through voluntary organizations;
   b. Due respect should be given to the proper personal development of children, and they should be accepted as full and equal partners in socialization and integration processes; and
   c. Provision of local counterpart for the establishment of school-based/ community-based teen centers, and other similar facilities.

   The LGU shall comply with the guidelines prescribed in the National Intervention Program by the CICL or CAR Justice Welfare Council as provided for in R.A. No. 9344 (CICL or CAR Justice Welfare Act of 2006) and its Implementing Rules and Regulations, in the formulation of its CICL or CAR Intervention and Delinquency Prevention Programs.

7. **Indigenous Modes of Diversion** – Indigenous moves of conflict resolution in harmony with international and national human rights and child's rights standards shall be resorted in and encouraged. The minor and his /her families shall be held answerable as well as exercise parental care and supervision over the person of the minor;

8. **Termination of Case**. If the competent authorities shall have ascertained that the child did not commit the offense charged, the case shall be terminated and decision to that effect shall be written and explained to both parties.

9. **Confession or Admission of Offense**. If the child voluntarily admits or confesses to the commission of the offense charged, the competent authorities shall decide on the diversion program to be undertaken by the child. Any admission or confession of the child shall be signed by the child and countersigned by the parents or legal guardian, and any of the following in the following order:
   1.) local social welfare and development officer,
   2.) the nearest relative;
   3.) member of a child focused group, religious group, or a member of the BCPC concerned. They shall see to it that the confession of the child is voluntarily executed.

   If the child does admit or confess to the commission of the offense and the weight of the evidence presented shows that the child conclusively committed the offense, the competent authorities shall endeavor to make the child realize his/her responsibility and obligation arising from the commission of the offense as well as the penalty imposed therefor.

   During the stage of the diversion proceedings, any admission or confession of a child for an offense shall be inadmissible as evidence against the child should the diversion proceedings fail. Neither shall the same be held to be admissible in evidence against the child before any proceeding.

10. **Prohibition Against Labeling** – In all conduct of the proceeding from the initial contact of the child, the competent authorities shall refrain from branding or labeling minors as young criminals, CICL or CAR delinquents, prostitutes, snatchers, rugby boys or attaching to them in any manner any other derogatory names. Likewise, no discriminatory remarks and practices shall be allowed particularly with respect to the minor's class or ethnic origins. The officer violating this provision shall ne administratively liable.

11. **Prohibited Acts Against Children In Conflict With Law** – Any and all acts and practices which are prejudicial and detrimental to the psychological, emotional, social, spiritual, moral and physical health and well-being of the minor shall be prohibited.

    Authorities shall refrain from employing threats of whatever kind and nature and/or abusive, coercive and punitive measures in dealing with minors. Such practices, whether committed directly or indirectly by persons in authority, their representatives, or any other persons acting under them or in their behalf such as cursing, beating, stripping and detaining minors in cells – shall be dealt with administratively and criminally;

Likewise, degrading, inhumane forms of punishment such as shaving the heads of minors, pouring irritating corrosive or harmful substances over their bodies, or forcing minors to walk around the community wearing signs which embarrass, humiliate and degrade their personhood and dignity and which harm them psychologically, emotionally, spiritually, morally and physically shall be prohibited.

No minors shall likewise be made subject to involuntary servitude in any and all forms under any and all instances by arresting officers and/or custodians. Designating and/or compelling minors to act and serve as errand boys/girls, cleaners or helpers are also prohibited.

12. **Intervention Programs, When Proper.** – Where the parties and/or component authorities decide that the child shall undergo a diversion program, such a continuing program for the rehabilitation and reintegration of the child shall be formulated with the cooperation of the complainant, the child and the parents/guardian of the child, in accordance with the provisions of R.A. 9344, as amended, (CICL or CAR Justice Act of 2006), its implementing rules and regulations and other pertinent laws.

13. **Factor in Determining Intervention Programs.** – In determining whether diversion is appropriate and desirable, the following factors shall be taken into consideration:
    a. The circumstances of the child (e.g. age, level of development, educational background, etc.)
    b. Needs of the child especially if disadvantaged, i.e. street child, or child with mental or physical difficulties;
    c. Family and social background of the child;
    d. Influence of family and environment on the growth of the child;
    e. Ability and willingness of the parents or guardians to guide and supervise the child;
    f. The nature and circumstances of the offense charged;
    g. Availability of community-based programs for intervention and prevention; and
    h. Safety and security of the child.

14. **Criteria of Formulating Intervention Programs.** – In formulating a diversion program, the individual characteristics and the peculiar circumstances on the child shall be used to formulate an individual treatment. The following factors shall be considered in formulating a diversion program of the child:
    1. The child's feeling of remorse for an offense he/she committed;
    2. The parents or legal guardians' ability to guide and supervise the child;
    3. The victim's views about the propriety of the measures to be imposed;
    4. The availability to community-based programs for rehabilitation and reintegration of the child;

15. **Intervention Programs -** The Diversion Programs shall include adequate socio-cultural and psychological responses and services for the child. Diversion Programs can include, but not limited to the following:
    a. Written or oral reprimand or citation;
    b. Restitution of property;
    c. Reparation of the damaged caused;
    d. Indemnification of consequential damages;
    e. Confiscation and forfeiture of the proceeds or instruments of the crime;
    f. Fine;
    g. Payment of costs of the proceedings;
    h. Written or oral apology;
    i. Guidance and supervision orders;
    j. Counseling form the child and the family;
    k. Trainings, seminars, lectures on (a) anger management skills, (b) problem solving and/or conflict resolution skills, (c) values formation, and (d) other skills which help the child to deal with situations which can lead to re-offending;
    l. Community-based programs available in the community;
    m. Institutional care and custody;
    n. Counseling;
    o. Peer counseling and life skills training and education;
    p. Provision of support services to the family, e.g. education, health, skills training;
    q. Referral to other agencies for appropriate services, e.g. education, health, skills training; and

r. Access to child and youth organizations in the community, such as but not limited to the Sangguniang Kabataan.

16. **Criteria for Community-based Programs** – The Local Government of Tigbauan and every barangay shall establish programs, through the MCWC and the BCPC that will focus on the rehabilitation and reintegration of the child. All programs shall meet the following criteria:
    a. Its primary purpose shall be the rehabilitation and reintegration of the child;
    b. Referral to such programs shall need the consent of the child and the parents or legal guardian/s;
    c. The participation of other child-centered agencies, religious, civic and other organizations shall be allowed;
    d. Community service;
    e. Membership in civic and/or religious organizations.

17. **Conditions or Intervention Programs** – In all cases where a child is required to undergo a diversion program, the following conditions shall be mandatory:
    a. A contract of diversion containing the diversion programs to be undergone by the child and the parents or legal parents/ guardian if applicable shall be signed by the authority concerned and the child;
    b. The child shall present himself/herself to the competent authorities that imposed the diversion at least once a month for reporting and review of the effectiveness of the program;
    c. The child shall cooperate and faithfully comply with the conditions in the contract;
    d. The child shall permit the competent authorities and/or the municipal social welfare and development officer to visit the child's home;
    e. The child and other parties concerned shall satisfy other conditions related to the diversion program as long as such conditions are not contrary to law, morals and good customs. Such other conditions shall be considered void and shall not affect the conditions that are validly agreed upon and written in the contract of diversion.

18. **Applicability of the *Katarungang Pambarangay*** – The Katarungang Pambarangay Law shall be applied as part of the diversion process for offenses punishable by imprisonment not exceeding one (1) month or a fine not exceeding Five Thousand Pesos (5,000.00).

19. **Training of the *Lupong Tagapamayapa*.** – In addition to the requirement provided in SECTION 399 of the Local Government Code, the members constituting the Lupon shall be provided with regular training by the Local Government in cooperation with the Local Social Welfare and Development Officer and CSOs specializing in children, which training shall include, among others, conflict management and mediation skills, paralegal seminars on laws on children and child psychology.

20. **Assistance of Child by Parents.** – Any Agreement resulting in barangay conciliation shall also be signed by the child with the assistance of any of the following in the following order;
    1. the parent/s or legal guardian/s;
    2. municipal welfare and development officer or his/her representative,
    3. a relative within the 3rd degree of consanguinity, and
    4. a member of a child-focused group, or
    5. a member of the BCPC concerned. Otherwise, such documents shall be null and void.

21. **Referral to Diversion Programs.** – In the process of conciliation, the Lupon or the Pangkat as the case may be shall encourage the inclusion of community service program or other Unit (CYRO OR CYRU) to handle cases involving children in conflict with law. This may be integrated with the present Women and Children's Desk or maybe a separate unit.

22. **Designation of Officer or Unit to Handle Cases Involving Youth Offenders.** – The LGUs shall designate Local Social Welfare and Development Officers to handle cases involving youth offenders. They shall handle all cases involving children, family relations and domestic violence, and shall be required to undergo annual mandatory training on handling such cases.

23. **Manner of Investigation of a Child in Conflict with Law.** – A child shall only be investigated or his/her statement secured in the presence of any of the following orders:
    a. his/her parents/guardians;
    b. the nearest relative;
    c. member of a child-focused or religious group;

d. member of the BCPC concerned;
e. the municipal social welfare and development officer; and
f. his/her counsel.

In their presence, the child shall be informed of his/her constitutional rights to remain silent and to have a competent and independent counsel of his/her own choice in a language that is clearly understood by the child, the parents/guardian.

If the child cannot be represented by counsel of his/her own choice, the CYRU OR CYRO shall conduct a member of a Public Attorney's office to assist the child. Any confessions and admissions in violation of these rights are inadmissible as evidence against the child. Respect for the human rights of the child, as provided by both international and Philippine Laws, shall be of paramount consideration during the custodial investigation.

24. **Diversion When Proper.** – Where there is no private offended party, or where the offended party and the child give consent to a diversion, the CYRU OR CYRO in consultation with the child's parents/guardians, nearest relative, member of the child-focused group, member of a religious group, member of the Barangay Council for the Protection of Children Concerned, or the municipal social welfare and development officer, shall formulate a diversion program and refer the child to the appropriate agencies for compliance of the program.

25. **Right of the CICL or CAR to Counsel.** – From custodial investigation and throughout the proceedings, the CICL or CAR shall have the right to be represented by counsel. The arresting officer, prosecutor or judge shall ensure that the CICL or CAR is represented by counsel before proceeding with the investigation or trial. Any confession or admission made in any proceeding without the assistance of counsel shall be null or void. Ensure that immediately and not later than eight (8) hours after apprehension, custody of CICL are turned over to social services.

26. **Custody and Supervision** – No child shall be removed from parental supervision, whether partly or entirely, unless the circumstances or her/his case make protective custody necessary. The competent authorities conducting diversion proceedings shall immediately commit the child to the custody of the child during the diversion proceedings. In the absence of the parents or legal guardian, the child shall be committed to the care of the nearest relative, a member of the BCPC, or the municipal social welfare and development officer. If necessary, the municipal social welfare and development officer in coordination with the MSWD may refer the child to the appropriate child caring institution.

27. **Confidentiality of Proceedings and Records.** – All records and proceedings involving children shall be confidential. The public shall be excluded during all proceedings and the records shall not be disclosed directly or indirectly to anyone by any of the parties or the participants in the proceedings. The competent authorities shall undertake all measures, including non-disclosure of records to the media, maintaining a separate police blotter for cases involving children and adopting a system of coding to conceal material information which will lead to the child's identity. Records of juvenile offenders shall not be used in adult proceedings in subsequent cases involving the same offenders.

28. **Care and Maintenance of Children in Conflict with Law.** – The parents or other person liable to support the children shall pay the expenses for the care and maintenance of said child whose disposition of the case is institutionalization. The disposition shall include the proportion of support if such person is not capable of paying the whole amount and the rest shall be paid by the Local Government maintaining such a facility.
    1. There shall be maintained an interventional facility governed by the LGU-Tigbauan known as the DUYAN NG PAG-ASA to cater to abused children and children in conflict with the law;
    2. The standards in maintaining the DUYAN NG PAG-ASA must conform with the requirements of the concerned government agencies involved in the program.

29. **Reintegration Program.** – The Local Government shall implement reintegration programs for a CICL or CAR who is released by the court. This is for the purpose of preparing the said child for reintegration to the community.

SECTION 114. LOCAL COUNCILS FOR THE PROTECTION OF CHILDREN

1. **Municipal Council for the Protection of Children**

Creation of the Local Council for the Protection of Children (MCPC). The Sangguniang Bayan shall create a council for the protection of children and coordinate with the BCPC. This is in keeping with the Municipal Council for the Protection of Children (MCPC) to coordinate the formulation, implementation and enforcement of all policies, programs and projects relative to the survival, development, participation and protection of children, and the Philippine Plan of Action for Children (PPAC)

It shall plan and implement programs and services for children by virtue of the Municipal government's power and authority to plan and implement municipal socio – economic plans, policies and programs.

2. **Composition and Functions of the Municipal Council for the Protection of Children (MCPC).**

a. Composition of MCPC

Members of the MCPC shall include the following agencies, departments, offices or unit or other agencies it deems important depending on the current situations/programs of the municipality:

- Chairman – Municipal Mayor
- Co – Chairman
- The Chairperson of the SB Committee on Women and Family
- The Municipal Planning and Development Coordinator
- The Municipal Social Welfare and Development Officer
- The Municipal Health Officer
- The Municipal Schools Division Superintendent
- The Department of Labor and Employment Officer
- PTCA President
- Three (3) NGO's Representative – two of whom are appointed by the committee handling ACCD programs and one (1) from the trade / Labor Union Sector.
- One (1) child representative
- The President of the Liga ng mga Barangay
- The Municipal Budget Officer
- The Chief of Police
- The Nutrition Officer
- The Municipal Treasurer

The Municipal Mayor may designate any member as co–chairman. The MCPC shall oversee and coordinate with the implementation of this Code.

b. Functions of the MCPC

- Formulate plans, programs and policies for children that are gender–fair, culturally relevant and responsive to the needs of diverse groups of children from 0 to below 18 years of age;
- Prepare Annual Work Financial Plan (AWFP) for children and recommend appropriations to the Sanggunian;
- Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
- Provide technical assistance and recommend financial support to the Barangay *Council for the Protection of Children;*
- Establish and maintain database on children in the municipality;
- Foster education of every child;
- Advocate for the establishment and maintenance of playgrounds, day care centers and other facilities necessary for the child and youth development;
- Recommend to the Sanggunian legislation's promoting child survival, protection, participation and development, especially on the quality of television shows and media prints and coverage, which are determined to children with appropriate funding support.
- Conduct capability-building programs to enhance knowledge and skills in handling children's programs;
- Protect and assist children in need of special protection (*e.g. abandoned, maltreated and dependents*) and refer cases filed against child abuses to proper agencies/institutions;
- Monitor situational reports on children updates including the implementation of children program and make recommendation of children programs to the Municipal Development Council (CDC) for consideration; and
- The MCPC shall oversee and coordinate the implementation of this Code.

- Secretariat support shall be provided by the Municipal Social Welfare and Development Office and be responsible for the documentation of proceedings of meetings and preparation of reports and other necessary documents as needed by the MCPC.

3. **Representation of the Civil Society Organization in the MCPC.** The MCPC shall invite CSO's with child-focused programs to be members in the MCPC, provided that these CSOs are duly accredited by the Sangguniang Bayan based on its criteria of accreditation.

4. **Internal Rules of the MCPC.** The MCPC shall adopt its own internal rules of procedures and regulations to serve as guidelines for the members in the parliamentary procedures, order of meeting and quorums, discipline and such other rules the council may deem proper.

5. **Creation of Barangay Councils for the Protection of Children (BCPC).**The Barangay Council shall create a Barangay Council for the Protection of Children (BCPC) with the following composition:
   a. The Punong Barangay, who may act as Chairperson;
   b. The Chairman on the Committee on Youth and Sports Development who may act as Vice Chairperson;
   c. A representative of the municipal government concerned with the welfare of children, whose area of assignment includes the particular barangay;
   d. A representative from each of the civil society organizations (CSOs) concerned with the welfare of children and operating in the barangay;
   e. An active and responsible member of the community;
   f. An active member from each of the People's Organizations (POs) in the barangay;
   g. A representative from DepEd, DOH and human rights group;
   h. A child advocate whose age ranges from 9 – 14 duly chosen by the barangay officials.

6. **The BCPC shall have the following functions:**
   a. To foster education of every child in the barangay. To ensure that every child in the barangay acquires at least an elementary education;
   b. To encourage the proper performance of the duties of the parents and provide learning opportunities on the adequate rearing of the child and on positive parent- child relationship;
   c. To report all cases of child abuse to the proper authorities;
   d. To prevent child labor in their area and to protect working children from abuse and exploitation;
   e. To take steps to prevent juvenile delinquency and to assist children with behavioral problems so that they can get expert advice;
   f. To adopt measures to promote the health and nutrition of children;
   g. To promote the opening and maintenance of playgrounds and day care centers and other services that is necessary for child and youth welfare and development;
   h. To secure the cooperation of organizations devoted to the welfare of children and coordinate their activities;
   i. To promote wholesome entertainment in the barangay especially in the movie houses;
   j. To assist parents whenever necessary in securing expert guidance and counseling from the proper government or private welfare agencies;
   k. To advocate for the passage of a child–friendly barangay ordinances in response to child–related issues and concerns;
   l. To prepare the barangay plans of action for children which address the needs of children in the barangay and ensure implementation by the barangay; and
   m. To submit quarterly barangay accomplished reports to the MCWC on the implementation of plan.

7. **CHILDREN'S CONCERNS DESK** - There shall be created a Desk for Children in the following offices:
   a. Municipal Social Welfare and Development Office;
   b. Municipal Health Office;
   c. Philippine National Police (PNP) Station;
   d. NGO's that cater to children programs;
   e. Schools
   f. Barangays

8. **Functions of the Desk for Children's Concern.** The Desk for Children's Concern shall:
   a. Act as secretariat to the MCPC;
   b. Serve as a venue to respond to children's needs and problems;

c. Coordinate or facilitate with appropriate institutions for direct assistance;
d. Provide appropriate physical, medical and psychological interventions and other needed services.

9. **Consultations with the Desk for the Children's Concern.** The Desk for Children's Concern shall be consulted by the Municipal Government and other bodies whenever they are considering proposal to change or repeal existing laws or to introduce new legislation likely to affect children's lives.

10. **Reporting to the United Nations Committee on the Rights of the Child.** The Desk's for Children's Concern shall be consulted over reporting obligations under the UN Convention on the Rights of the child. Concerned government agencies in the Municipality are required to consult the Desk for Children's Concern and to give consideration to their comments.

11. **Child Impact Statements.** – The Local Government is required to prepare "child impact statements" indicating the likely repercussion on proposed legislation or policy on child and submit these to the Desk for Children's Concern.

12. **Mandatory Consultations.** – Prior to the implementation of any national prefect by any and all government agencies, bureaus, or offices affecting children, the express approval of the Municipal Mayor and the Sangguniang Bayan shall be obtained after the holding of the public hearings on the matter and after consideration with the Desk for the Children's Concerns.

13. **Child Representative. –** Aside from the youth representative from the Sangguniang Kabataan, a seat shall be provided for a child representative in the MCPC to represent children below 15 years of age. The MCPC shall see to it that the child is able to genuinely participate in the decision-making particularly in matters involving children's concerns.

14. **Rules and Regulations.** - The implementing rules and regulating of this Code shall be drafted by the MCPC within on one (1) year from the affectivity of this Code

SECTION 115. SAUNTER AND LOITER OUTSIDE THE SCHOOL PREMISES DURING CLASS HOURS

1. **Regulatory Clause**
   a. No high school student shall be allowed to saunter, loiter and to stay outside the school premises during class hours, except for errands and emergency cases duly certified by the teacher-in-charge.
   b. Class hours determined by the school should be strictly observed and no high school student shall be allowed to stay outside the school premises such as at nearby stores, refreshment parlors and any public places during class hours.

2. **Penal Clause**
   Violators of this Ordinance should be reported to the principal and to render community work for eight (8) hours in the municipal streets or town plaza duly supervised by the police officer, accompanied by the parents or guardians and to be referred to DSWD for counseling.

SECTION 116. SELLING OF BEER, ALCOHOLIC BEVERAGES, WINE AND LIQUOR TO MINORS AND HIGH SCHOOL STUDENTS

1. **Regulatory Clause**
   1. It shall be prohibited to all Store Owners and business establishment to sell beer, alcoholic beverages, wine & liquors to minors and High School Students.
   2. Karaoke Bars are likewise prohibited to serve and sell intoxicating liquors to minors and High School Students.
   3. Minors & High School Students are prohibited to drink intoxicating liquors in public places.
   4. Responsible for Posting of Sign - the owner or proprietor of the said store and establishment shall be responsible for providing signs logos or symbols, marking or any other informative devices.
   5. The National High School, Barangay Operation Center, Barangay Council shall conduct a continuing program to educate, inform, and disseminate to the public the provision of this ordinance.
   6. General Provision, Nothing in this ordinance shall be construed to allow store owners and Business establishment to sell intoxicating liquor to minors and High School Students.
   7. 50% of any fine so collected shall be remitted to the apprehending Barangay while 50% will go to the Municipal Treasurer.

2. **Penal Clause**
   Violators of this ordinance shall be meted the following:
   1. Minors or High School Student shall be reported to their school principal for disciplinary action. They subject to community work such as cleaning the streets, town plaza and school campus during Saturdays and duly supervised by their teachers, Punong Barangays, Barangay Kagawads and General Services office Personnel or representative.
   2. For store owners and business establishment, violators of this ordinance shall be penalized with a fine of not exceeding P2,500.00 or cancellation of licenses of registered owner and business establishment or Both at the discretion of the court.

SECTION 117. SELLING OF CIGARETTES TO MINORS

1. **Regulatory Clause**
   a. ***Enforcement*** **-** For the first and second violation, the violator shall be brought to any of the enforcement officers and the latter shall gather evidence such as cigarettes sold or any form of object or device or which contain tobacco or other similar chemical compound when apprehending violators. The violator shall be brought to the Municipal Treasurer to pay the Administrative fine as provided for in this ordinance.

   If violation shall have been discovered for the third and/or succeeding times, the violator shall be brought to the nearest police station for investigation and appropriate filing of charges before the Office of the Municipal Circuit Judge. Sixty percent (60%) of any fine so collected shall be remitted to the Apprehending Barangay, while the remaining forty percent (40%) will go to the Municipal Treasurer.

   b. ***Public Education And Information Program*** – The municipal government shall device ways and means, as parts of its public information campaign to educate the public in order to effectively enforce this ordinance.

   The Elementary and Barangay National High Schools, the Department of Health, Barangay Operations Center, Barangay Councils, Media, and other public information agencies shall conduct a continuing program to educate, inform, and disseminate to the public the provisions of this ordinance and the ill-effects of smoking to minors.

SECTION 118. OPERATION OF KARAOKE BARS AND SALE OF ALCOHOLIC DRINKS WITHIN THE RADIUS OF TWO HUNDRED (200) METERS FROM ALL SCHOOL PREMISES

1. **Prohibition** — No business establishments shall be allowed to operate as karaoke bars and sell alcoholic drinks within the radius of 200 meters from all school premises, in the Municipality of Tigbauan, Province of Iloilo, without the corresponding business permit from the Office of the Municipal Mayor. Violators thereof shall be fined Two Thousand Pesos (P2,000) and shall cause the cancellation of their business permit.

2. **Employment** — Operators of karaoke bars within the radius of 200 meters from all school premises are not allowed to employ GRO's except waiters and waitresses with health certificate from the Municipal Health Officer, Municipality of Tigbauan, Province of Iloilo. Violators thereof shall be fined as follows:

1st Offense	P500.00
2nd Offense	P1,000.00
3rd Offense	P2,000.00 and cancellation of Business Permit

3. **Schedule** — Karaoke Bars within the radius of 200 meters from all school premises are not allowed to operate and sell alcoholic drinks from 7 A.M. — 5 P.M. except Saturdays, Sundays and Holidays. Violators thereof shall be fined as follows:

1st Offense	-	P500.00
2nd Offense	-	P1.000.00
3rd Offense	-	P2, 000.00 and cancellation of Business Permit

4. **Authorized Apprehending Personnel** - All Barangay Officials, Barangay Tanods, School Principals and PNP-Tigbauan personnel are authorized by this Ordinance to apprehend violators and impose penalties in violation of the provisions of this Ordinance.

5. **Monitoring** – TASK FORCE *MAGDALENA* is authorized to check and monitor all karaoke bars to strictly implement Sections 3, 4 & 5 of this Ordinance and to report to any authorized personnel as mentioned herein for any violations thereof.

SECTION 119. SETTING FOR DISCIPLINARY HOURS IN TIGBAUAN, ILOILO FOR MINORS FROM 10:00 P.M. TO 5:00 A.M.

1. **PROHIBITED ACTIVITIES/ OFFENSES**
   a. All minor children are prohibited to roam around, loiter, wander, stay or meander in all public places during disciplinary hours 10:00 P.M. every night up to 5:00 AM. the next morning-whether singly or in groups without lawful purpose or justifiable reason.
   b. It is unlawful for a parent or guardian of minor to knowingly permit or by insufficient control allow the minor to remain in any public place within the territorial jurisdiction of the Municipality of Tigbauan during Discipline hours.

2. **Exemptions.** Minor children under the following circumstances not be covered by the provisions of this ordinance;
   a. Those accompanied by their parents or guardian;
   b. Those on their way to or from a party, graduation ceremony, religious mass; and/or other extra-curricular activities their school or organization wherein their attendance are required or otherwise indispensable, or when such minors are out and unable to go home early due to circumstances beyond their control as verified by the proper authorities concerned; and
   c. Those attending to, or in experience of, an emergency situation such as earthquake, hospitalization, road accident, law enforcers encounter, and similar incidents.
   d. When the minor is engaged in an authorized employment activity, or going to or returning home from the same place of employment activity, without. any detour or stop;
   e. When the minor is in motor vehicle or other travel accompanied by an adult in no violation of this Ordinance;
   f. When the minor is involved in emergency;
   g. When the minor is out of his/her residence attending an official school, religious, recreational, educational, social, community or other similar private activity sponsored by the city, barangay, school or other similar private civic/religious organization/group (recognized by the community) that supervises the activity or when the minor is going to or returning home from such activity, without any detour or stop; and
   h. When file minor can present certifying that he/she is a student and was dismissed from his/her class/es in the evening or that he/ she is a working student.

3. **Enforcement Procedure.** In compliance with the Juvenile Justice Welfare Act of 2006 or Republic Act No. 9344, law enforcement officer, a police officer, Barangay Public Safety Officer (BPSO), Barangay Council for the protection of Children (BC'PC) or neighborhood crime watch enforcer enforcing action under this ordinance, shall observe the prescribed provision under Section 21 of Republic Act No. 9344 dealing with a minor or minors believed to be in violation of the herein ordinance as follows:

   RA No. 9344, Section 21. Procedure for Taking the Child into Custody – From the moment a child is taken into custody, the law enforcement officer shall:
   a. Explain to the child in simple in a dialect that he/she can understand why he/she is being placed under custody and the offense that he/she allegedly committed;
   b. Inform the child of the reason for such custody and advise the child of his/her constitutional rights in a language or dialect understood by him/her;
   c. Properly identify himself/ herself present proper identification to the child;
   d. Refrain from using vulgar or profane words and from sexually harassing or abusing, or sexual advances on the child conflict with the law;
   e. Avoid displaying or using any firearm, weapon, handcuffs or other instruments of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted and have failed;
   f. Refrain from subjecting the child in conflict with the law to greater restraint than is necessary for his/ her apprehension;
   g. Avoid violence or unnecessary force;
   h. Determine the age of the child pursuant to Section 7 of this Act;
   i. Immediately but not tater than sight (8) hours after apprehension, turn over custody of the child to the Social Welfare and Development Office or other accredited NGOs, and notify the child's apprehension. The social welfare and development officer shall explain to the child and the child's parents/ guardians the consequences of the child's act with a view towards counselling and rehabilitation, diversion from the criminal justice system, and separation, if appropriate;
   j. Take the child immediately to the proper medical and health officer for a thorough physical and mental examination. The examination result shall be kept confidential unless otherwise ordered by the Family Court. Whenever the medical treatment is required, steps shall be immediately undertaken to provide the same;
   k. Ensure that should detention of the child in conflict with the law, be necessary the child shall be secured in quarters separate from that of the opposite sex and adult offenders;
   l. Record the following in the initial investigation:

1. Whether handcuffs or other instruments of restraint were used, and if so, the reason for such;
2. That the parents or guardian of a child, the DSWD and the PAO have been informed of the apprehension and the details thereof; and
3. The exhaustion of measures to determine the age of a child and the precise details of the physical and medical examination of the failure to submit a child to such examination; and

m. Ensure that all statements signed by the child during investigation shall be witnessed by the child parents or guardian, social worker, or legal counsel in attendance who shall affix his/her signature to the said statement.

A child conflict with the law shall only be searched by a law enforcement officer of the same gender and shall not be locked up in a detention cell.

4. **Obligations and Liability of Parent/s or Guardian/s** – The parent/s or guardian/s who are in actual custody or living together with the minor child are hereby mandated to supervise the conducts or activities of their minor children and see to it that the latter are already in their home prior to and until after the occurrence of the disciplinary hours.

5. **Community Involvement/Participation** – Any person who has personal knowledge of the existence of any minor during the wee hours as provided under Section 3 hereof, must immediately call the attention of the Barangay.

6. **Penalties and Manner of Dealing with the Violator.** The penalty for the Parent/Guardian who violates this ordinance shall be:
   a. For the first OFFENSE – a minor found violating this ordinance for the first time will be referred to the nearest barangay hall or police station. The Barangay Council for the Protection of Children shall conduct the counselling before the minor will be properly turned over to his/her parent/s or guardian/s; the parent/s or guardian/s of the minor in violation of this ordinance shall be summoned to fetch the minor from the barangay hall; prior to turn over of the minor the parent/s or guardian/s will be informed of the consequences they will be dealing with in case of subsequent violation of the minor pursuant to the applicable provisions under this section. A penalty of community service of twenty-four hours or a fine of One Thousand Pesos (P1,000.00) shall be imposed to the parent/guardian of the minor.

   b. For the 2nd OFFENSE – A minor found violating this ordinance for the second time will be required to attend, together with his/her parent/s or guardian/s, two (2) consecutive regular sessions of the Barangay for the Protection of Children, for counselling, which shall include this matter as parts of its session agenda; PROVIDED, that the BCPC Chairperson shall certify compliance or non-compliance by the concerned minor and his/her parent/s or guardian/s with this penalty; PROVIDED, FURHTER, that the violator and/or his/her parent/s or guardian/s shall be required to submit the certification issued by the BCPC Chairperson to the Punong Barangay and apprehending officer within a period not exceed two (2) months from date of violation; the parent/s or guardian/s of the minor who violated this ordinance for the second time shall require to render forty-eight (48) Hours of Community Service of a fine of Two Thousand Pesos (2,000.00);

   c. For the 3rd and every subsequent OFFENSE – a minor found violating this ordinance for the third time and every time thereafter, given the intervention prescribed in the preceding paragraphs, shall be turned over to the Social Services Development Department (SSDD) for appropriate counselling and proper disposition on the matter. His/her parent/s or guardian/s shall be penalized with a fine of Two Thousand Five Hundred Pesos (P2,500.00) of imprisonment of Six (6) months;

   d. Habitual violator/s of the herein ordinance shall be turned over to the Social Services Development Department SSDD for counselling and be subject to intervention program of the said department;

   e. In case where the residence of a minor, who violated this ordinance, is that of another city or municipality, the provisions under the provisions under paragraph (a) of the herein ordinance shall be observed for first violation, in coordination with the Barangay Office/Official thru the Barangay Council for the Protection of Children (BCPC) where the place of residence of the minor is in question; or when the residence of the minor is from for away city or municipality, custody of the child shall immediately by not later than eight (8) hours after apprehension, turn over to the Social Welfare and Development Office or other accredited NGO's and notify the child's apprehension as provided under paragraph (i)

Section 21 of Republic Act No. 9344 otherwise known as the Juvenile Justice and Welfare Act of 2006;

SECTION 120. INSTITUTIONALIZING THE "KAARAM SA DUYAN" AS THE PRIMARY LITERACY PROGRAM

1. **Institutionalization of "Kaaram sa Duyan" Program** – Kaaram sa Duyan is hereby institutionalized as the primary literacy program of the Local Government Unit of Tigbauan and shall be partially and comprehensively become part of all the other basic services of this municipality.

2. **Medium of Instruction.** – The municipality shall hereby adopt the mother tongue, English and Filipino as its media of instruction. The mother tongue of the learner shall be the primary medium of instruction for effective teaching and learning.

3. **Implementing Office** – The authority to regulate the organization, operation and/or implementation of the "Kaaram sa Duyan" Program shall be vested upon Local Chief Executive in cooperation with the DepEd, through a Municipal Literacy Coordinator to achieve a successful implementation.

4. **Creation of the Position of the Municipal Literacy Coordinator.** - There shall be created a position of the Municipal Literacy Coordinator which shall be directly under the Office of the Mayor which may later be separated in the future when funds would already be sufficient enough for the creation of said office.

5. **Funding.** – The Local Government Unit of Tigbauan may utilize existing funds for Gender and Development, trainings and education for the implementation of the various literacy projects and activities. The municipality may also appropriate, raise funds or avail of funding assistance to sustain and subsidize the operation and promotion of the literacy program.

6. **Inter-agency Linkages** – For purposes of this ordinance, the Municipality of Tigbauan shall closely coordinate with other government agencies for a more comprehensive and collaborative implementation of the literacy programs, projects and activities.

SECTION 121. INSTITUTIONALIZING THE "STUDYANTE SA TIGBAUAN NGA ALISTO (STA) EDUCATIONAL ASSISTANCE PROGRAM"

1. **Statement of Policy.** It is hereby declared the policy of the Local Government Unit of Tigbauan to provide equal opportunities for all, to avail of accessible basic and continuing education that would effectively promote the holistic development of an individual.

   The Local Government Unit of Tigbauan also ensures that education continues after completion of the basic education curriculum. It shall provide a mechanism for the poor but deserving students to avail of educational assistance to allow them to pursue their dreams and make them partners in nation-building.

2. **Eligibility.** Only financially-challenged but deserving students enrolling in any college or technical vocational courses are eligible for admission to the program. The applicant must be:
   (a) A Filipino citizen and registered voter of Tigbauan, Iloilo;
   (b) With good moral character and without any derogatory record;
   (c) Not more than twenty-five (25) years old at the time of the filing of application;
   (d) A high school graduate or an in-coming First year college student, with 80% General Weighted Average (GWA) with no failing grade in any subject;
   (e) Has passed the entrance examination, if required, of the school where he or she intends to enroll on;
   (f) With parents/guardians having a gross annual income of not more than Php180,000.00; and
   (g) Not presently enjoying any scholarship or study grant.

   Provided, that only one (1) member in the family shall be granted scholarship at any given school year. Provided further, that the grantee shall enroll only in the CHED or TESDA accredited school or institute of learning within the Province and City of Iloilo.

   Should the fund allocation be insufficient to accommodate all applicants in a given period, priority shall be given to those who obtained higher rating in the examination given and administered under the program.

3. **Financial Assistance.** A one-time Financial Assistance of FIVE THOUSAND PESOS (P5,000.00) shall be awarded to each qualified student per year.

4. **Obligation of the STA Educational Assistance Grantee.** To become a scholar carries with it some obligations and responsibilities.
   The scholar shall:
   (1) Enroll in any technical, vocational, college or university in the province or city of Iloilo ;
   (2) Not participated in any offense involving moral turpitude that will destroy his character and reputation as an STA scholar;
   (3) Not quit school without prior notice to the Municipal Mayor or the Scholarship Office; and
   (4) Have participated in community service and other activities of the Scholar's Organization.

5. **Terms.** The amount granted to a scholar shall be subject to the following terms and conditions, to wit:
   (a) Amount – The maximum amount that may be granted under this program shall be a one-time Five Thousand Pesos (Php 5,000.00) at the beginning of the school year shall be payable directly to the student upon proof that he has qualified for enrollment.

6. **Availment Procedure.**
   (a) Submission of Requirements. The applicant must fill up the prescribed application form and must submit the following documents, to wit:
      (1) Latest BIR Income Tax Return (ITR) of applicant's parents/guardians;
      (2) An affidavit of applicant's parents/guardians stating the reason for not filing the Income Tax Return (ITR), if the above first requirement is not applicable;
      (3) High School Report Card (Form 138) for in-coming freshman;
      (4) National College Assessment Examination (NCAE) result (photo copy);
      (5) Official report of ratings or certificate of grades with an average of not lower than 80%.
   (b) Examination - Applicants who passed the initial qualification requirements shall still be required to take a written examination to determine final qualification and prioritization based on test results. The examination shall be administered by the Implementing Office on a given date.
   (c) Interview - An interview shall be conducted by the Implementing Office to determine compliance with the requirements herein set forth and the applicant's willingness to abide by the terms and conditions of the program.
   (d) Notice - Applicants who qualified under this Program shall be immediately notified thereof.
   (e) Payment – Payment of benefits shall be made directly to the scholar in the presence of his/her parents/guardian.

7. **STA Scholarship Board.** An Educational Assistance Board is hereby created to be composed of the following:
   (1) The Municipal Mayor
   (2) The Vice-Mayor;
   (3) The Chairman, Committee on Education of the Sangguniang Bayan;
   (4) Representative of the Tigbauan Secondary Schools Teachers Association;
   (5) The LGU's Human Resource and Management Officer;
   (6) The District Supervisor;
   (7) The President of the Federated Parents-Teachers Association; and
   (8) Two (2) others who shall be appointed by the Mayor from those involved in education.

8. **Powers and Functions of the STA Scholarship Board.**
   The Board shall take charge of the implementation of the STA Educational Assistance Program and shall have the following powers and functions, to wit:
   1. With the approval of the Municipal Mayor, issue rules and regulations necessary for the proper implementation of this ordinance;
   2. Establish and develop such programs and activities that shall be required of the grantees and/or their parents to participate in to ensure the scholars' active cooperation and full development as responsible members of the society;
   3. In collaboration with the Educational Assistance Office, conduct review every three (3) years of the program's performance in terms, among others, of total number of beneficiaries, their field of study, the grantees' academic performance and their family income classification;
   4. Exercise such other functions and duties as will promote and expand relevant educational opportunities for needy and deserving Tigbaueño students.

9. **Meetings of the Board.** For purposes of exercising the powers and functions given it and without prejudice to a special meeting that may be called, the Board shall hold a regular meeting every last Friday of April of any given year.

10. **STA Scholarship Office.** A Scholarship Office under the Office of the Mayor and later as a division is hereby created. It shall be headed by a Program Officer as maybe designated by the Mayor, and shall provide for the qualifications and compensation of employees therein following Civil Service rules and regulations.

    Its powers and functions shall be as follows:
    (a) Serve as secretariat of the Scholarship Board;
    (b) Administer and promote participation to the program;
    (c) Provide all public high schools information regarding the available Scholarship and Financial Assistance programs or grants;
    (d) Monitor performance of the grantees and keep track of them, especially after their availment of the benefits of the program;
    (e) Submit a yearly Status Report of the program to the Board for the latter's consideration and submission to the Sangguniang Bayan and the Mayor;
    (f) Solicit donations and inform donors regarding the status of their grantees;
    (g) Coordinate with the Municipal Social Welfare and Development Office as well as the Department of Social Welfare and Development and, with the guidance of the Local School Board, undertake necessary acts to ensure compliance with the prioritization provision hereof;
    (h) Assist, coordinate with and monitor the different barangays in the implementation of their respective tertiary scholarship program pursuant to the mandate herein provided; and
    (i) Perform such other powers and functions that may be assigned to it.

11. **Information Dissemination**. The Implementing Office shall conduct a regular information dissemination campaign about this Program particularly in the months of February and March of any given year prior to the conduct of the qualifying examination herein contemplated.

12. **Appropriation**. For purposes of this program, the initial sum of FIVE HUNDRED THOUSAND (Php 500,000.00) shall be provided for in the 2019 Budget of the LGU. The yearly budget or such higher amount as may be deemed necessary shall be appropriated in every succeeding budget year thereafter.

13. **Barangay Scholarship Assistance Program.** All barangays of this municipality are hereby mandated to have their own **Educational Assistance Program** which may be availed of by poor and deserving students in their respective barangays subject to the same or such other policy, system, standards, requirements, rules and procedures, herein provided.

    To ensure uniformity as well as maintain integrity, no other office or entity shall give and administer the entrance and/or examination requirement to the Program but the Implementing Office referred to herein.

    To realize this mandate, each barangay shall allocate and spend the sum equivalent to not less than Five Thousand Pesos (P5,000.00) for the Educational Assistance Program which shall be taken from the Youth Development Fund of the Barangay. It shall be incorporated in the annual budget of the barangay starting the calendar year 2019.

    In this connection, no annual budget of the barangay shall be approved by the Sangguniang Bayan which does not comply with the herein requirement.

SECTION 122. EARLY YEARS

1. **Declaration of Policy**. – It is hereby declared the policy of the State to promote the rights of children to survival, development and special protection with full recognition of the nature of childhood and as well as the need to provide developmentally appropriate experiences to address their needs; and to support parents in their roles as primary caregivers and as their children's first teachers. Further, the State hereby recognizes the age from zero (0) to eight (8) years as the first crucial stage of educational development of which the age from zero (0) to four (4) years shall be the responsibility of the Early Childhood Care and Development (ECCD) Council. Therefore, the responsibility to help develop children in the formative years between age five (5) to eight (8) years shall be with the Department of Education (DepED).

2. **Objectives.** – The ECCD System shall pursue the following objectives:

(a) To achieve improved infant and child survival rates by ensuring that adequate health and nutrition programs are accessible to young children and their parents, from the prenatal period throughout the early childhood years;
(b) To enhance the physical-motor, socio-emotional, cognitive, language, psychological and spiritual development of young children;
(c) To facilitate a smooth transition from care and education provided at home to community or school-based setting and to kindergarten;
(d) To ensure that young children are adequately prepared for the formal learning system that begins at kindergarten;
(e) To establish an efficient system for early identification, prevention, referral and intervention for the wide range of children with special needs from age zero (0) to four (4) years;
(f) To upgrade and update the capabilities of service providers and their supervisors to comply with quality standards for various ECCD programs;
(g) To reinforce the role of parents and other caregivers as the primary caregivers and educators of their children especially from age zero (0) to four (4) years;
(h) To enhance and sustain the efforts of communities to promote ECCD programs and ensure that special support is provided for poor, disadvantaged and linguistic minority communities;
(i) To improve the quality standards of public and private ECCD programs through, but not limited to, a registration and credential system for ECCD service providers and facilities,
(j) To ensure that the education of persons, and in particular children, who are blind, deaf or deaf blind, are conducted in the most appropriate languages, modes and means of communication for the individual, and in environments which maximize academic and social development; and
(k) To employ teachers, including teachers with disabilities, who are qualified in sign language and/or braille, and to train professionals and staff who work at all levels of education.

3. **Expanding the ECCD System.** – The ECCD System shall henceforth apply to all provinces, cities, municipalities and barangays as may be determined by the ECCD Council to achieve universal ECCD coverage for all children from age zero (0) to four (4) years.
   (A) Responsibilities of Local Government Units. – Local government units (LGUs) shall include allocations from their Special Education Fund (SEF) and Gender and Development (GAD) Fund in addition to other local funds to be utilized for the following purposes:
      (1) Support the implementation of their ECCD Program;
      (2) Organize and support parent cooperatives to establish community-based ECCD programs;
      (3) Provide counterpart funds for the continuing professional development of their ECCD public service providers; and
      (4) Provide the facilities for the conduct of their ECCD Program.

   (B) Responsibilities of Families and Communities. Families and communities shall support the local ECCD programs by participating in various community-based projects such as, but not limited to, health, nutrition, social development and early childhood education projects for the overall development of their children from age zero (0) to four (4) years.

SECTION 123. CHILDREN'S SAFETY ON MOTORCYCLES

1. **Prohibition.** – It shall be unlawful for any person to drive a two (2)-wheeled motorcycle with a child on board on public roads where there is heavy volume of vehicles, there is a high density of fast moving vehicles or where a speed limit of more than 60/kph is imposed, unless:
   (a) The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;
   (b) The child's arms can reach around and grasp the waist of the motorcycle rider; and
   (c) The child is wearing a standard protective helmet referred to under Republic Act No. 10054, otherwise known the "Motorcycle Helmet Act of 2009."

2. **Exception.** – Notwithstanding the prohibition provided in the preceding section, this Act shall not apply to cases where the child to be transported requires immediate medical attention.

3. **Review of Penalties.** – The Land Transportation Office (LTO) is hereby empowered to increase or adjust the amounts of fines herein imposed: *Provided,* That:
   (a) The increase or adjustment is made after public consultation once every three (3) years from the effectivity of this Act and in the amount not exceeding twenty percent (20%) of the amounts sought to be increased or adjusted;
   (b) A thorough study has been conducted indicating that the existing amounts are no longer an effective deterrent;

(c) Current relevant economic indices, such as the Consumer Price Index (CPI), have been considered in the determination of the increase or adjustment; and
(d) The increases or adjustment shall only become effective fifteen (15) days after its publication in two (2) newspapers of general circulation.

4. **Qualifying Circumstances.** – If, in violation of the provisions of this Act, death shall have resulted or serious or less serious injuries shall have been inflicted upon the child or any other person, a penalty of one (1) year imprisonment shall be imposed upon the motorcycle rider or operator of the motorcycle involved without prejudice to the penalties provided under Act No. 3815, otherwise known as "The Revised Penal Code of the Philippines", as amended.

5. **Authority to Deputize Traffic Enforcers and Local Government Units (LGUs). —** To effectively implement the provisions of this Act, the LTO is hereby given the authority to deputize members of the Philippine National Police (PNP), the Metropolitan Manila Development Authority (MMDA) and the LGUs to carry out enforcement functions and duties.

6. **Public Information Campaign.** – Not later than thirty (30) days following the promulgation of the Implementing Rules and Regulations (IRR) of this Act, the LTO, in coordination with the Philippine Information Agency (PIA), the Department of Education (DepED) and concerned private organizations and agencies, shall undertake a nationwide information and education campaign for a period of three (3) months on the important provisions of this Act and its IRR.

   Thereafter, the aforementioned agencies shall include the essential provisions of this Act in their respective annual communications programs.

SECTION 124. CHILDREN'S EMERGENCY RELIEF AND PROTECTION

1. **Comprehensive Emergency Program for Children.** – The Department of Social Welfare and Development (DSWD) shall formulate a Comprehensive Emergency Program for Children, hereinafter referred to as the Program, taking into consideration humanitarian standards for their protection. The Program shall be used as the basis for handling disasters and other emergency situations to protect children, pregnant and lactating mothers, and support their immediate recovery. This shall be implemented immediately after the declaration of a national or local state of calamity or occurrence of any other emergency situation.

   The DSWD shall engage all relevant government agencies and stakeholders for the implementation of the Program. Local government units (LGUs) shall integrate the same in their development and Local Disaster Risk Reduction and Management (LDRRM) plans and budget.

   The Program shall be gender-sensitive and have the following components:
   (a) Establishment of Evacuation Centers. – LGUs shall establish and identify safe locations as evacuation centers for children and families subject to the limitations found in Section 5 of this Act.
   (b) Establishment of Transitional Shelters for Orphaned, Separated, and Unaccompanied Children. – The National Housing Authority (NHA) shall, in coordination with the DSWD, the Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), Department of the Interior and Local Government (DILG), and LGUs of the areas declared under a state of calamity, immediately establish an option for transitional shelters, prioritizing vulnerable and marginalized groups including orphaned, separated, and unaccompanied children, and pregnant and lactating mothers. New transitional shelters, established pursuant to this Act, shall be designed with the following considerations: gender-specific emergency latrines, bathing cubicles, and hand washing facilities specifically designed for children. It shall provide mother and child-friendly spaces where children can take part in child activities. It shall also have provisions for maternal and newborn and infant care and rooms to protect, feed, provide personal care, and ensure the right to privacy. Existing transitional shelters shall be modified to the extent possible to comply with the abovementioned considerations.
   (c) Assurance for Immediate Delivery of Basic Necessities and Services. – The Program shall facilitate and ensure the immediate delivery of basic necessities and services specifically required by the affected children in different stages of development such as access to basic health services, food, water, nutrition, medicines, clothing, sanitary and hygiene kits, and other emergency needs such as blankets, mosquito nets, cooking ware and fuel, and flashlights. The Program shall give priority to the specific health and nutrition needs of pregnant women, lactating mothers, newborn babies, children under five (5) years old and children with special needs.

(d) Stronger Measures to Ensure the Safety and Security of Affected Children. – Under the Program, the Philippine National Police (PNP) shall, in coordination with the Armed Forces of the Philippines (AFP) and the DSWD, DILG, LGUs, Department of Education (DepED), Commission on Higher Education (CHED) and CSOs in the community, monitor and ensure the safety and the security of the affected children in the areas declared under a state of calamity and shall protect them against all forms of abuse and exploitation.

Upon the declaration of a national and local state of calamity, the PNP and the DSWD, with the assistance of the AFP operating units in the area and local councils against trafficking and violence against women and their children, in accordance with existing laws, shall immediately heighten comprehensive measures and monitoring to prevent child trafficking, labor, and prostitution, including domestic and sexual violence, in the areas declared under a state of calamity.

The DSWD shall require all government agencies, LGUs, and CSOs which are tasked to provide any assistance or services to the affected children to adopt a child protection policy. The child protection policy shall include measures to deter and effectively respond to cases of violence, abuse, and exploitation of children.

All LGUs shall prioritize the establishment and functionality of the barangay violence against women and children (VAWC) desks. The VAWC desk shall serve as one of the key reporting and referral mechanism for cases of violence, abuse, and exploitation of children in the barangay diming all phases of emergency response and recovery.

Children shall be given priority during evacuation as a result of a disaster or other emergency situation. Existing CSOs in the community shall be tapped to look after the safety and well-being of children during evacuation operations. Measures shall be taken to ensure that children evacuated are accompanied by persons responsible for their safety and well-being.

(e) Delivery of Health, Medical, and Nutrition Services. – Under the Program, the DOH, in coordination with the DSWD, LGUs, and CSOs in the community, shall provide the health, medical, and nutritional needs of children in the areas declared under a state of calamity, including psychosocial interventions for children in different stages of development.

(f) Plan of Action for Prompt Resumption of Educational Services for Children. – The DepED, in coordination with the DSWD, DILG, and the concerned LGUs shall ensure the prompt resumption of educational services for all children, including early childhood care and development for children aged below five (5).

(g) Establishment of Child-friendly Spaces. – The concerned LGU shall set up child-friendly spaces in every city or municipality declared under a state of calamity, as needed, based on the guidelines to be promulgated by the DSWD. In addition, LGUs shall coordinate with lead agencies and CSOs to effectively respond to the needs of the children in the area. Child-friendly spaces shall be made available throughout a crisis, from emergencies to recovery.
In case the concerned LGU cannot immediately respond due to the huge impact of disaster, the DSWD, together with the concerned national government agencies and in coordination with the CSOs and other stakeholders, as well as nearby LGUs, shall provide the necessary child care services and social protection of affected children.

(h) Promotion of Children's Rights. – The Program shall include activities and processes that will promote and uphold the rights of children by:
  (1) Providing child-centered training for all responders;
  (2) Ensuring that children are provided with adequate access to age-appropriate information on their roles and responsibilities and those of government agencies before, during, and after disasters and other emergency situations;
  (3) Providing an effective mechanism for training and meaningful participation of children in community disaster risk reduction program; and
  (4) Consulting with the affected children on their needs and priorities for post-disaster relief and recovery.

2. **Evacuation Centers.** – Only in cases where there is no other available place or structure which can be used as a general evacuation center may a school or child development center be used as an evacuation center.

When a school or child development center is used as an evacuation center, gymnasiums, learning and activity centers, auditoriums and other open spaces shall be utilized first. Classrooms shall only be used as a last resort. The use of the school premises shall be as brief as possible. If the use is predicted to exceed fifteen (15) days, the affected LGU shall provide written documentation to the DepED and the DILG on the following:

(a) The name and location of the school;
(b) All alternative sites and proposal for final site selection;
(c) Measures being implemented to prevent interference or disruption to the school and educational activities of children; and
(d) Other particulars to be provided in the implementing rules and regulations of this Act.

The DepED, in coordination with the DPWH, shall continuously monitor and assess the condition of temporary learning spaces or other transitional and semi-permanent structures used as classrooms after a disaster, and if the use exceeds six (6) months after the declaration of a state of calamity, the regional DepED office shall conduct regular site inspections and shall certify to the Secretary of Education that such spaces are in good physical condition and sufficient to ensure the safety of the children and their environment.

3. **Orphaned, Unaccompanied, or Separated Children.** – The DSWD, upon consultation with relevant agencies, shall develop a minimum set of standards and guidelines for the Family Tracing Reunification System of orphaned, unaccompanied and separated children.

   Orphaned children, and unaccompanied or separated children whose families or relatives cannot he found or assessed to be incapable of providing proper care and protection shall be placed in a licensed or accredited residential care facility or with a foster family in accordance with Article 140 of the Child and Youth Welfare Code, or a community-based center. A registered social worker shall provide the needed case management and intervention.

4. **System of Restoring Civil Registry Documents.** – To ensure that vital information pertaining to the personal circumstances of a child are adequately protected and available at all times, the Philippine Statistics Authority (PSA) shall develop a system for the restoration and reconstruction of civil registry documents that have been destroyed or declared lost or missing during a disaster or calamity.

   The PSA shall submit a report on the number of restored or reconstructed documents to appropriate government agencies for effective monitoring and reporting and to ensure the continued access of the affected children to social services and facilitate the' reunification of separated children with their families.

   The PSA shall likewise develop a system for the registration of children born during a national or local state of calamity.

5. **Training of Emergency Responders on Child Protection.** – The Municipal Disaster Risk Reduction and Management Council (MDRRMC) shall promote and conduct a child-responsive training program for all responders in the calamity area such as community and barangay leaders, community members, school personnel and other rescuers. The training program shall include the following:
   (a) Proper procedures and measures to assess the situation, safeguard and protect the affected children during and after emergencies and disasters; and
   (b) Appropriate training on psychosocial interventions for children in different stages of development who are victims of calamities.

   Each member agency shall include or mainstream child protection in their emergency response training to service providers.

6. **Data Gathering, Monitoring, and Reporting.** – The LGU & MDRRMC shall monitor and report on the implementation of services under the Program to be submitted jointly to Congress annually. The report shall include a specific section on pregnant women and children under five (5) years of age as a strategy to address the post-disaster nutrition needs of children under age five (5) and pregnant women.

   In the aftermath of a national or local state of calamity, the collection and reporting of data for the Disaster Risk Reduction and Management Information System at all levels, as provided for in Republic Act No. 10121, shall be disaggregated by age, gender, ethnicity, and special needs. Such collected data shall be utilized to understand and respond better to the needs of children affected by disasters and calamities.

   Within five (5) days from the declaration of a national state of calamity or as soon as practicable, the DSWD and the DILG shall jointly submit written documentation and report on their surveillance and monitoring under Section 4(d) to the appropriate committees of the Senate and the House of Representatives.

7. **Appropriations.** – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DSWD, Office of Civil Defense (OCD), DepED, DOH, Department of National Defense (DND) and PSA. Thereafter, the amount needed for the continued implementation of this Act shall be included in the annual General Appropriations Act. For LGUs, the implementation of the programs shall be charged against the Municipal Disaster Risk Reduction and Management Fund (MDRRMF).

SECTION 125. NATIONAL MENTAL HEALTH POLICY

1. **Objectives.** - The objectives of this Act are as follows:
   (a) Strengthen effective leadership and governance for mental health by, among others, formulating, developing, and implementing national policies, strategies, programs, and regulations relating to mental health;
   (b) Develop and establish a comprehensive, integrated effective and efficient national mental health care system responsive to the psychiatric, neurologic, and psychosocial needs of the Filipino people;
   (c) Protect the rights and freedoms of persons with psychiatric, neurologic, and psychosocial needs; Filipino people;
   (d) Strengthen information systems, evidence and research for mental health;
   (e) Integrated mental health care in the basic health services; and
   (f) Integrate strategies promoting mental health in educational institutions, the workplace, and in communities.

2. **Rights of Service Users.** - Service users shall enjoy , on an equal and nondiscriminatory basis, all rights guaranteed by the Constitution as well as those recognizes under the United Nations Universal Declaration of Human Rights and the Convention on the Rights of Persons with Disabilities and all other relevant international and regional human rights conventions and declarations, including the right to:
   (a) Freedom from social economic, and political discrimination and stigmatization, whether committed by public or private actors;
   (b) Exercise all their inherit civil, political, economic, social, religious, educational, and cultural rights respecting individual qualities, abilities, and diversity of background , without discrimination on the basis of physical disability, age, gender, sexual orientation, race, color, language, religion or nationality, ethnic, or social origin;
   (c) Access to evidence-based treatment of the same standard and quality, regardless of age, sex, socioeconomic status, race, ethnicity or sexual orientation;
   (d) Access to affordable essential health and social services for the purpose of achieving the highest attainable standard of mental health;
   (e) Access to metal health service at all levels of the national health care system;
   (f) Access to comprehensive and coordinated treatment integrating holistic prevention, promotion, rehabilitation, care and support, aimed at addressing mental health care needs through a multidisciplinary, user-driven treatment and recovery plan;
   (g) Access to psychosocial care and clinical treatment in the least restrictive environment and manner;
   (h) Humane treatment free from solitary confinement, torture, and other forms of cruel inhumane, harmful or degrading treatment and invasive procedures not backed by scientific evidence;
   (i) Access to aftercare and rehabilitation when possible in the community for the purpose of social reintegration and inclusion;
   (j) Access to adequate information regarding available multidisciplinary mental health services;
   (k) Participate in metal health advocacy, policy planning, legislation, service provision, monitoring, research and evaluation;
   (l) Confidentiality of all information, communications, and records, in whatever form or medium stored, regarding the service user, any aspect of the service user's mental health, or any treatment or care received by the service user, which information, communications, and records shall not be disclosed to third parties without the written consent of the service user concerned or the service user's legal representative, except in the following circumstances:
      (1) Disclose is required by law or pursuant to an order issued by a court of competent jurisdiction;
      (2) The service user has expressed consent to the disclosure;
      (3) A life-threatening emergency exists and such disclosure is necessary to prevent harm or injury to the service user or other persons;
      (4) The service user is a minor and the attending mental health professional reasonably believes that the service user is a victim of child abuse; or
      (5) Disclosure is required in condition with an administrative, civil, or criminal case against a mental health professional ethics, to the extent necessary to completely adjudicate, settle, or resolve any issue or controversy involved therein;

(m) Give informed consent before receiving treatment or care, including the right to withdraw such consent. Such consent shall be recorded in the service user's clinical record;
(n) Participate in the development and formulation of the psychosocial care or clinical treatment plan to be implemented;
(o) Designate or appoint a person of legal age to act as his or her legal representative in accordance with this Act, except in cases of impairment or temporary loss of decision-making capacity;
(p) Send or received uncensored private communication which may include communication by letter, telephone or electronic means, and receive visitors at reasonable times, including the service user's legal representative and representatives from the commission on Human Rights (CHR);
(q) Legal services, through competent counsel of the service user's choice. In case the service user cannot afford the service user cannot afford the service s of a counsel, the Public Attorney's Office, or a lega; aid institution of the service user or representative's choice, shall assist the service user;
(r) Access to their clinical records unless, in the opinion of the attending mental health professional, revealing such information would cause harm to the service user's health or put the safety of others at risk. When any such clinical records are withheld, the service user or his or her legal representative may contest such decision with the internal review board created pursuant to this Act authorized to investigate and resolve disputes, or with the CHR;
(s) Information, within the twenty-four (24) hours of admission to a mental health facility, of the rights enumerated in this section in a form and language understood by the service user; and
(t) By oneself or through a legal representative, to file with the appropriate agency, complaints of improperties, abuses in mental health care, violations of rights of persons with mental health needs, and seek to initiate appropriate investigation and action against those who authorized illegal or unlawful involuntary treatment or confinement, and other violations.

3. **Rights of Family Members, Careers and Legal Representatives.** - Family members, careers and duly designated or appointed legal representative of the service user shall have the right to:
(a) Receive appropriate psychosocial support from the relevant government agencies.;
(b) With the consent of the concerned service user, participate in the formulation, development and implementation of the service user's individual treatment plan;
(c) Apply for release and transfer of the service user to an appropriate mental health facility;
(d) Participate in metal health advocacy, policy planning, legislation, service provision, monitoring, research and evaluation.

4. **Rights of Mental Health Professionals.** Mental health professional shall have the right to:
(a) A safe and supportive work environment;
(b) Participate in a continuous professional development program;
(c) Participate in the planning, development, and management of mental health services;
(d) Contribute to the development and regular review of standards for evaluating mental health services provided to service users;
(e) Participate in the development of mental and health policy and service delivery guidelines;
(f) Except in emergency situations, manage and control all aspects of his or her practice, including whether or not to accept or decline a service user for treatment; and
(g) Advocate for the rights of a service user, in cases where the service user's wishes are at odds with those of his or her family or legal representatives.

5. **Informed Consent to Treatment.** - Service users must provide informed consent in writing prior to the implementation by mental health professionals, workers, and other service providers of any plan or program of therapy or treatment, including physical or chemical restraint. All persons, including physical or chemical restraint. All persons, including service users, person with disabilities, and minors, shall be presumed to possess legal capacity for the purpose of this Act or any other applicable law, irrespective of the nature or effects of their mental health conditions or disability. Children shall have the right to express their views on all matters affecting themselves and have such views given due consideration in accordance with their age and maturity.

6. **Exceptions to Inform Consent.** – During psychiatric or neurologic emergencies, or when there is impairment or temporary loss of decision-making capacity on the part of a service user, treatment, restraint or confinement, whether physical or chemical, may be administered or implemented pursuant to the following safeguards and conditions:
a) In compliance with the service user’s advance directives, if available, unless doing so would pose an immediate risk of serious harm to the patient or another person;

b) Only to the extent that such treatment or restrain is necessary, and only while a psychiatric or neurologic emergency, or impairment or temporary loss of capacity, exists or persists;
c) Upon the order of the service user's attending mental health professional, which order must be reviewed by the internal review board of the mental health facility where the patient is being treated within fifteen (15) days from the date such order was issued, and every fifteen (15) days thereafter while the treatment or restraint continues; and
d) That such involuntary treatment or restrain shall be in strict accordance with guidelines approved by the appropriate authorities, which must contain clear criteria regulating the application and termination of such medical intervention, and fully documented and subjected to regular external independent monitoring, review, and audit by the internal review boards established by this Act.

7. **Advance Directive.** - A service user may set out his her preference in relation to treatment through a signed, dated, and notarized advance directive executed for the purpose. An advance directive may be revoked by a new advance directive or by a notarized revocation.

8. **Legal Representative.** - A service user may designate a person of legal; age to act as his or her legal representative through a notarized document executed for that purpose.
   (a) *Functions.* A service use's legal representative shall:
      (1) Provide the service user with support and help: represent his or her interests; and receive medical information about the service user in accordance with this Act;
      (2) Act as substitute decision maker when the service user has been assessed by a mental health professional to have temporary impairment of decision-making capacity;
      (3) Assist the service user *vis-a-vis* the exercise of any right provided under this Act; and
      (4) Be consulted with respect to any treatment or therapy received by the service user. The appointment of a legal representative may be revoked by the appointment of a new legal representative or by a notarized revocation.
   (b) *Declining an Appointment.* A person thus appointed may decline to act as a service user's legal representative. However, a person who declines to continue being a service user's legal representative must take reasonable steps to inform the service user, as well as the service user's attending mental health professional or worker, of such decision.
   (c) *Failure to Appoint.* - If the service user fails to appoint a legal representative, the following persons shall act as the service user's representative, in the order provided below:
      (1) The spouse, if any, unless permanently separated from the service user by a decree issued by a court of competent jurisdiction, or unless such spouse has abandoned or been abandoned by the service user for any period which has not yet come to an end:
      (2) Non-minor children;
      (3) Either parent by mutual consent, if the service user is a minor;
      (4) Chief, administrator, or medical director of a mental health care facility; or
      (5) A person appointed by a Court.

9. **Supported Decision Making.** - A service user may designate up to three (3) persons or "supporters", including the service user's legal representative, for the purposes of supported decision making. These supporters shall have the authority to: access the service user's medical information; consult with the service user *vis-a-vis* any proposed treatment or therapy; and be present during service user's appointments and consultations with mental health professionals, workers and other service providers during the course of treatment or therapy.

10. **Exceptions to Informed Consent.** - During psychiatric or neurologic emergencies, or when there is impairment or temporary loss of decision-making capacity in whether physical or chemical, may be administered or implemented pursuant to the following safeguards and conditions:
   (a) In compliance with the service user's advance directives, if available, unless doing so would pose an immediate risk of serious harm to the patient or another person;
   (b) Only to the extent that such treatment or restraint is necessary, and only while a psychiatric or neurologic emergency, or impairment or temporary loss of capacity, exists or persists;
   (c) Upon the order of the service user's attending mental health professional, which order must be reviewed by the internal review board of the mental health facility where the patient is being treated within fifteen (15) days from the date such order was issued, and every fifteen (15) days thereafter while the treatment or restraint continues; and
   (d) That such involuntary treatment or restraint shall be in strict accordance with guidelines approved by the appropriate authorities, which must contain clear criteria regulating the application and termination of such medical intervention , and fully documented and subject to regular external independent monitoring, review, and audit by the internal review boards established by this Act.

11. **Quality of Mental Health Services.** - Mental health services provided pursuant to this Act shall be:
    (a) Based on medical and scientific research findings;
    (b) Responsive to the clinical, gender, cultural and ethnic and other special needs of the individuals being served;
    (c) Most appropriate and least restrictive setting:
    (d) Age appropriate; and
    (e) Provided by mental health professionals and workers in a manner that ensures accountability.

12. **Mental Health Services at the Community Level.** - Responsive primary mental health services shall be developed and integrated as part of the basic health services at the appropriate level of care, particularly at the city, municipal, and barangay level. The standards of metal health services shall be determined by the DOH in consultation with stakeholders based on current evidences.

    Mental health services at the community level that encompass wellness promotion, prevention, treatment, rehabilitation shall be inclusive and responsive to the needs of the vulnerable population. This services must also actively link peer support, education, livelihood and employment, social services, and other community support services.

    Every local government unit (LGU) and academic institution shall create their own program in accordance with the general guidelines set by the Philippine Council for Mental Health, created under this Act, in coordination with other stakeholders. LGUs and academic institutions shall coordinate with all concerned government agencies and the private sector for the implementation of the program.

13. **Community-based Mental Health Care Facilities.** - The national government through the DOH shall fund the establishment and assist in the operation of community-based mental health care facilities in the provinces, cities and cluster of municipalities in the entire country based on the needs of the population, to provide appropriate mental health care services, and enhance the rights-based approach to mental health care.

    Each community-based mental health care facility shall in addition to adequate room, office or clinic, have a complement of mental health professionals, allied professionals, support staff, trained barangay health workers (BHWs) volunteer, family members of patients or service users, basic equipment and supplies and adequate stock of medicines appropriate at that level.

14. **Reportorial Requirements.** - LGUs through their health offices shall make a quarterly report to the Philippine Council for Mental Health through the DOH. The report shall include, among others, the following data: number of patients/service users attended to and or served, the respective kinds of mental illness or disability, duration and result of the treatment, and patients/users' age, gender, educational attainment and employment without disclosing the identities of such patients/service user for confidentiality.

15. **Psychiatric, Psychosocial, and Neurologic Services in Regional, Provincial, and Tertiary Hospitals.** - All regional, provincial, and tertiary hospitals, including private hospitals rendering service to paying patients, shall provide the following psychiatric, psychosocial, and neurologic services;
    (a) Short-term, in-patient, hospital care in a small psychiatric or neurologic ward for service users exhibiting acute psychiatric or neurologic symptoms;
    (b) Partial hospital care for those exhibiting psychiatric symptoms or experiencing difficulties *vis-à-vis* their personal and family circumstances;
    (c) Out-patient in close collaboration with existing mental health programs at primary health care centers in the same area;
    (d) Home care services for services users with special needs as a result of, among others, long-term hospitalization, non compliances with or inadequacy of treatment, and absence of immediate family;
    (e) Coordination with drug rehabilitation center *vis-a-vis* the care, treatment, and rehabilitation of persons suffering from addiction and other substance-induced mental health conditions; and
    (f) A referral system involving other public and private health and social welfare service providers, for the purpose of expanding access to programs aimed at preventing mental illness and managing the condition of persons at risk of developing mental, neurologic, and psychosocial problems.

16. **Duties and Responsibilities of Mental Health Facilities.** - Mental health facilities shall:
    (a) Establish policies, guidelines, and protocols for minimizing the use of restrictive care and involuntary treatment;
    (b) Inform service user of their rights under this Act and all other pertinent laws and regulations;
    (c) Provide every service user, whether admitted for voluntary treatment, with complete information regarding the plan of treatment to be implemented;
    (d) Ensure that informed consent is obtained from service users prior to the implementation of any medical procedure or plan of treatment or care, except during psychiatric or neurologic emergencies or when the service user has impairment or temporary loss of decision-making capacity;
    (e) Maintain a register containing information on all medical treatments and procedures administered to service users; and
    (f) Ensure that legal representatives are designated or appointed only after the requirements of this Act and the procedures established for the purpose have been observed, which procedures should respect the autonomy and preferences of the patient as far as possible.

17. **Drug Screening Services.** - Pursuant to its duty to provide mental health service and consistent with the policy of treating drug dependency as a mental health issue, each local health care facility must be capable of conducting drug screening.

18. **Suicide Prevention.** - Mental health services shall also include mechanisms for suicide intervention, prevention, and response strategies, with particular attention to the concerns of the youth. Twenty-four seven (24/7) hotlines, to provide assistance to individuals with mental health conditions, especially individuals at risk of committing suicide, shall be set up, and existing hotlines shall be strengthened.

19. **Public Awareness.** - The DOH and the LGUs shall initiate and sustain a heightened nationwide multimedia campaign to raise the level of public awareness on the protection and promotion of mental health and rights including, but not limited to, mental health and nutrition, stress handling, guidance and counseling, and other elements of mental health.

20. **Integration of Mental Health into the Educational System.** - The State shall ensure the integration of mental health into the educational system, as follows:
    (a) Age-appropriate content pertaining to mental health shall be integrated into the curriculum at all educational levels; and
    (b) Psychiatry and neurology shall be required subjects in all medical and allied health courses, including post-graduate courses in health.

21. **Mental Health Promotion in Educational Institutions.** - Educational Institutions, such as schools, colleges, universities, and technical schools, shall develop policies and programs for students, educators, and other employees designed to: raise awareness on mental health issues, identified and provide support and services for individuals at risk, and facility access, including referral mechanisms of individual with metal health conditions to treatment and psychosocial support.

    All public and private educational institutions shall be required to have a complement of mental health professionals.

22. **Mental Health Promotion and Policies in the Workplace.** - Employers shall develop appropriate policies and programs on mental health issues, correct the stigma and discrimination associated with mental conditions, identify and provide support for individuals with mental health conditions to treatment and psychosocial support.

23. **Capacity Building, Reorientation, and Training.** - In close coordination with mental health facilities, academic institutions, and other stakeholders, mental health professionals, workers, and other service providers shall undergo capacity building, reorientation, and training to develop their ability to deliver evidence-based, gender-sensitive, culturally appropriate and human rights-oriented mental health services, with emphasis on the community and public health aspects of metal health.

24. **Capacity Building of Barangay Health Workers (BHWs).** - The DOH shall be responsible for disseminating information and providing training programs to LGUs. The LGUs, with technical assistance from the DOH, shall be responsible for the training of BHWs and other barangay volunteers on the promotion of mental; health. The DOH shall provide assistance to LGUs with medical supplies and equipment needed by BHWs to carry out their functions effectively.

The LGUs shall ensue the capacity building and supervision of the BHWs for the promotion of mental health, advocacy of patient's rights, case finding, identification and referral.

25. **Research and Development.** - Research and development shall be undertaken, in collaboration with academic institutions, psychiatric, neurologic, and related associations, and nongovernment organizations, to produce the information, data, and evidence necessary to formulate and develop a culturally relevant national mental health program incorporating indigenous concepts and practices related to metal health.

    High ethical standards in mental health research shall be promoted to ensure that: research is conducted only with the free and informed consent of the persons involved: researchers do not receive any privileges, compensation or remuneration in exchange for encouraging or recruiting participants; potentially harmful or dangerous research is not undertaken all research is approved by an independent ethics committee, in accordance with applicable law.

    Research and development shall also be undertaken *vis-à-vis* none medical, traditional or alternative practices.

26. **The National Center for Mental Health (NCMH).** - The NCMH, formerly the National Mental Hospital being the premiere training and research center development of interventions on mental and neurological services in the country.

27. **Duties and Responsibilities of the Local Government Units (LGUs).** - The LGUs shall:
    (a) Review, formulate, and develop the regulations and guidelines necessary to implement an effective mental health care and wellness policy within the territorial jurisdiction of each LGU, including the passage of a local ordinance on the subject of mental health, consistent with existing relevant national policies and guidelines;
    (b) Integrate mental health care services in the basic health care services, and ensure that mental health services are provided in primary health care facilities and hospitals, within their respective territorial jurisdictions;
    (c) Establish training programs necessary to enhance the capacity of mental health care service providers at the LGU level, in coordination with appropriate national government agencies and other stakeholders;
    (d) Promote deinstitutionalization and other recovery-based approaches to the delivery of mental health care services;
    (e) Establish, reorient, and modernize mental health care facilities necessary to adequately provide mental health services, within their respective territorial jurisdictions;
    (f) Where independent living arrangements are not available, provide or facilitate access to public housing facilities, vocational training and skills development programs, and disability or pension benefits;
    (g) Refer service users to mental health facilities, professionals, workers, and other service providers for appropriate care; and
    (h) Establish a multi-sectoral stakeholder network for the identification, management, and prevention of mental health conditions.
    (i) Establish and maintain drug screening services for the common prevalent drugs of abuse, using acceptable standard and up to date basic screening equipment and procedures.
    (j) Ensure appropriation to support and sustain the effective provision of mental health services in their respective territorial jurisdiction.
    (k) In coordination with the LGUs and the DOH, formulate, develop, and implement community resilience and psychosocial well-being training, including psychosocial support services during and after natural disaster and other calamities.

28. **Upgrading of Local Hospitals and Health Care Facilities.** - Each LGU. Upon its determination of necessity based on well-supported data provided by its local health office, shall establish or upgrade hospitals and facilities with adequate and qualified personnel, equipment and supplies to be able to provide mental health services and to address psychiatric emergencies: *Provided*, That people in geographically isolated and/or high populated and depressed areas shall have the same level of access and shall not be neglected by providing other means such as home visits or mobile health care clinic, as needed; *Provided further,* That the national government shall provide additional funding and other necessary assistance for the effective implementation of this provision.

SECTION 126. *MASUSTANSYANG PAGKAIN PARA SA BATANG PILIPINO*

1. **The Program shall have the following components and coverage:**

(a) Supplemental Feeding Program for Day Care Children. - The DSWD, in coordination with the LGUs concerned, shall implement a supplemental feeding program for under nourished children with ages three (3) to five years. The program shall be administered in a day care centers or in any other facility which can be used for such purpose: *Provided,* That the Program shall include the provision of at least one (1) fortified meal for a period of not less than one hundred twenty (120) days in a year: *Provided, further,* That in the preparation of fortified meals, the DSWD shall work in collaboration with recognized parents' organizations;
(b) School-Based Feeding Program. - The DepED shall implement a school-based feeding program for undernourished public school children from kindergarten to grade six (6): *Provided*, That the Program shall include the provision of at least one (1) fortified meal to all undernourished public elementary school children for a period of not less than one hundred twenty (120) days in a year;
(c) Milk Feeding Program. - The NGAs shall coordinate with the Department of Agriculture (DA), the National Dairy Authority, the Philippine Carabao Center and the Cooperative Development Authority for the incorporation of fresh milk and fresh milk-based food products in the fortified meals and cycle menu in accordance with Republic Act No. 8172, otherwise known as the "Philippine Food Fortification Act of 2000", utilizing, as far as practicable, locally produced milk in order to enhance its nutritional content and, at the same time, help boost livelihood opportunities for local dairy farmers and local dairy industry;
(d) Micronutrient Supplements. - The NGAs, in coordination with the DOH, shall provide micronutrient supplements to the Program beneficiaries including the use of iodized salt in accordance with Republic Act No. 8172, otherwise known as the "Salt Iodization or ASIN" law;
(e) Health Examination, Vaccination and Deworming. - The NGAs, in coordination with the DOH and LGUs concerned, shall conduct simultaneous health examinations including, but not limited to deworming and vaccination, as the case may be, to Program beneficiaries;
(f) Gulalayan sa Paaralan. - The NGAs shall encourage their respective component units to devote a portion of their land or space for the cultivation of vegetables and other nutrient-rich plants as identified by the NNC: *Provided,* That component units lacking in, land shall adopt modern gardening technologies with the assistance of the DA, the Department of Science and Technology (DOST) and the city or municipal agricultural officers. Parents shall also be encourage to maintain a similar program in their own backyards;
(g) Water, Sanitation, and Hygiene (WASH). - The NGAs, in coordination with the DOH and LGUs , shall establish and maintain water and sanitation facilities, promote good hygiene and safe food preparation in all of its component units especially in areas devoted for the preparation of fortified meals under the Program; and
(h) Integrated Nutrition Education, Behavioral Transformation, and Social Mobilization. - The Program shall be complemented by a public health, nutrition, and values transformation campaign to promote a holistic and integrated approach to health and nutrition education. Orientation-training on the objectives and mechanics of the Program shall be held among the personnel of NGAS and LGUs concerned, parent volunteers and the parent-teachers associations (PTAs) to generate support for the Program. The NGAs concerned shall also endeavor to mobilize community organizations to continue nutrition education outside of the school.

2. **Prioritization in the Program Implementation***.* - The NGAs shall create a five (5)-year plan to fully implement the Program: *Provided,* that the NGAs concerned shall prioritized the implementation of the Program in the LGUs and public day care or elementary schools that meet any of the following criteria:
   (a) With the highest prevalence of under nutrition and nutrient-deficiency among children aged three (3) years up to grade six (6) level;
   (b) With available facilities or capability to implement the Program; or
   (c) Which prioritize such counterpart resources for its implementation.

3. **Local Government Assistance.** - LGUs shall assist the NGAs in the efficient and effective implementation of the Program in accordance with Section 4 of this Act and shall be authorized to use a portion of the Special Education Fund (SEF) and/or their twenty percent (20%) development fund as provided for in Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", as amended to augment the appropriations available under the General Appropriations Act (GAA).

4. **Private Sector Participation.** - The NGAs shall encourage the participation of the private sector in the Program which shall include, among others, PTAs, private corporations, peoples and nongovernment organizations and such other groups or organizations, both foreign and local, that may want to be partner in whole or in part with the implementation of the Program.

5. **Tax Exemption.** - Any donation or bequest made to the NGAs or any of the aforementioned government agencies including LGUs for the Program shall be exempt from the donor's tax: *Provided*, That donations in kind shall be approved by the NGAs concerned upon the recommendation of the NNC, in the case of food products, and the DOH, in the case of vaccine and supplements, as the case may be, respectively.

6. **Procurement of Goods and Services.** - The Department of Budget and Management, Government Procurement Policy Board, and the Commission on Audit, in consultation with the NGAs, are hereby mandated to specifically establish and promulgate a community-based mode of procurement, liquidation and audit that will ensure the efficient and effective implementation of the Program: *Provided,* That this provision shall apply solely to the implementation of the Program by the NGAs and LGUs concerned.

SECTION 127. ***KALUSUGAN AT NUTRISYON NG MAG-NANAY***

1. **Objectives.** - This Act specifically aims to:
   (a) Provide comprehensive, sustainable, multisectoral strategies and approaches to address health and nutrition problems of newborns, infants and young children, pregnant and lactating women and adolescent females, as well as multi-factorial issues that negatively affect the development of newborns, infants and young children, integrating the short, medium and long-term plans of the government to end hunger, improve health and nutrition, and reduce malnutrition;
   (b) Provide a policy environment conducive to nutrition improvement;
   (c) Provide evidence-based nutrition interventions and actions which integrate responsive caregiving and early stimulation in a safe and protective environment over the first one thousand (1,000) days as recommended by the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), as well as nutrition-specific and nutrition-sensitive mechanisms, strategies, programs and approaches in implementing programs and projects to improve nutritional status, and to eradicate malnutrition and hunger;
   (d) Strengthen and define the roles of the Department of Health (DOH), the National Nutrition Council (NNC), and other government agencies tasked to implement nutrition programs in the first one thousand (1,000) days;
   (e) Institutionalize and scale up nutrition in the first one thousand (1,000) days in the national plan on nutrition, the early childhood care and development intervention packages developed by the NNC, the Philippine Development Plan, the National Plan of Action for Children, the regional development plans, and local government units' (LGUS) investment plans for health and nutrition;
   (f) Ensure the meaningful, active and sustained participation, partnership and cooperation of NNC-member agencies, other National Government Agencies (NGAs), LGUs, civil society organizations *(*CSOs), and the private sector, in an integrated and holistic manner, for the promotion of the health and nutritional well-being of the population, prioritizing interventions in areas with high incidence and magnitude of poverty, Geographically Isolated and Disadvantaged Areas (GIDA), and in hazard and conflict zones;
   (g) Strengthen enforcement of Executive Order No. 51, otherwise known as the "National Code of Marketing of Breastmilk Substitutes, Breastmilk Supplements and Other Related Products" or the "Milk Code", and Republic Act No. 10028, otherwise known as the "Expanded Breastfeeding Promotion Act of 2009", to protect, promote, and support optimal infant and young child feeding and maternity protection, and in consultation with the stakeholders in the public and private sectors, consider the new recommendations from the World Health Assembly (WHA) Resolution 69.9 to end the inappropriate promotion of food for infants and young children;
   (h) Strengthen the implementation of other nutrition related laws, programs, policies and guidelines including multisectoral integration, gender equality and promotion of the United Nations Convention on the Rights of the Child (UNCRC); and
   (i) Strengthen the family community support systems with the active engagement of parents and caregivers, with support from LGUs, the NGAs, CSOs, and other stakeholders.

2. **Scaling Up Health and Nutrition for the First One Thousand (1,000) Days of Life.** - The DOH, the NNC, the Department of Agriculture (DA), in coordination with other NGAs, the LGUs, the CSOs, and other stakeholders, shall develop a comprehensive and sustainable strategy for the first one thousand (1,000) days of life to address the health, nutrition, and developmental problems affecting infants, young children, adolescent females, and pregnant and lactating women. It shall operationalize the latest national plan on nutrition, integrating the short, medium and long-term plans of the government in response to the global call to eradicate hunger, improve nutrition, and prevent and manage malnutrition, as one (1) of the seventeen (17) Sustainable Development Goals (SDGs).

3. **Coverage.** - This Act covers those who are nutritionally-at-risk, especially pregnant and lactating women, particularly teenage mothers, women of reproductive age, adolescent girls, and all Filipino children who are newly born up to age twenty-four (24) months.

   Priority shall be given to those who reside in disaster-prone areas and GIDA, such as areas that are isolated due to distance, inaccessibility to transportation, and weather conditions, unserved and underserved communities and other areas identified to have high incidences of poverty, those persons belonging to the vulnerable sector, communities in or recovering from situation of crisis or armed conflict and recognized as such by a government body.

   The NNC shall prioritize LGUs, which meet any of the following criteria:
   (a) With the highest prevalence of under nutrition and nutrient-deficiency among pregnant and lactating women and children aged zero (0) to two (2) years;
   (b) Availability of facilities or capability to implement the program; and
   (c) Prioritizes such program in their locality and willingness to provide counterpart resources for its implementation.

4. **Program Implementation.** - The LGUs are encouraged to integrate maternal, neonatal, child health and nutrition programs in the local nutrition action plans and investment plans for health.

5. **Program Components.** - The program shall include health and nutrition services and interventions provided at the different life stages. The LGUs, NGAs, concerned CSOs, and other stakeholders shall work together to ensure the delivery of these services and interventions.
   (a) *Prenatal Period* (First Two Hundred Seventy (270) Days). – Prenatal care services at the facility and community level shall include, but not be limited to, the following:
      (1) Pregnancy tracking and enrollment to antenatal care services (ANC);
      (2) Regular follow up to complete the recommended minimum number of quality ANC care visits with proper referral for high-risk pregnancies;
      (3) Provision of maternal immunizations including tetanus and diphtheria toxoid vaccine, and other vaccines as appropriate;
      (4) Empowering women on the preparation of birth and emergency plans, and appropriate plans for breastfeeding and rooming-in, including counseling;
      (5) Counseling on maternal nutrition, appropriate infant and young child feeding practices;
      (6) Early identification and management of nutritionally at-risk pregnant women and pregnant adolescent females and provision of ready-to-use supplementary food (RUSF) in addition to dietary supplementation; (7) Provision of micronutrient supplements such as iron, folic acid, calcium, iodine and other micronutrients deemed necessary;
      (8) Promotion of the consumption of iodized salt and foods fortified with micronutrients deemed necessary;
      (9) Assessment of risk for parasitism and provision of anti-helminthic medicines;
      (10) Provision of oral health services including oral health assessment;
      (11) Counseling on proper hand-washing, environmental sanitation, and personal hygiene;
      (12) Counseling on, and utilization of, responsible parenthood and family health services;
      (13) Counseling on nutrition, smoking cessation, and adoption of healthy lifestyle practices;
      (14) Philippine Health Insurance Corporation (PhilHealth) enrollment and linkages to facility and community-based health and nutrition workers and volunteers;
      (15) Social welfare support to improve access to health and nutrition services, such as, but not limited to, dietary supplementation, healthy food products and commodities for nutritionally-at-risk pregnant women belonging to poorest of the poor families, including those with disabilities;
      (16) Maternity protection during pregnancy;
      (17) Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care and early stimulation for early childhood development;
      (18) Provision of counseling and psychosocial support to parents and caregivers with priority to high-risk pregnant women and adolescent females belonging to poorest of the poor families; and
      (19) Others as may be determined based on international and national guidelines and evidence generated locally.

   (b) W*omen About to Give Birth and Immediate Postpartum Period.* - Health and nutrition services at the facility and community level shall include, but not be limited to, the following:
      (1) Adherence to the couple's birth, breastfeeding, and rooming-in plans;
      (2) Provision of mother-friendly practices during labor and delivery in line with, and in compliance with, Mother and Baby-Friendly Health Facility Initiative (MBFHFI), Republic Act No. 10028, otherwise known as the "Expanded Breastfeeding Promotion

Act of 2009", Executive Order No. 51 or the "Milk Code", and other related administrative issuances of the DOH on maternal and newborn care;

(3) Monitoring of the progress of labor and the well-being of both the mother and the fetus, and provision of interventions to any health issue that may arise;
(4) Identification of high-risk newborns that will be delivered; the premature, small for gestational age (SGA), and/or low birth weight infants; and the provision of preventive interventions to reduce complications of prematurity or low birth weight;
(5) Coverage and utilization of PhilHealth benefit packages for maternal care;
(6) Nutrition counseling and provision of nutritious food and meals at the facility, most especially for women who gave birth to babies who are preterm, SGA, or low birth weight, until discharged;
(7) Provision of lactation management services to support breastfeeding initiation and exclusive breastfeeding for six (6) months, most especially for caesarean deliveries, and thereafter until discharged;
(8) Counseling on proper hand-washing, environmental sanitation, and personal hygiene;
(9) Counseling on, and utilization of, modern methods of family planning and access to reproductive health care services, as defined in Republic Act No. 10354, otherwise known as "The Responsible Parenthood and Reproductive Health Act of 2012";
(10) Maintenance of non-separation of the mother and her newborn and rooming-in for early breastfeeding initiation;
(11) Assurance of women and child-friendly spaces during calamities, disasters, or other emergencies;
(12) Provision of support to fathers and caregivers to ensure their commitment to support the mother and the child on proper health and nutrition care and provide necessary counseling and positive parenting support interventions;
(13) Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care and early stimulation for early childhood development; and
(14) Others as may be determined based on international and national guidelines and evidence generated locally.

(c) *Postpartum and Lactating Women*. - Health and nutrition services at the facility and community level shall include, but not be limited to, the following:
(1) Follow-up visits to health facilities where they gave birth;
(2) Home visits for women in difficult-to-reach communities especially if located in a GIDA;
(3) Lactation support and counseling from birth up to two (2) years and beyond, including those women who will return to work and for women in the informal economies, and those with breastfeeding difficulties;
(4) Nutrition assessment and counseling to meet the demands of lactation in health facilities and workplaces;
(5) Identification and management of malnutrition of chronically energy deficient (CED) and nutritionally-at-risk postpartum and lactating women, including adolescent mothers, and provision of RUSF in addition to dietary supplementation, as appropriate;
(6) Organization of community-based mother support groups and peer counselors for breastfeeding in cooperation with other health and nutrition workers;
(7) Lactation breaks for women in the workplaces including micro, small and medium enterprises;
(8) Availability of lactation stations in the workplaces, both in government and in the private sector, informal economy workplaces, and in public places and public means of transportation as stipulated in Republic Act No. 10028, otherwise known as the "Expanded Breastfeeding Promotion Act of 2009" and its implementing rules and regulations;
(9) Organization of breastfeeding support groups in workplaces, in cooperation with occupational health workers and human resource managers trained in lactation management for the workplace;
(10) Provision of micronutrient supplements including iron, folic acid, Vitamin A and other micronutrients deemed necessary;
(11) Promotion of the consumption of iodized salt and foods fortified with micronutrients deemed necessary;
(12) Provision of oral health services;
(13) Counseling on, and utilization of, modern methods of family planning, and access to reproductive health care services, as defined in Republic Act No. 10354, otherwise known as "The Responsible Parenthood and Reproductive Health Act of 2012";
(14) Social welfare support to improve access to health and nutrition services, such as, but not limited to, dietary supplementation, healthy food products and commodities for CED and nutritionally-at-risk postpartum and/or lactating women belonging to poorest of the poor families;

(15) Assurance of women-friendly and child-friendly spaces where mothers and their infants will be able to continue breastfeeding during calamities, disasters, or other emergencies;
(16) Provision of support to fathers and caregivers to ensure their commitment to support the mother and the child on proper health and nutrition care and provide necessary counseling and positive parenting support intervention;
(17) Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care, and early stimulation for early childhood development; and
(18) Others as may be determined based on international and national guidelines and evidence generated locally.

(d) *Birth and Newborn Period* (Twenty-eight (28) Days). - Health and nutrition services at the facility and community level shall include, but not be limited to, the following:
(1) Provision of baby-friendly practices during delivery in line, and in compliance, with the MBFHFI and essential newborn care protocol of the DOH in all facilities providing birthing services;
(2) Provision of early and continuous skin-to-skin contact to all full-term babies and continuous kangaroo mother care for small babies born preterm and low birth weight, in compliance with the newborn protocol of the DOH in all facilities providing birthing services;
(3) Maintenance of non-separation of the mother and her newborn from birth for early breastfeeding initiation and exclusive breastfeeding;
(4) Provision of routine newborn care services such as eye prophylaxis, Vitamin K supplementation, and immunizations;
(5) Administration of newborn screening and newborn hearing screening;
(6) Availment and utilization of appropriate PhilHealth benefit packages for the newborn including the preterm, low birth weight and small babies;
(7) Provision of early referral to higher level facilities to manage illness and/or other complications;
(8) Availability of human milk pasteurizer for strategic level two (2) and level three (3) facilities with neonatal intensive care units to ensure breast milk supply for small babies born preterm and low birth weight within its facility, the service delivery network it serves, and for use of infants and young children during emergencies and disasters;
(9) Assurance of a child-friendly space where exclusively breastfed infants will be able to continue breastfeeding during calamities, disasters or other emergencies;
(10) Social welfare support to improve access to health and nutrition services for newborns belonging to poorest of the poor families;
(11) Facilitate the prompt birth and death registration, including fetal deaths, including restoration and reconstruction of birth and death registration documents destroyed during disasters;
(12) Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care and early stimulation for early childhood development;
(13) Provision of support to parents and caregivers on early stimulation and responsive care for infants; and
(14) Others as may be determined based on international and national guidelines and evidence generated locally.

(e) *First Six (6) Months of Infanc*y (One Hundred Eighty (180) Days). – Health (and nutrition services at the facility and community level shall include, but not be limited to, the following:
(1) Provision of continuous support to mother and her infant for exclusive breastfeeding, including referral to trained health workers on lactation management and treatment of breast conditions;
(2) Provision of appropriate and timely immunization services integrated with assessment of breastfeeding, early child development, growth monitoring and promotion, and Infant and Young Child Feeding (TYCF) counseling;
(3) Growth and development monitoring and promotion of all infants less than six (6) months old especially those who had low birth weight, are stunted, or had acute malnutrition;
(4) Counseling household members on hand-washing, environmental sanitation, and personal hygiene;
(5) Provision of early referral to higher level health facilities to manage common childhood illnesses including acute malnutrition;
(6) Identification and management of moderate or severe acute malnutrition among infants less than six (6) months old and provision of lactation management services and management of medical conditions contributing to malnutrition;
(7) Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care and early stimulation for early childhood development;

(8) Social welfare support to improve access to health and nutrition services for newborns belonging to poorest of the poor families;
(9) Provision of support to fathers and caregivers to ensure their commitment to support the mother and the child on proper health and nutrition care and provide necessary counselling and positive parenting support interventions;
(10) Assurance of women and child-friendly spaces during calamities, disasters, or other emergencies where health and nutrition services for women and children shall be provided; and
(11) Others as may be determined based on international and national guidelines and evidence generated locally.

(f) *Infants Six (6) Months up to Two (2) Years of Age.* - Health and nutrition services at the community level shall include, but not be limited to, the following:
(1) Timely introduction of safe, appropriate, and nutrient-dense quality complementary food with continued and sustained breastfeeding for all infants from six (6) months up to two (2) years of age, with emphasis on the use of suitable, nutrient-rich, home-prepared, and locally available foods that are prepared and fed safely;
(2) Provision of nutrition counseling on complementary food preparation and feeding to mothers and caregivers;
(3) Dietary supplementation of age-appropriate and nutrient-dense quality complementary food;
(4) Growth and development monitoring and promotion in health facilities and at home;
(5) Provision of routine immunizations based on the latest DOH guidelines;
(6) Provision of micronutrient supplements deemed necessary;
(7) Management of common childhood illnesses based on WHO and DOH guidelines;
(8) Management of moderate and severe acute malnutrition using national guidelines and proper referral to higher level health facilities as appropriate, for treatment and management, especially those with serious medical complications;
(9) Provision of oral health services including application of fluoride varnish to prevent dental caries;
(10) Provision of anti-helminthic tablets for children one (1) to two (2) years old as appropriate;
(11) Availability of potable source of water, counseling of household members on hand-washing, environmental sanitation, and personal hygiene, and support for sanitation needs of households to reduce food, water, and vector-borne diseases;
(12) Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care, and early stimulation for early childhood development, and referral for development delays and other disabilities for early prevention, treatment and rehabilitation;
(13) Social welfare support to improve access to health and nutrition services such as, but not limited to, dietary supplementation, complementary food, other healthy food products and commodities, assessment and referral for development delays and other disabilities for early prevention, treatment and rehabilitation for infants six (6) months and above who belong to poorest of the poor families;
(14) Support for home kitchen gardens wherever feasible;
(15) Provision of locally available grown crops, vegetables and fruits in addition to other agricultural products to be used in complementary feeding and dietary supplementation;
(16) Protection against child abuse, injuries and accidents including the provision of first aid, counselling and proper referrals; and
(17) Others as may be determined based on international and national guidelines and evidence generated locally.

6. **Health and Nutrition of Adolescent Females.** - To address the cyclical nature of malnutrition among the population, delivery of health and nutrition services for adolescent females ten (10) to eighteen (18) years old at facility, school, and community levels shall include, but not be limited to, the following:
(a) Assessment of health and nutrition status and identification of nutritionally-at-risk adolescent girls, as well as provision of ready to use supplementary food or ready to use therapeutic food for nutritionally-at-risk adolescent females, as appropriate;
(b) Provision of age-appropriate immunizations based on the latest DOH guidelines;
(c) Provision of oral health services including oral health assessment;
(d) Provision of anti-helminthic drugs for deworming;
(e) Counseling on proper hand-washing, environmental sanitation, and personal hygiene;
(f) Provision of micronutrient supplements according to guidelines of the DOH, in partnership with the Department of Education (DepEd);

(g) Promotion of the consumption of iodized salt and foods fortified with micronutrients that may be deemed necessary;
(h) Referral to appropriate health facilities to manage menstruation irregularities or abnormalities that contribute to anemia and blood loss, and to manage complicated illnesses including moderate, severe acute malnutrition;
(i) Counseling on proper nutrition, mental health, avoidance of risk-taking behaviors, smoking cessation, adoption of healthy lifestyle practices, and family health; and
(j) Others as may be determined based on international guidelines and evidence generated locally.

7. **Other Program Components.** - The LGUs, NGAs, concerned CSOs, and other stakeholders shall likewise include the following cross-cutting components in the implementation of the program:
(a) National and local health and nutrition investment planning and financing;
(b) Policy, standards, and guideline development;
(c) Health and nutrition promotion and education, social mobilization and community organization, including advocacy;
(d) Service delivery;
(e) Health and nutrition human resources capacity development;
(f) Sectoral collaboration and partnerships;
(g) Logistics and supply management;
(h) Knowledge management and information; and
(i) Monitoring and evaluation, and research and development.

8. **Nutrition in the Aftermath of Natural Disasters and Calamities.** – Areas that are affected by disasters and emergency situations, both natural and man-made must be prioritized in the delivery of health and nutrition services, and psychosocial services interventions. NGAs and LGUs are mandated to immediately provide emergency services, food supplies for proper nourishment of pregnant and lactating mothers, and children, specifically those from zero (0) to two (2) years old. Women, infant and child-friendly spaces shall be prepared and ready to accommodate women and their children, provide their daily necessities such as food, clothing, clean water, and shelter; readily available breastfeeding support and counseling for those with children up to two (2) years or beyond, as well as provision and guidance on the appropriate complementary food for children over six (6) months old.

   Donations of milk formula, breast milk substitutes, and/or products covered by the Milk Code without the approval of the Inter-Agency Committee (IAC) created under Executive Order No. 51, Series of 1986, shall be prohibited in order to protect the health and nutrition of pregnant and lactating women, infants and young children before, during and after a disaster.

   In emergency situations, donations or assistance from the private sector, with no conflicts of interest or those not involved with manufacture, marketing, and sales of products covered by the scope of the Milk Code, shall be allowed immediately in the aftermath of natural disasters and calamities. Strict compliance with the Milk Code and its revised implementing rules and regulations (IRR) shall be observed, and options for mothers with breastfeeding problems will be provided, such as, but not limited to, the mobilization of breastfeeding support groups or strategic establishment of local milk banks.

9. **Capacity-Building of Barangay Health and Nutrition Volunteers.** - The DOH and the NNC, in coordination with LGUs, shall provide practical and effective training courses to BNSs, BHWs, and other personnel concerned to upgrade their skills and competence in the implementation of the services and interventions for the health and nutrition of women and children.

SECTION 128. SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION

1. **Hours of Work of a Working Child.** – Under the exceptions provided in Section 12 of this Act, as amended:
   "(1) A child below fifteen (15) years of age may be allowed to work for not more than twenty (20) hours a week: Provided, That the work shall not be more than four (4) hours at any given day;
   "(2) A child fifteen (15) years of age but below eighteen (18) shall not be allowed to work for more than eight (8) hours a day, and in no case beyond forty (40) hours a week;
   "(3) No child below fifteen (15) years of age shall be allowed to work between eight o'clock in the evening and six o'clock in the morning of the following day and no child fifteen (15) years of age but below eighteen (18) shall be allowed to work between ten o'clock in the evening and six o'clock in the morning of the following day."

2. **Ownership, Usage and Administration of the Working Child's Income.** – The wages, salaries, earnings and other income of the working child shall belong to him/her in ownership and shall be set aside primarily for his/her support, education or skills acquisition and secondarily to the collective needs of the family: Provided, That not more than twenty percent (20%) of the child's income may be used for the collective needs of the family.

   "The income of the working child and/or the property acquired through the work of the child shall be administered by both parents. In the absence or incapacity of either of the parents, the other parent shall administer the same. In case both parents are absent or incapacitated, the order of preference on parental authority as provided for under the Family Code shall apply.

3. **Prohibition Against Worst Forms of Child Labor.** – No child shall be engaged in the worst forms of child labor. The phrase "worst forms of child labor" shall refer to any of the following:

   "(1) All forms of slavery, as defined under the "Anti-trafficking in Persons Act of 2003", or practices similar to slavery such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including recruitment of children for use in armed conflict; or

   "(2) The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances; or

   "(3) The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and volatile substances prohibited under existing laws; or

   "(4) Work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children, such that it:
   - "a) Debases, degrades or demeans the intrinsic worth and dignity of a child as a human being; or
   - "b) Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; or
   - "c) Is performed underground, underwater or at dangerous heights; or
   - "d) Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power-actuated tools; or
   - "e) Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength or contortion, or which requires the manual transport of heavy loads; or
   - "f) Is performed in an unhealthy environment exposing the child to hazardous working conditions, elements, substances, co-agents or processes involving ionizing, radiation, fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibrations; or
   - "g) Is performed under particularly difficult conditions; or
   - "h) Exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes and other parasites; or
   - "i) Involves the manufacture or handling of explosives and other pyrotechnic products."

4. **Access to Education and Training for Working Children**
   a) No child shall be deprived of formal or non-formal education. In all cases of employment allowed in this Act, the employer shall provide a working child with access to at least primary and secondary education.
   "b) To ensure and guarantee the access of the working child to education and training, the Department of Education (DEPED) shall: (1) formulate, promulgate, and implement relevant and effective course designs and educational programs; (2) conduct the necessary training for the implementation of the appropriate curriculum for the purpose; (3) ensure the availability of the needed educational facilities and materials; and (4) conduct continuing research and development program for the necessary and relevant alternative education of the working child.
   "c) The DEPED shall promulgate a course design under its non-formal education program aimed at promoting the intellectual, moral and vocational efficiency of working children who have not undergone or finished elementary or secondary education. Such course design shall integrate the learning process deemed most effective under given circumstances."

5. **Prohibition on the Employment of Children in Certain Advertisements.** – No child shall be employed as a model in any advertisement directly or indirectly promoting alcoholic beverages, intoxicating drinks, tobacco and its byproducts, gambling or any form of violence or pornography."

6. **Who May File a Complaint.** – Complaints on cases of unlawful acts committed against children as enumerated herein may be filed by the following:
   "(a) Offended party;
   "(b) Parents or guardians;
   "(c) Ascendant or collateral relative within the third degree of consanguinity;
   "(d) Officer, social worker or representative of a licensed child-caring institution;
   "(e) Officer or social worker of the Department of Social Welfare and Development;
   "(f) Barangay chairman of the place where the violation occurred, where the child is residing or employed; or
   "(g) At least three (3) concerned, responsible citizens where the violation occurred."

7. **Access to Immediate Legal, Medical and Psycho-Social Services.** – The working child shall have the right to free legal, medical and psycho-social services to be provided by the State."

SECTION 129. SPECIAL PROTECTION OF CHILDREN IN SITUATIONS OF ARMED CONFLICT

1. **Children as Zones of Peace.** - Children are hereby declared as Zones of Peace. As such, they shall be treated in accordance with the policies stipulated under Article X, Section 22 of Republic Act No. 7610, otherwise known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act". Treatment of children as Zones of Peace shall extend beyond territorial or geographical boundaries and shall focus on the person of the child whose rights shall be promoted and protected at all times, especially in situations of armed conflict or violence. The State and all sectors concerned shall have the responsibility to resolve armed conflict in order to promote the goal of children as Zones of Peace. As such, the community, governmental authority and, if appropriate, religious leadership shall preserve the peaceful integrity of children, exemplify mutual respect and nonviolent behavior in the presence of children, and share their resources to further peace and cooperation.

2. **Rights of Children in Situations of Armed Conflict.** - Children in situations of armed conflict shall have the following rights:
   (a) The right to life, survival and development;
   (b) The right of special respect and protection against any form of abuse, neglect, exploitation and violation, especially in the context of armed conflict;
   (c) The right to be treated as victims. They shall be treated in accordance with this Act and other applicable laws, consistent with the State obligations under international lav/, within the framework of restorative justice, social rehabilitation and promotion of their protection;
   (d) The right to be accorded with special respect and to be protected from any form of direct or indiscriminate attacks and acts of violence, especially protection from the grave child rights violations as enumerated in Section 9 of this Act;
   (e) The right to be protected from recruitment into government forces or armed groups and from participation in armed conflict including the right to be protected from torture or any cruel, inhuman or degrading practices that compel compliance or punish noncompliance with recruitment or participation in armed conflict;
   (f) The right to be protected from maiming, torture, abduction, rape and killing, especially extrajudicial killing;
   (g) The right to be immediately provided and have safe access to essential, adequate and culturally appropriate food and nutrition; basic shelter and housing; culturally appropriate clothing; water, sanitation and hygiene; basic health services including essential drugs, medicines and vaccines, minimum initial service package for reproductive health, and health professional evaluation and appropriate intervention; education, including religious and moral education; early childhood care and development programs, psychosocial support and social services. All services provided for them must be child-specific and gender sensitive and responsive;
   (h) The right to enjoy their freedom of thought, conscience, religion or belief, opinion and expression; to associate freely and participate equally in legitimate community affairs; to communicate in a language they understand even in situations of armed conflict and whether or not they have been internally displaced or are living in evacuation centers or settlements;
   (i) The right to be treated humanely in all circumstances, without any adverse distinction founded on race, color, religion or faith. Sexual Orientation, Gender Identity and Expression (SOGIE), birth, wealth or any other similar criteria;
   (j) The right not to be interne d or confined in camp ;
   (k) The right of the injured, the wounded and the sick, those with disabilities, those who are separated and unaccompanied, expectant and lactating mothers, to care, protection and assistance required by their condition and treatment which takes into account their special

needs such as their health needs, reproductive health care, appropriate counselling, prevention of infectious diseases and Mental Health Psychosocial Support Services;

(l) The right to be with their families, especially with their mothers, during evacuations and in evacuation centers;

(m) The right to be reunited with their families in case of separation due to armed conflict;

(n) The right to privacy and confidentiality in all proceedings;

(o) The right to nondiscrimination;

(p) The right to liberty of movement and freedom to choose their residence; in particular, internally displaced children and their families have the right to move freely in and out of evacuation centers or other settlements, subject to existing rules and regulations in those centers or settlements and to other government regulations and directives;

(q) The right especially of internally displaced children and their families to: leave the country; seek safety in another part of the country; seek other service providers; seek asylum in another country; and be protected against forcible return to resettlement in any place where their life, safety, liberty or health would be at risk;

(r) The right to obtain necessary documents to enjoy their legal rights. The State shall have the duty to expedite services in the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions and without discrimination against female child and male child, who shall have equal rights to obtain and to be issued the same in their own names;

(s) The right of access to justice including free legal aid when filing cases against the perpetrators;

(t) The right to the protection of their family's properties and possessions in all circumstances; and

(u) The right to be consulted and to participate in all matters affecting them. Whenever feasible, views of children, as well as families and the communities to which these children return, should be sought in all stages of assessment, planning, implementation and evaluation activities aimed at preventing the association of children with government forces and armed groups; as well as in the development and design of policies, programs and services for the rescue, rehabilitation, and reintegration of children involved in armed conflict.

The rights enumerated in this section shall not hinder the application of other rights recognized and guaranteed in the Constitution and other existing laws in keeping with the best interests of the child.

3. **Prevention.** - The State shall take all feasible measures to prevent the recruitment, re-recruitment, use, displacement of, or grave child rights violations against children involved in armed conflict. It shall take all necessary measures to ensure the effective implementation and enforcement of the provisions of this Act. Towards this end, the State shall:

(a) Prioritize children's issues in the peace program of the government and include children s concerns, specifically the effects of armed, conflicts, in peace negotiations;

(b) Pursue in both formal and non-formal settings the mainstreaming of peace education programs and the promotion of the culture of peace and nonviolence;

(c) Provide educational assistance, whether formal or alternative learning system, that is child and culturally sensitive. Girls should have an equal right to education irrespective of their status as mothers or wives;

(d) Develop and implement training programs and campaign towards promoting a culture of peace and respect for human rights and international humanitarian law in collaboration with civil society organizations;

(e) Provide capacity building on Local Governance and Community Development, and ensure the participation of the Local Councils for the Protection of Children, various organizations, especially of children's and people's organizations at the community level. These organizations shall be involved in consultation and decision-making processes and in the development and implementation of programs, projects and activities established for them;

(f) Establish livelihood programs which shall be made available to communities in all affected areas in order to alleviate the living conditions of the people;

(g) Make available basic health services in health facilities in all affected areas. Culturally-sensitive nutrition programs and activities including supplementary feeding shall also be made available. Efforts to support traditional health practices in indigenous peoples' area shall also be initiated;

(h) Establish basic facilities and infrastructure needed;

(i) Ensure that child protection mechanisms are present and functional; and

(j) Establish a comprehensive, effective and efficient system for monitoring and reporting and response for violations as provided in Section 9 of this Act.

4. **Prohibited Acts and Penalties**

(a) It shall be unlawful for any person to commit the following acts of grave child rights violations:

(1) Killing of children;
(2) Torture committed against children. For purposes of this Act, torture shall include those enumerated in Section 4 of Republic Act No. 9745, otherwise known as the "Anti-Torture Act of 2009";
(3) Intentional maiming of children; and
(4) Rape of children and other forms of sexual violence.

(b) The following acts of grave child rights violations are also hereby prohibited:
(1) Cruel, inhuman and degrading treatment or punishment committed against children. For purposes of this Act, cruel, inhuman and degrading treatment or punishment shall include those acts enumerated in Section 5 of the "Anti-Torture Act of 2009";
(2) Abduction of children;
(3) Causal maiming of children;
(4) Taking children as hostages or using them as human shield;
(5) Recruitment, conscription or enlistment of children into government forces and other armed groups;
(6) Acts of gender-based violence against children;
(7) Refusal or denial of humanitarian access or assistance to children;
(8) Use or involvement of children involved in armed conflict in any capacity as defined in Section 5(i) of this Act; and
(9) Attack on schools, hospitals, places of worship, evacuation centers and settlements and other public places such as recreation parks, playgrounds and malls.

(c) Where the crimes committed under paragraph (b) of this section resulted in the killing, torture, maiming or rape of children as enumerated in subparagraphs (1), (2), (3) and (4) of paragraph (a), Section 9, the penalty imposed shall be that of Section 9(a) of this Act.

(d) Likewise, it shall be unlawful for any person to commit the following acts:
(1) Hamleting;
(2) Food blockade;
(3) Intentional delayed reporting of a child in custody;
(4) False reporting of a child in custody;
(5) False branding of children or labeling children as children involved in armed conflict; and
(6) Arrest, arbitrary detention or unlawful prosecution of children allegedly associated with armed groups or government forces.

(e) Parental accountability of children in situations of armed conflict are subject to the existing provisions of Presidential Decree No. 603, otherwise known as "The Child and Youth Welfare Code"; Republic Act No. 7610; Republic Act No. 9208, otherwise known as the "Anti-Trafficking in Persons Act of 2003"; Republic Act No. 9231 on the elimination of worst forms of child labor; Republic Act No. 9851, otherwise known as the "Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity"; and Republic Act No. 10364, otherwise known as the "Expanded Anti-Trafficking in Persons Act of 2012": *Provided,* That the involvement of the child was due to parental action or inaction; or the parent directed or ratified the involvement of the child; or the child acted as the parent's agent or servant; or the child was entrusted a dangerous weapon or instrument.

5. **Non-implementation or Violation of Any Other Provision of this Act or the Rules and Regulations in General.** - Any public officer who shall knowingly and maliciously prevent, prohibit, refuse or discontinue the implementation of any provision of this Act or any rule and regulation promulgated in accordance thereof, or in any other way violate them if such officer has the duty to implement, shall be punished by imprisonment of not less than six (6) years but not more than twelve (12) years and perpetual absolute disqualification from public office.

   Any such officer who shall prevent, prohibit, refuse or discontinue the implementation of this Act or its rules and regulations, or in any other way violate them by reason of inexcusable negligence or ignorance, shall suffer the penalty of imprisonment of not less than one (1) month but not more than six (6) months and temporary special disqualification from public office.

   The public officer liable under this section shall, in addition to imprisonment, be/held administratively liable under existing applicable laws.

   Any person who shall deliberately commit any other act not covered in Section 9, which shall result in prejudicing the rights of children in situations of armed conflict shall suffer the penalty of imprisonment of not less than six (6) months but not more than six (6) years.

6. **Forfeiture of Proceeds, Property and Assets.** - The court shall order the forfeiture of proceeds, property and assets derived, directly or indirectly, from the crimes defined and penalized in this Act, without prejudice to the rights of the *bona fide* third party. The court shall

impose the corresponding accessory penalties under the Revised Penal Code, as amended, especially where the offender is a public officer.

The liabilities imposed in this Act shall not prejudice the application of other existing criminal, civil and administrative liabilities that may additionally be imposed upon the person.

7. **Nonprescription.** - The crimes defined and penalized under this Act, their prosecution and the execution of sentences imposed on their account shall not be subject to any prescription.

8. **Irrelevance of Official Capacity.** - This Act shall appl}' equally to all persons without any distinction based on official capacity. In no case shall the official capacity exempt a person from criminal responsibility or constitute a ground for reduction of sentence.

9. **Responsibility of Superiors.** - In addition to the grounds of criminal responsibility for crimes defined and penalized under this Act, a superior shall be criminally responsible for such crimes committed by subordinates where:
   (a) The superior either knew or, owing to the circumstances at the time, should have known that the subordinates were committing or were about to commit such crimes; or
   (b) The superior failed to take all necessary, legitimate and reasonable measures to prevent or repress their commission or to submit the matter to the competent authorities for investigation and prosecution.

10. **Orders from a Superior.** - The fact that a crime defined and penalized under this Act has been committed by a person pursuant to an order of a superior shall not relieve that person of criminal responsibility unless all of the following elements occur:
    (a) The person was under a legal obligation to obey orders of the superior in question;
    (b) The person did not know that the order was unlawful; and
    (c) The person acted under duress or coercion.

    For purposes of this section, orders to commit grave child rights violations enumerated in Section 9 hereof are manifestly unlawful and shall be punished under this Act and other applicable existing laws.

11. **Unknown Superior.** - Where the crimes defined and penalized under this Act have been committed by a person pursuant to an order or command of an unknown superior, any person who in fact directed the others, spoke for them, signed receipts and other documents issued in their name, or who has performed similar acts on behalf of the armed groups, shall be deemed the superior.

12. **Court, Prosecutors and Investigators.** - The Family Courts shall have original and exclusive jurisdiction over the crimes punishable under this Act.

    The Commission on Human Rights (CPIR), the Department of Justice (DOJ) and its attached agencies, the PNP or other concerned law enforcement agencies shall designate prosecutors or investigators, as the case may be, for cases involving crimes punishable under this Act.

    The State shall ensure that judges, prosecutors and investigators designated for purposes of this Act, receive effective training in human rights particularly on the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children Involved in Armed Conflict and related international instruments, International Humanitarian Law, International Criminal Law and National Guidelines and Protocols on the Handling and Treatment of CIAC.

13. **Requirement and Procedures on Age Verification and Presumption of Minority.** - The child involved in, affected by or displaced by armed conflict, shall enjoy the presumption of minority and shall enjoy all the rights of a child recognized in this Act and other applicable laws unless proven to be at least eighteen (18) years of age or older.

    The age of a child may be determined from the child's birth certificate, baptismal certificate or any other pertinent document. In the absence of these documents, age may be based on information from the child, testimonies of other persons, the physical appearance of the child and other relevant evidence such as dental records. In case of doubt as to the age of the child, it shall be resolved in favor of the child being deemed a minor.

    Any person contesting the age of the child prior to the filing of the information in any appropriate court may file a case in a summary proceeding for the determination of age before the Family

Court, which shall decide the case within twenty-four (24) hours from receipt of the appropriate pleadings of all interested parties.

If a case has been filed against the child and is pending in the appropriate court, the person shall file a motion to determine the age of the child in the same court where the case is pending. Pending hearing on the said motion, proceedings on the main case shall be suspended.

In all proceedings, law enforcement officers, prosecutors, judges and other government officials concerned shall exert all efforts to determine the age of the child involved in armed conflict.

14. **Protection of Victims and Witnesses.** - In addition to existing provisions in Philippine law for the protection of victims and witnesses, the following measures shall be undertaken:
    (a) The court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of child victims and witnesses. Pursuant thereto, the court shall give due regard to all relevant factors, including age, gender and health, and the nature of the crime, particularly where the crime involves sexual or gender-based violence or violence against children;
    (b) The court shall protect the privacy of child victims and witnesses and observe confidentiality consistent with existing rules on examination of child victims and witnesses;
    (c) Where the personal interests of the child victims are affected, the court shall consider the child victim's views and concerns in accordance with established rules of procedure and evidence; and
    (d) Where the disclosure of evidence or information may be prejudicial to the security of the child, witness or the family, the prosecution may withhold such evidence or information and instead submit a summary thereof consistent with the rights of the accused to a fair and impartial trial.

15. **Reparation to Victims.** - In addition to existing provisions in Philippine law and procedural rules for reparations to victims, the following measures shall be undertaken:
    (a) The court shall follow the principles relating to the reparations to, or in respect of, child victims, including restitution, compensation and rehabilitation, taking into consideration the scope and extent of any damage, loss or injury suffered by child victims;
    (b) The court shall make an order directly against a convicted person specifying appropriate reparations to child victims, including restitution, compensation and rehabilitation; and
    (c) Before making an order under this section, the court may invite and shall take account of representations from or on behalf of the convicted person, child victims or other interested persons.
    Nothing in this section shall be interpreted to prejudice the rights of child victims under national or international law.

16. **Immunity from Suit for Persons Providing Assistance.** - Any person who shall take custody of children involved in armed conflict to ensure their safety or provide them any form of assistance shall be exempt from any civil, criminal and administrative liability: *Provided,* That the person taking custody shall report it to the Local Social Welfare and Development Office (LSWDO), the PNP or to the barangay office within forty-eight (48) hours from custody.

17. **Rescue, Rehabilitation and Reintegration.** - The State shall institute policies, programs and services for the rescue, rehabilitation and reintegration of children in situations of armed conflict. The programs, which shall be provided by civilian local and national government agencies, in partnership with nongovernment organizations shall aim at providing services for children while involving their families, communities and other entities to facilitate the children's reintegration process.

    These services shall include psychosocial support, health and nutrition, education, livelihood for families and other basic or legal services, as may be necessary.

    Any program intervention shall be designed with due respect to the culture of each child, family and community. The child shall, at all times, be provided with legal assistance and physical security upon rescue.

    Regardless of the perceived association of the children to one of the sides of the conflict, they shall benefit from all available medical, psychosocial, legal, shelter and educational response mechanism services for the victims of armed conflict.

    The State shall take into account the protocol in the rescue, rehabilitation and reintegration of children specified below:

(a) Rescue. – The State shall provide for adequate measures and mechanisms to facilitate the recovery, either voluntary or involuntary, of children from armed groups or government forces. It shall provide legal and physical security to children involved in armed conflict including services such as family tracing and system of referral or response on various psychosocial services needed by the victims;
(b) Rehabilitation. – The civilian national or local government agencies and civil society organizations shall facilitate the normal development of children victims in their post-involvement phase. It shall provide services including therapeutic counseling, security and protection, educational assistance and livelihood opportunities to their parents, relatives or guardians or to the victims when they become of age;
(c) Reintegration. – The civilian national or local government agencies and civil society organizations shall bring children back to their families or communities whenever possible. This shall involve services including the provision of alternative parental care. Trainings aimed to enhance community readiness in the reintegration of these children shall also be undertaken. Processes to facilitate the reintegration, healing and reconciliation of CIAC with their communities shall also be undertaken. Whenever possible, interventions for children shall be done with respect to their opinion. Interventions for indigenous peoples (IPs) children shall be conducted in recognition of the traditional structures and institutions of their communities.

18. **Release of Children Involved in Armed Conflict (CIAC).** - The State shall take all feasible measures to ensure that children recruited or used in armed conflict are demobilized, dissociated or otherwise released from the government force or armed group.

    For purposes of this Act, release activities shall be initiated independent of any negotiated peace agreements.

    The State, through its concerned agencies, in coordination with other stakeholders shall have the following duties:
    (a) Develop a child-specific release program. This release program should not make as a requirement the surrender of arms by CIAC;
    (b) Monitor and document the status of CIAC who undergo either a formal or informal release process;
    (c) Facilitate data and information sharing between government and nongovernment organizations to be informed and updated of the status of released CIAC and to assess and address their needs, with due regard to the right to privacy of CIAC, their security and safety, and considering the confidentiality of records;
    (d) Mobilize and strengthen networks for referrals;
    (e) Provide free legal assistance to released CIAC ensuring that the legal needs of the former CIAC will be addressed, such as the prohibition or stoppage of filing charges or dismissal of cases against CIAC as criminal or political offenders irrespective of their association with any-armed group or government force; and
    (f) Ensure the formal release of CIAC through various approaches such as advocacy of concerned groups, through the Government Peace Negotiating Panel (GPNP), and others: *Provided,* That in any release action, the best interest of the child shall be observed.

19. **Rescued, Taken into Custody, or Surrendered Children Involved in Armed Conflict (CIAC).** - Where the CIAC have been rescued, taken into custody, or surrendered, they shall at all times be treated in a child-friendly and sensitive manner. The State, at all times, shall consider the safety and security of the CIAC, and ensure that they are not subjected to tactical interrogation or any similar forms of investigation, especially by the police and military. The following procedures shall apply without prejudice to the application of other existing laws that will uphold the best interests of the child:
    (a) The identity of rescued CIAC shall be protected. Any identifying information regarding them shall remain confidential;
    (b) Rescued CIAC shall not be used for any political propaganda nor be unnecessarily exposed to media in violation of child rights to privacy, security and confidentiality of their cases;
    (c) Upon the rescue or surrender of the CIAC, government agencies, in particular, the AFP, the PNP, the Department of National Defense (DND), the local government units (LGUs), other concerned government agencies or nongovernment organizations in possession of the CIAC shall report immediately within twenty-four (24) hours the incident to the LSWDO, Local Council for the Protection of Children (LCPC) and the Council for the Welfare of Children (CWC);
    (d) The LSWDO or LCPC shall coordinate with the agency or nongovernment organization in possession of CIAC for the handover of custody of the children to the Department of Social Welfare and Development (DSWD);

(e) The handover to the LSWDO shall take place within twenty-four (24) hours or in cases where handover is not possible within the prescribed twenty-four (24)-hour period due to valid reasons and without the fault of the person having custody of the child, the handover shall be done within the next seventy-two (72) hours;
(f) The LSWDO shall facilitate the family tracing and coordinate with parents, relatives or guardians of the CIAC to inform them of the handover;
(g) The Local Health Office (LHO), in coordination with the LSWDO, shall check and assess the medical and physical condition of the CIAC. In cases where medical needs are apparent, the LHO shall ensure that medical services or treatment are received by the CIAC;
(h) The LSWDO shall assess the needs of the CIAC and refer to concerned agencies to provide immediate assistance or appropriate services.
The LSWDO shall require the parents of the child in situations of armed conflict to undergo counseling or any other intervention that, in the opinion of the court, will advance the welfare and best interest of the child. Relevant government agencies should provide social welfare and social protection interventions for parents and children to ensure family support, reintegration and rehabilitation, when necessary;
(i) The LSWDO, in coordination with other agencies, shall enter the CIAC into the child-specific reintegration programs; and
(j) The CIAC shall be reintegrated into the community and reunited with his or her family, or within a family or community setting where they can be adequately cared for and protected. In cases where reintegration to original community of origin is not feasible for reasons of CIAC's security, a conflict-free foster community or institution shall be identified. For other cases where children associated with government forces or armed groups remain with their family and community or maintain close ties, reintegration shall entail the reorientation of children towards civilian life.

20. **Children Who Reached the Age of Eighteen (18) Years Pending Court Proceedings or in Suspended Sentences.** - In cases when a child with a pending case reaches the age of eighteen (18) years, the Family Court shall dismiss the case against the person and determine, in consultation with concerned agencies, whether or not there is a need for the person to undergo appropriate rehabilitation and reintegration programs provided under this Act.

    Those with suspended sentences and undergoing rehabilitation at a youth rehabilitation center shall likewise be released: *Provided,* That the Family Court shall, in consultation with concerned agencies, determine and order the appropriate rehabilitation and reintegration programs the person shall undergo as provided under this Act.

21. **Children Who Have Been Convicted and are Serving Sentence.** - Persons who have been convicted and are serving sentence at the time of the effectivity of this Act and who were below the age of eighteen (18) years at the time of the commission of the offense for which they were convicted, and are serving sentence, shall likewise benefit from the retroactive application of this Act. They shall be entitled to appropriate dispositions provided under this Act, and their sentences shall be adjusted accordingly. They shall be immediately released if they are so qualified under this Act or other applicable laws.

CHAPTER X
GENERAL/PUBLIC WELFARE

SECTION 130. DECLARING THE THIRD WEDNESDAY OF SEPTEMBER OF EVERY YEAR AS ARBOR DAY IN THE MUNICIPALITY OF TIGBAUAN, ILOILO

1. DECLARATION OF POLICY– It is hereby declared as policy of the Municipality to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Towards this end, the vital role and importance of trees in ecological stability is recognized. Hence, there is a need for collaborated effort between the State and its citizenry to combat the loss of our natural resources and rejuvenate our environment by undertaking nationwide tree planting activities and providing effective measures for their maintenance and sustainability.

2. **CREATION OF ARBOR DAY COMMITTEE** – In implementing the intents of this Ordinance, there shall be created in the Municipality an Arbor Day Celebration Committee, the composition of which shall be as follows:
Chairperson: Local Chief Executive
Vice Chairperson : Vice Mayor

Co-Vice Chairperson: SB Chairperson, Committee on Environmental Protection
Members:

- Municipal Agricultural Officer
- Municipal Environment and Natural Resources Officer (MENRO)
- District Supervisor, Department of Education
- School Principals (public and private)
- Local Government Operation Officer;
- Municipal Planning & Dev't. Officer
- Municipal Engineer;
- Tourism Officer Designate;
- Chief of Police, PNP;
- SK Federated President;
- Liga ng mga Barangay President;
- Two (2) Representatives from the NGO;
- Tricycle Drivers Association
- Tigbauan Drivers & Owners Association; and
- Such other members as the Local Chief Executive may deem it necessary.

3. **FUNCTIONS OF THE ARBOR DAY COMMITTEE** – the following are the functions of the Committee:

- Formulate plans and programs necessary to achieve the intent of this Ordinance;
- Specify the areas to be planted with trees and ornamental plants;
- Monitor and record the activities and projects undertaken under this Ordinance; and
- Such other members as the Local Chief Executive may deem necessary.

4. **PROCLAMATION OF ARBOR DAY** – The Third Wednesday of September of every year (which coincides with the celebration of the Philippine Civil Service Month) shall be proclaimed as the Arbor Day (Tree Planting Day) of the Municipality of Tigbauan and shall be declared as public working holiday in order to ensure the participation of the different sectors of the society.

5. **FUNDING** – Special appropriation in the amount of Fifty Thousand Pesos (Php. 50,000.00) per year will be provided by the municipality for the operation and maintenance of the activity.

6. **INFORMATION AND MONITORING** – For information and monitoring purposes, all concerned agencies, department, and institutions shall submit to the Committee their accomplishment in relation to the Arbor Day Celebration.

7. **SUPPLY AND DISTRIBUTION OF SEEDLINGS** – The Municipal Agricultural Officer and the Municipal Environment and Natural Resources Officer shall be responsible in the supply and distribution of seedlings for the tree planting program of the Municipality.

8. **PLANTING OF TREES** – All able-bodied citizens of the Philippines residing in the Municipality, who are at least Twelve (12) years of age, shall be encouraged to plant and support the maintenance of at least one (1) tree every year.

9. **AREAS COVERED BY TREE PLANTING** – The Arbor Day Celebrations Committee shall specify the area within the Municipality to be planted or reforested as a protected area or a greenbelt area. The Committee shall encourage the use of the endemic or indigenous species during the observance of the Arbor Day designated by the municipality.

The tree planting activities shall be done in any of the following areas:

- Public school grounds, man-made mini forests or other available areas within the school premises;
- Idle or vacant public lands;
- Public parks in rural areas;
- Private schools, parks and lands with the consent of the owner thereof.

10. **MAINTENANCE OF TREES**– The barangay/school officials and deputized non-governmental organizations shall be responsible for the maintenance of such trees.

SECTION 131. EXEMPTING INDIGENTS/QUALIFIED BENEFICIARIES OF THE SITIO ELECTRIFICATION PROGRAM (SEP) AND NATIONAL INTENSIFICATION OF HOUSEHOLD ELECTRIFICATION (NIHE) PROGRAM IN THE MUNICIPALITY OF TIGBAUAN, ILOILO FROM FEES OF THE LOCAL GOVERNMENT UNIT REQUIREMENT

1. The indigents/beneficiaries of the Sitio Electrification Program (SP) and the National Intensification of Household Electrification (NIHE) program are exempted from payment of the fees of the Local Government Unit requirements for their electric service connection such as: Certificate of Final Electrical Inspection/Completion (CFEI), Electrical Permit with Official Receipt, Certificate of Occupancy (COO) (completed), Temporary Occupancy Permit (TOP) (under construction) and Fire Safety Inspection Certificate = *Bureau of Fire and Protection (BFP)*.

2. The Fire Inspection Fees and the Fire Safety Measures Fee imposed by the Municipality shall also be waived. The Indigents/Beneficiaries are still required to comply with the inspections, safety measures, fire safety constructions and protective and/or warning systems pursuant to Section 7 of the Republic Act. No. 9514 also known as Revised Fire Code of the Philippines of 2008.

SECTION 132. INSTITUTIONALIZING THE CREATION OF NON-HANDICAPPING ENVIRONMENT (NHE) FOR PERSONS WITH DISABILITY (PWD) IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO

1. ***Declaration of Policies*** – It is hereby declared the policy of the Municipality of Tigbauan, Province of Iloilo to promote the Non-Handicapping Environment for Persons with Disability through activities and processes that would overcome and ultimately eradicate all social, cultural, economic, environmental and attitudinal barriers that obstruct or hinder and prejudicial to the development of the full potential of persons with disability.

2. ***Purpose of This Ordinance***. Non-Handicapping Environment for Persons with Disability is an approach that addresses the issue of disability based on the social model of disability that seeks to:
   1. Empower people living with disabilities and remove barriers that prevent them from participating in their communities, getting a quality education, finding decent work, and having their voices heard;
   2. Enable the Persons with Disability to equal opportunity and utilizing the various systems and structures in the society and environment in all spheres;
   3. Ensure the inclusion and participation of Persons with Disability in various activities in the society that would bring positive impact to them as members of the community;
   4. Ensure community participation, awareness and their involvement on how to handle persons with disabilities;
   5. Help pregnant women and senior citizens with their mobilization for their convenience;
   6. Ensure that government agencies or government regulatory bodies will strictly implement the provisions of Accessibility Law and other laws affecting the persons with disability; and
   7. Establish accurate profiling of persons with disability.

3. ***Project Components in the Implementation of Non-Handicapping Environment***.

   a. **Development of Implementing Mechanism**. Crafting a clearly-defined implementing and monitoring structure and mechanism with the active participation of persons with disability to ensure the progress of project activities and long term sustainability.
   b. **Profiling**. Generate an accurate profile of persons with disability specifically statistics and demographics on persons with disabilities and a baseline situationer on physical accessibility in the community concerned based on current and reliable data.
   c. **Advocacy**. Conduct activities intended to raise awareness of the rights of PWDs, the social perspective of disability and the positive impacts of the creation of NHE. It can be achieved through various types of activities – from the simple but creative to the highly technical depending on the problem to be addressed or reach.
   d. **Networking**. Sharing experiences, accomplishments, lessons learned and best practices on NHE and for maximizing available resources and manpower. Strengthen linkages with agencies such as the Department of Public Works and Highways, the Department of Social Welfare and Development, the Department of the Interior and Local Government, the Department of Health, the Department of Education, Non-government Organizations and PWDs organizations.
   e. **Capacity Development**. Enhancing the capacity of stakeholders and partners and empowering persons with disabilities and PWDs organizations to advance their interests and encourage their inclusion and participation. The approach should be innovative and creative yet flexible enough to respond to updating and change.
   f. **Accessibility**. Infrastructure is a visible indication not only of compliance with the law but of advocacy for the inclusion of persons with disabilities. Provisions in the Accessibility Law shall be enforced in building construction and other infrastructure.

g. **Resource Mobilization**. Find steps to mobilize, save, and allocate resources to create Non-Handicapping Environment.

4. ***Coverage*****.** This Ordinance shall cover all persons with disability and, to the extent herein provided, Local Government Units, National Government Agencies, Non-Government Organizations and other stakeholders in the Municipality of Tigbauan involved in the attainment of the objective of this Ordinance.

5. ***Creation of NHE Project Management Team*****.** The team shall be composed of the following but not limited to:

Chairperson - Local Chief Executive
Vice Chairperson - Municipal Social Welfare Development Officer
Members:

- Sangguniang Bayan Chairperson – Committee on PWD's, Cultural Minorities & CSO's
- Sangguniang Bayan Chairperson – Committee on Social Services
- Liga President
- Municipal Engineer and Office of Building Official (OBO)
- Persons with Disability Affairs Officer (PDAO)/Focal Person
- Municipal PWD Federation President
- President of accredited local business organization
- President of accredited NGO and PO
- Persons with Disability support group
- Transport sector (*Land Transportation Office, Civil Aviation Authority, MARINA) and transport associations (including drivers and dispatchers)*
- Representative from the academe

6. ***Powers and Functions of the NHE Management Team*****.**

a. Monitor the implementation of the provisions of Accessibility Law (Batas Pambansa 344) in the construction of new buildings and infrastructures whose structural features shall enhance the mobility of PWDs and renovate or alter the existing ones;
b. Monitor the implementation of the provisions of R.A. 7277-The Magna Carta for Disabled Persons covering the rights and privileges of PWDs with regard to employment, health, education, auxiliary social services, accessibility, telecommunications, and political and civil rights;
c. Pass ordinances and resolutions that will directly benefit persons with disability;
d. Generate an accurate profile of PWDs from the Barangay level by involving the Barangay officials and volunteers and create a comprehensive/updated situational analysis on PWDs;
e. Create a solid framework upon which to build a rational and sustainable program that would guarantee full access and inclusion of members of PWDs;
f. Create position of PDAO/Focal person with budget and monitor its functionality and service to an individual PWD;
g. Encourage the private sector in promoting the welfare of PWDs by supporting their programs, projects and activities; and
h. Organization of Persons with Disability Support Group among others.

7. ***Monitoring and Evaluation*****.** The team shall be composed of the following but not limited to:

Chairman - MLGOO
Members: Municipal Social Welfare Development Officer
Municipal Engineer
Municipal Health Officer
Persons with Disability Affairs Officer (PDAO)/Focal Person
President of accredited local business organization
President of accredited NGO and PO

8. ***Advocacy Campaign*****.** The Local Chief Executive, Municipal Social Welfare Development Officer, Persons with Disability Affairs Officer/Focal Person and Municipal PWD Federation President will spearhead the advocacy campaign for the institutionalization of the Non-Handicapping Environment for Persons with Disability in the Province of Iloilo.

9. ***Funding*****.** An initial amount of Twenty Thousand Pesos (P20,000.00) to defray the expenses necessary for or incidental to the implementation of this Ordinance shall be sourced from the fund of the Municipality of Tigbauan, Province of Iloilo, is hereby allocated and every year

thereafter, the same shall be included in the Municipal Social Welfare and Development Office budget.

SECTION 133. RECOGNIZING THE RIGHTS OF PERSONS WITH DISABILITY (PWD), GRANTING PRIVILEGES, BENEFITS, PROTECTION FROM VILIFICATION AND PUBLIC RIDICULE AND PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

A. RIGHTS OF THE PWD'S

1. **Employment- PWD** shall not be deprived of access to opportunities for suitable employment. A qualified PWD employee shall be subject to the terms and condition of employment and the same compensation, privileges, benefits, fringe benefits, incentives and allowance as a qualified bodied person.
2. **Education** – the PWD shall provide an adequate access to quality education and ample opportunities to develop their skills. No PWD shall be denied in the admission to any Course it offers by reason of his/her handicap or disability.
3. **Health** – Access to quality and affordable health care services and geriatrics care shall be opened to PWDs and no deposits shall be required by any hospital, RHU or Infirmary involving emergency cases.
4. **Auxiliary Social Services** - The Municipality shall recognize that marginalized persons are provided with the necessary auxiliary services that will resolved their social function and participation in the community affairs,
5. **Right to Assembly –** the Municipal Government in consistent with the Philippine Constitution which recognizes the right of PWD's to participate in processions, rallies, parades, demonstrations, public meetings and assemblies or other forms of mass or concerted action held in public.
6. **Mobility** – every building and facility constructed in the Municipality, shall ensure the attainment of a barriers for free environment that will enable PWD's to have access in public and private buildings, establishment and other places mentioned in conformity with BP 344 otherwise known as accessibility law.
7. **Right to Organize** – The Municipal Government recognizes the right of PWD's to form organization or association that promotes their welfare and advance their organization or association that shall be encouraged to participate in planning, identification, implementation and assessment of the city government programs on PWD's.

B. PRIVILEGES TO PERSONS WITH DISABILITY

1. **Requirements**- The requirements for the enjoyment of privileges, benefits and assistance are the following, to wit:
   1. Filipino Citizen
   2. A Bonafide Resident for at least one (1) year.
   3. Registered as PWD with the MSWD.

2. **Privileges** – PWDs shall be entitled to the following privileges.
   a. At least twenty percent (20%) discount from all establishment relative to the utilization of all services in hotels and similar lodging establishments, Beaches, restaurants, Parlors/SPAS and recreation centers for the exclusive use or enjoyment of person with disability.
   b. A minimum of twenty percent (20%) discount on admission fees charged by theaters, concert halls, circuses, carnivals and other similar places of culture, leisure and amusement for the exclusive use of enjoyment of person with disability.
   c. At least twenty percent (20%) discount for the purchase of medicines in all drugstores, for the exclusive use of employment of persons with disability.
   d. At least twenty percent (20%) discount on medical, dental and optical services including diagnostic and laboratory fees such as, but not limited to x-rays, computerized tomography scans and blood tests, in all government facilities, subject to guidelines to be issued by the Department of Health (DOH), in coordination with the Philippine Health Insurance Corporation (PHILHEALTH).
   e. At least twenty percent (20%) discount on medical and dental services including diagnostic and laboratory fees and professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulation to be issued by the DOH, on coordination with the PHILHEALTH.
   f. At least twenty percent (20%) discount on fare for domestic and sea travel for the exclusive use and enjoyment of person with disability.

g. At least twenty percent (20%) discount in public jeepneys, taxis, buses and trisikads fare for the exclusive use or enjoyment of person with disability.
h. Educational assistance to person with disability for them to pursue primary, secondary, tertiary, as well as vocational or technical education in both public and private schools, through the provision of scholarship , grants, financial aids, subsidies and other incentives to qualified PWD, including support for books, learning materials, and uniform allowance to the extent feasible. Provided that person with disability shall meet minimum admission requirements.
i. To the extent practicable and feasible, the continuance of the same benefits and privileges given by the government Services Insurance System (GSIS), Social Security System (SSS), and PAG-IBIG, as the case may be as are enjoyed by those in actual service.
j. To the extent possible, the government may grant special discounts in special programs for PWD on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and
k. Provision of express lanes for the PWDs in all commercial and government establishments, in the absence thereof, priority shall be given to them.

The above mentioned privileges are available only to person with disability who is a Filipino citizen upon submission of any of the following as proof of his/her entitled thereto:

i. An identification Card issued by the Municipal Mayor or the Barangay Captain of the place where the PWD resides;
ii. The passport of the person with disability concerned;
iii. Transportation discount fare Identification Card (ID) issued by the National Council for the Welfare of Disabled Person (NCWDP

The privileges may not be claimed if the PWD claims a higher discount. It may be granted by the commercial establishment and/or under existing laws or in combination with other discount program/s.

The establishment may claim the discounts granted in sub-sections (a). (b), (c), (f) and (g) as tax deductions based on the net cost of the goods sold or services rendered. Provided, further, that the total amount of the claimed tax deduction is the net of value-added tax if applicable, shall be included in their gross sales receipt for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code (NIRC), as amended."

C. PROHIBITIONS ON VERBAL, NON- VERBAL RIDICULE AND VILIFICATION AGAINST PERSON WITH DISABILITY

1. Deliverance from Public Ridicule – for purposes of this Section, Public Ridicule shall be defined as an act of making fun or contemptuous imitating or making mockery of a person with disability whether in writing , or in words, or in action to their impairment/s.

No individual, group or community shall execute any of these acts of ridicule against a person with disability in any time and place which could intimidate or result in loss of self-esteem of the latter

2. Deliverance for Vilification- for purpose of this Section Vilification shall be defined as;

a. The utterance of slanderous and abusive statements against a person with disability; and/or
b. An activity in public which incites hatred towards, serious contempt for/ or severe ridicule of a PWD

2.1 Any individual, group or community is hereby prohibited from vilifying any PWD which could result into loss of self esteem of the latter.

D. ASSISTANCE TO PERSON WITH DISABILITY

1. The Availability of Assistance To The Persons With Disability:

a. *Educational*- to pursue primary, secondary, tertiary, post tertiary as well as vocational or technical education in private educational institutions through the provisions of scholarship grants, financial aids, subsidies and other incentives to qualified PWD's

including support for books, learning materials and uniform allowances provided, they meet the minimum admission requirements.

b. Health Care- the benefits and privileges i.e. Philhealth Card for PWD Card to be provided by the Office of the Municipal Mayor shall be extended to all PWD's

c. Health Service- the MHO shall provide an integrated health services for PWD's which shall include but not limited to prevention of disability through immunization, nutrition, sanitation and genetic and timely intervention to arrest disabling conditions.

2. Auxiliary Social Services- the MSWD shall ensure that marginalized PWD's are provided with the necessary services that will restore their social functioning and participation in the community development, the components of which are as follows, to wit:

1. Assistance in the acquisition of prosthetic and medical intervention of specialty services;
2. Provision on specialize training activities designed to improve functional limitations of PWD's related to communication skills;
3. Develop among PWD's the appositive self image through the provision of counseling, orientation and mobility and strengthening daily living capacity;
4. Provision on family care services geared towards developing the capability of families to respond to the needs of PWD's.
5. Provision on substitute family care and services and the facilities therefore for the abandoned, neglected and unattached PWD's who needs custodial care.
6. Provisions on after care and follow up services for the continued rehabilitation in a community based setting of rehabilitation center.

E. PENAL CLAUSE

1. Any person who violates any provisions of this ordinance shall suffer the following penalties:

1. First Offense - P1,000.00
2. 2nd Offense - P2,000.00
3. Third and succeeding offense – P2,500.00, or 6 months imprisonment, or both at the discretion of the Court.

F. FINAL PROVISIONS

1. Budgetary Support- the budgetary requirement to initially implement this Ordinance shall be chargeable to any available funds in the Municipal Government, subject to auditing and accounting procedures. Thereafter, the MSWDO shall include it in the succeeding annual budget of the DSWD.

SECTION 134. ESTABLISHING THE CENTENARIAN AWARD TO QUALIFIED CITIZENS IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO AND PROVIDING FUNDS THEREFOR

1. ***Purposes.*** The purposes for which this Ordinance is being enacted are the following:
   a. To give full support and assistance to the well-being of the elderly and distinct recognition of the centenarians.
   b. To encourage their families and the local government to set forth the valued Filipino tradition of caring for the centenarians.
   c. To pay tribute to our elderly residents who have reached their 100th birthday.
   d. To introduce many innovative ways, programs and services to the elderly.
   e. To express gratitude and appreciation to the elderly residents for their exemplary life.

2. ***Declaration of Policy***. As provided in the Constitution of the Republic of the Philippines, it is the declared policy of the state to provide social justice in all phases of national development and the state shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of underprivileged, sick, elderly, and disabled persons. Article XV, Section 4 of the Constitution further declares that it is the duty of the family to take care of its elderly members while the State may design programs of social security for them.

3. ***Benefits and Privileges.*** This Ordinance will grant the following benefits and privileges to all Filipino Residents of the Municipality of Tigbauan, Province of Iloilo who reach the age of one hundred (100).
   a. Cash incentive of Five Thousand Pesos (P5,000.00) from the Municipality of Tigbauan, Province of Iloilo.
   b. Congratulatory letter and Certification from the Mayor.

c. A Plaque of Recognition as the "Centenarian Citizen Awardee".
d. Sangguniang Bayan Resolution recognizing the exemplary life of the Centenarian.

4. ***Requirements***. To avail the Benefits and Privileges provided in Section 5 of this ordinance, the following requirement must be complied and submitted to Municipal Social Welfare and Development Services Office (MSWDO):
a. The centenarian awardee should be a permanent resident of the municipality and proof thereof shall be a certification from the Punong Barangay of the Barangay where the centenarian resides.
b. The centenarian awardee should be personally present to receive the award to be given by the Municipal Officials right after his/her birthday in a fitting ceremony (*except bedridden centenarians that are confined to bed because of illness or impossible for them to be physically present*). In any of the cases mentioned above, the awarding committee will go to the residence or hospital where the centenarian lives to give the award.
c. Two (2) identification documents to prove the centenarian's age are needed, such as:
   1. Senior Citizen's Identification Card issued by the Office for Senior Citizens Affairs (OSCA) in the municipality where the centenarians resides; and
   2. The Philippine passport of the centenarian concerned or other valid documents that establish the awardee is at least 100 years of age which shall include but not to be limited to the following government-issued identification documents indicating an awardee's birthday or age: Driver's License, Voters ID, SSS/GSIS ID, PRC card, Postal ID, Birth Certificate, Baptismal Certificate, Marriage Certificate, or any documents from the Office of the Civil Registry
   (*Except if the centenarian has no documents to submit to the selection/awarding committee, the affidavit of any two disinterested person will suffice*).

5. ***Responsible Government Agencies***. The following government agencies will be responsible for the evaluation process for the centenarian awardee:
a. The MSWDO as the lead government agency.
b. The following as members agencies:
   1. Different Barangay Associations-Barangay Officials headed by Punong Barangay where the centenarian resides.
   2. Senior Citizen President where the centenarian resides.
   3. Senior Citizens Federation Association, Inc.
   4. Office for the Senior Citizens Affairs (OSCA).
   5. MSWDO or Focal Person for Senior Citizens.
   6. Sangguniang Bayan Chairman on Committee on Women, Family, Social Services and Senior Citizens.

6. ***Budgetary Allocation***. The allocation in the amount of Thirty Thousand Pesos (P30,000) will come from the 5% of the Annual Budget appropriated to finance Gender and Development (GAD) for Senior Citizens.

7. ***Implementing Rule and Regulations***. Within thirty (30) days from the effectivity of this Ordinance, the Municipal Social Welfare and Development Services Head, representatives from the SCFAI and the Legal Office, Sangguniang Bayan Chairman on Committee on Women, Family, Social Services & Senior Citizens shall promulgate the necessary implementing rules and regulations of this ordinance.

SECTION 135. REGULATING CERTAIN ACTS OF STL AUTHORIZED AGENT CORPORATION (AAC), ITS SALES REPRESENTATIVES AND SUPERVISORS AND THE BETTING PUBLIC IN THE MUNICIPALITY OF TIGBAUAN AND PROVIDING PENALTIES OR SANCTIONS FOR VIOLATION THEREOF

1. ***Purpose***. – To promote the general welfare by regulating certain acts and conducts of the AACs, its sales representatives and supervisors and the betting public towards eradicating unauthorized lotteries or numbers games and illegal gambling in general within this Municipality.
2. ***Coverage***. – This ordinance shall apply to all persons, natural or juridical, whether resident or not, and in all places, found within the territorial jurisdiction of the Municipality of Tigbauan.
3. ***Prohibited Acts***.
It shall be **unlawful** for any AAC sales supervisor or representative:
a. to take any bet other than those intended for the STL, or otherwise act as a *front* for illegal lotteries or numbers game or any form thereof, such as but not limited to *jueteng*, *masiao*,

bookies operations, *game fixing, and other forms of lotteries*, including the act of betting or participating in such illegal numbers game. Any person found in possession of a ticket, bet form or any
paraphernalia not authorized by the PCSO for STL draw shall be *prima facie* presumed to have violated this provision;

b. to take bets without PCSO-prescribed identification cards (ID) which must be strictly worn and prominently displayed when they are on duty;
c. to allow, entice or tolerate a minor (below 18 years of age) or a mentally challenged person to place bet or otherwise participate in a particular STL draw, whether personally or through another person;
d. to take bets within twenty (20) meters of government offices and facilities, barangay halls, schools, hospitals, health centers and clinics, church, centers of youth activity such as playgrounds, plaza, parks and sports arena and similar places, and within or inside public conveyances such as jeepneys, buses, tricycles and trisikads, whether mobile or stationary;
e. to set up a betting table or any structure in any public place for the purpose of taking bets for an STL draw, except in the area designated by the Office of the Mayor for such purpose.

4. ***Regulated Acts***.

a. The AAC shall secure a Mayor's Permit from the LGU not later than January 15 of each calendar year, subject to exemption from payment of taxes and fees as may be provided by existing laws, rules and regulations. The permit application shall be accompanied by a certified copy of its PCSO-STL Franchise;
b. The AAC shall furnish the PNP Tigbauan Municipal Police Station with a copy of the updated list of its sales force and employees in the Municipality with their corresponding identification card numbers and specimen signatures every 15th day of the succeeding month;
c. Every AAC sales representative and sales supervisor shall secure a Barangay Clearance and Police Clearance not later than January 15 of each calendar year, subject to exemption from payment of taxes and fees as may be provided by existing laws, rules and regulations;
d. STL bets may be taken from 6:00 A.M. to 7:00 P.M. only;
e. Results of the STL draw shall be displayed only at the AAC sub-stations center and duly designated betting areas;
f. The AAC, its sales representatives and supervisor shall report immediately to the Office of the Mayor or the Chief of Police, PNP Tigbauan Municipal Police Station the conduct, presence or existence, of any illegal or unauthorized lottery or numbers game within its approved area of operation;
g. No elected public official shall act or be allowed as STL sales representative or sales supervisor;

5. ***Penalties and Sanctions:***

A. For Violations of Section 5 (a) to (e):

First Offense- fine of P2,000.00 and/or imprisonment of one (1) day or both, at the discretion of the court;
Second Offense- fine of P2,500.00 and/or imprisonment of seven (7) days, or both, at the discretion of the court;
Third Offense- fine of P2,500.00 and/or imprisonment of fifteen (15) days, or both, at the discretion of the court;

B. For Violations of or Non-Compliance with Section 6 (a) to (g):

The local government unit of Tigbauan, through the Office of the Mayor, shall report the violation or non-compliance to the PCSO with a recommendation to suspend, cancel, revoke or terminate the STL Agency Agreement of the AAC.

If the violator is an elected public official, he/she shall be charged for an administrative offense as the evidence may warrant.

C. Liability under Other Laws:

The prosecution of any person for criminal liability under this Ordinance shall be without prejudice to his/her criminal liability under P.D. 1602, as amended, and other related laws.

6. ***Compromise Penalty***- Before a formal charge is filed in court, any person apprehended for violation of Section 5 (a) to (e) of this Ordinance may seek a compromise by paying the corresponding fine with the Office of the Municipal Treasurer within twenty four (24) hours from

time of apprehension; Provided, that on the third (3rd) violation, this provision can no longer be availed of.

7. ***Task Force –*** A Task Force shall be created to aid in the implementation, enforcement and monitoring of this ordinance, as well as to conduct awareness campaigns and information dissemination that will inform the constituents and train enforcement officers.

   The Task Force chaired by the Municipal Mayor shall have the following as members:
   1. Chief of Police, PNP Municipal Police Office – Vice Chairman;
   2. Chairman, SB Committee on Peace and Order;
   3. Chairman, SB Committee on Games and Amusements;
   4. President, Municipal Liga ng mga Barangay;
   5. Municipal Administrator;
   6. Municipal Treasurer;
   7. Business Permits and Licensing Officer;
   8. Representative/s of DepEd and academic institutions;
   9. Representative/s of civil society organizations (CSO);
   10. Other member/s identified by the Chairman whose specific role and function in the LGU may serve to effectively implement this Ordinance.

   The Task Force shall receive, review and process reports and complaints, serve notices and citations, and file appropriate charges for violations under this Ordinance; hold regular meetings; deputize enforcers; and take any action to ensure that the provisions of this Ordinance are properly enforced.

SECTION 136. THE BUSINESS REGISTRY OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO

1. ***PURPOSES***. This ordinance generally aims to formulate a business registry which will serve as document that embodies a record of all business establishments in Tigbauan.

   Consistent with the goal to maximize public-private partnership, this ordinance aims:

   a. To keep track of the existing businesses in the Municipality.
   b. To properly institutionalize public-private partnership in the affairs of the LGU.
   c. To mobilize the business sector of Tigbauan to take an active part in the planning, implementation
      and sustainability of projects, programs and activities of the LGU that are geared towards the general welfare of Tigbaueños.

2. ***SCOPE***. This ordinance shall be applicable to all constituents of the municipality.

3. ***ROLE OF THE BARANGAYS***. All 52 barangays of the Municipality of Tigbauan through their respective Barangay Councils particularly the Committee Chairperson of the Committee on Trade and Industry or any equivalent are enjoined to provide support for this program, particularly in the data gathering and updating of the Registry.

   The Barangay shall also make the updating of the Registry *which will be done within the first quarter of every year.* For this purpose, a special committee called the Barangay Business Registry Committee shall be formed in every barangay and a copy of Resolution Organizing the same shall be furnished to the Office of the Sangguniang Bayan within 10 days from the constitution of the said committee.

4. ***BARANGAY BUSINESS REGISTRY COMMITTEE.*** There shall be a special committee in every Barangay composed of the Punong Barangay as Chairperson, Chairperson of the Committee on Trade and Industry or its equivalent as Vice Chairperson, all Kagawads as members, 2 members from the business sector to be appointed by the Punong Barangay from a list as recommended by the Barangay Council.

5. ***METHODOLOGY –*** the Barangay through its Barangay Business Registry Committee shall take the lead in gathering the needed data to complete the Business Registry of the barangay and the same shall be properly endorsed to the Business and Investment Board of Tigbauan for compilation/consolidation. The record shall contain the following information, among others which the respective committee's may deem proper:
   1. Name of the Proprietor

2. Business Address
3. Business Permit Number
4. Nature of Business
5. Contact Details (Phone/email address)

6. ***COORDINATION WITH CIVIL, NON-GOVERNMENT ORGANIZATIONS, SCHOOLS, PRIVATE AND GOVERNMENT INSTITUTIONS, ASSOCIATIONS AND GROUPS.*** For purposes of a comprehensive registry, coordination and linkages shall likewise be established with the various civic, non-government organizations, private and government institutions, associations and groups in the municipality.

7. ***BUSINESS AND INVESTMENT BOARD OF TIGBAUAN***. A Business and Investment Board shall hereinafter be established in the Municipality of Tigbauan, through an Executive Order to be issued by the Municipal Mayor, with the following composition:

Chairperson	-	Municipal Mayor
Vice Chairpersons-	S.B. Committee on Tourism, Culture and Arts	
		S.B. Committee on Economic Affairs and Investment
		S.B. Committee on Market and Slaughterhouse
Members	-	President, Tigbauan Business Club
	-	52 Punong Barangays
	-	52 Barangay Treasurers
	-	Municipal Treasurer
	-	Municipal Assessor
	-	Municipal Tourism Officer

8. ***ROLE OF BUSINESS AND INVESTMENT BOARD OF TIGBAUAN***:
   1. To lead in the compilation and completion of Registry;
   2. To update the Registry Program *annually*;
   3. To plan programs, projects and activities that will maximize the partnership of the LGU with the business sector of Tigbauan;
   4. The Board may be called upon by the Municipal Mayor to make recommendations on certain programs, projects or activities of the LGU affecting tourism, business and investment.

9. ***MEETINGS OF BOARD.*** The Board shall meet regularly twice a year and as frequent as the need arises upon the call of the Chairperson or majority of its members upon proper notice within 24 hours from the time and date of the special meeting.

10. ***HANDLING OF REGISTRY***. The registry is considered a vital document and its custody and care shall be the responsibility of the Office of the Municipal Mayor through the Treasurer's Office and the Office of the Sangguniang Bayan.

11. ***ACCREDITATION CERTIFICATE.*** To further ensure that business establishments are complying with existing laws, ordinances, rules, and regulations, accreditation certificates will be issued to business establishment that comply with standard business protocols through the maintenance of a customer/ consumer friendly establishment. The certificate will be issued only upon the recommendation of the Business and Investment Board. For this purpose, the Board is empowered under this ordinance to provide for the standard or the criteria for accreditation. The office of the Municipal Mayor shall issue the corresponding accreditation certificate to qualified business establishment upon recommendation of the Board.

12. ***FUNDING***. An initial amount of Php. 30,000.00 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 to ensure sustainability of the program, also to be included as part of their GAD programs, projects and activities.

SECTION 137. THE PROFESSIONALS REGISTRY OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO

1. ***PURPOSES***. This ordinance generally aims to formulate a professionals' registry which will serve as document that embodies a record of Tigbaueño professionals.

Consistent with the goal to maximize public-private partnership, this ordinance aims:

a. To keep track of the professional growth of the populace.
b. To properly institutionalize public-private partnership in the affairs of the LGU.
c. To mobilize the professionals sector of Tigbauan to take an active part in the planning, implementation and sustainability of projects, programs and activities of the LGU that are geared towards the general welfare of Tigbaueños.

2. ***SCOPE***. This ordinance shall be applicable to all constituents of the municipality.

3. ***ROLE OF THE BARANGAYS***. All 52 barangays of the Municipality of Tigbauan through their respective Barangay Councils particularly the Committee Chairperson of the Committee on Education are enjoined to provide support for this program, particularly in the gathering and updating of the Registry.

The Barangay shall also make the updating of the Registry *which will be done within the first quarter of every year.* For this purpose, a special committee called the Barangay Professionals Registry Committee shall be formed in every barangay and a copy of Resolution Organizing the same shall be furnished to the Office of the Sangguniang Bayan within 10 days from the constitution of the said committee.

4. ***BARANGAY PROFESSIONALS REGISTRY COMMITTEE.*** There shall be a special committee for every Barangay composed of the Punong Barangay as Chairperson, Chairperson of the Committee on Education as Vice Chairperson, all Kagawads as members, a member from the youth sector and a member from the professional sector to be appointed by the Punong Barangay from a list of professionals recommended by the Barangay Council.

5. ***METHODOLOGY –*** the Barangay through its Professionals Registry Committee shall take the lead in gathering the needed data to complete the Professionals Registry of the barangay. The record shall contain the following information, among others which the respective committee's may deem proper:

1. Name of the Professional
2. Address
3. Profession
4. Specialization, if there is any
5. Date/ Year of passing the corresponding Bar/Licensure examination
6. School attended
7. Office Address, if there is any
8. Contact Details (Phone/email address)

6. ***COORDINATION WITH CIVIL, NON-GOVERNMENT ORGANIZATIONS, SCHOOLS, PRIVATE AND GOVERNMENT INSTITUTIONS, ASSOCIATIONS AND GROUPS.*** For purposes of a comprehensive professionals 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.

7. ***PROFESSIONALS BOARD OF TIGBAUAN***. A Professionals Board shall hereinafter be established in the Municipality of Tigbauan, through an Executive Order to be issued by the Municipal Mayor, with the following composition:

Chairperson	-	Municipal Mayor
Vice Chairpersons	-	S.B. Committee on Education
		S.B. Committee on NGOs
Members	-	President, Professional Organization of Tigbauan
	-	52 Barangay Chairperson, Committee on Education
	-	DepEd representatives (one per school)
	-	The Community Affairs Officer
	-	The Information Officer
	-	The Human Resource Officer

8. ***ROLE OF PROFESSIONALS BOARD OF TIGBAUAN***:

a. To lead in the compilation and completion of Registry;
b. To update the Registry Program *annually*;
c. To plan programs, projects and activities that will maximize the partnership of the LGU with the professional sector of Tigbauan;
d. The Board may be called upon by the Municipal Mayor to make recommendations on certain programs, projects or activities of the LGU.

9. ***MEETINGS OF BOARD.*** The Board shall meet regularly twice a year and as frequent as the need arises upon the call of the Chairperson or majority of its members upon proper notice within 24 hours from the time and date of the special meeting.

10. ***HANDLING OF REGISTRY***. The registry is considered a vital document and its custody and care shall be the responsibility of the Office of the Municipal Mayor and the Office of the Sangguniang Bayan.

11. ***PROFESSIONAL'S CARD***. To serve as local identification/ membership card, every professional, upon payment of professionals tax receipt (PTR) with the LGU shall also be issued a professional's card duly signed by the Local Chief Executive. A reasonable cost for the printing and/or lamination of the said card will be charged from the professional concerned, the Professionals Board of Tigbauan is hereby authorized to formulate the administrative rules and regulation for the issuance of the Professional's Card.

12. ***FUNDING***. An initial amount of Php. 30,000.00 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 to ensure sustainability of the program, also to be included as part of their GAD programs, projects and activities.

SECTION 138. INSTITUTIONALIZING THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO) IN THE MUNICIPALITY AND IN THE BARANGAY OF TIGBAUAN, PROVINCE OF ILOILO

1. **OBJECTIVES.** The PESO, in general, shall ensure the prompt, timely and efficient delivery of employment service and provision of information on the other programs of the Department of Labor and Employment (DOLE). Specifically, the PESO shall:

    a. Provide a venue where people could explore simultaneously various employment options and actually seek assistance they prefer;
    b. Serve as referral and information center for the various services and programs of the DOLE and other government agencies present in the area;
    c. Provide clients with adequate information on employment and labor market situation in the area;
    d. Network with other PESOs within the region on employment for job exchange purposes; and
    e. To ensure the prompt delivery of information and provide employment services and identifying job employment opportunities in each and every barangay, this municipality.

2. **ADMINISTRATIVE AUTHORITY.** The PESO shall be under the Administrative Supervision of the Office of the Municipal Mayor.

3. **FUNCTIONS**. The PESO shall have the following functions:

    a. Encourage employers to submit to the PESO on a regular basis a list of job vacancies in their respective establishments in order to facilitate the exchange of labor market information services to job seekers and employers by providing employment services to job seeker, both for local and overseas employment, and recruitment assistance to employers;
    b. Develop and administer testing and evaluation instruments for effective job selection, training and counseling;
    c. Provide persons with entrepreneurship qualities access to the various livelihood and self-employment programs offered by both government and nongovernmental organizations at the provincial/city/municipal/barangay levels by undertaking referral for such programs;
    d. Undertake employability enhancement training/seminar for jobseekers as well as those would like to change career or enhance their employability. This function is presently supervised by HRMO Tigbauan and conducted by other training;
    e. Provide employment and occupational counseling, career guidance, mass motivation and values development activities;
    f. Conduct pre-employment counseling and orientation to prospective local and overseas workers;
    g. Provide reintegration assistance services to returning Tigbaueño migrant workers; and
    h. Perform such functions as willfully carry out the objectives of this ordinance.

4. **PESO SA BARANGAY ACTION CENTER (PBAC)** is hereby created to carry out the objectives on this ordinance, created to carry out the objectives of this ordinance, it shall be composed of the following personnel and shall served the following functions to wit :
   a. Chairman - Punong Barangay
   b. Vice Chairman - Committee Chair on Barangay Labor and Employment or its equivalent
   c. Members - One(1) member each from the PWD, Senior Citizen, Women's Sector and from the Youth Sector.

   The Barangay Secretary with the assistance of the duly appointed barangay PESO Coordinator (BPC) and other who may be subsequently appointed by the Punong Barangay shall act as the secretariat manning the day to day affairs of the PBAC.

5. FUNCTIONS OF THE PBAC. The PBAC shall perform the following functions and duties:
   1. Provide adequate information by means of identifying the list of existing job vacancies in their barangays and report the same to the Municipal PESO for inclusion in the pool of labor market;
   2. Maintain and keep an updated record of job seekers in their Barangay;
   3. Forward to the Municipal PESO the list of job seekers vis-avis the number of job vacancies available in the establishments located in their respective barangays;
   4. Monitor the progress of the submitted list of job seekers and their employment success rate from the time the PESO was informed of their status;
   5. Carry out the objectives of the PESO Act of 2009.
   6. Served as referral and information center conduit for the various programs of DOLE through the Municipal PESO Manager.
   7. Maintain a bulletin board for posting available job vacancies for the benefit of job hunters and other.
   8. Collaborate with the appointed barangay PESO coordinator (BPC) in relation to the recruitment procedure and other matters concerning employment.
   9. Exhort compliance of relevant municipal ordinance.
   10. Maintain a database program of jobseekers in the barangay and Business Establishments located in the concerned barangay with their existing plantilla of positions for their reference.
   11. Coordinate with the PESO regarding the scheduled recruitment in the Municipality/PESO and Barangay, in order to duly inform the respective Barangay constituents or recruitment activities for local and overseas employment;
   12. Serve as referral and information desk for the various services and programs of PESO thru linkages to national Government Agencies and training institutions;
   13. Monitor the status of all the livelihood projects beneficiaries awarded by the Municipality through DOLE Funds.
   14. Inform and assist applicants/constituents in registering in the Skills Registry System (NSRS) for easier access to job and training opportunities.

6. BPC TRAINING. The Newly appointed BPC will be given an orientation on Basic Employment Service Training (BEST) and the Basic Management Course (BMC) which aims top train and capacitate the latter on the implementation of the employment related activities, skills Registry System and provision on livelihood programs.

7. CLIENTS OF PBAC. The PBAC Center shall cater to the following;
   1. Jobseekers
   2. Employers
   3. Students
   4. Out of School Youth
   5. OFWS
   6. Persons with Disabilities(PWDs)
   7. Returning Overseas Filipino Workers (OFWs)
   8. Threatened /Displaced Workers
   9. Establishments and their officers operating within the confines of the Barangay concerned.

8. COMMUNITY SERVICES. The PBAC likewise discharged the following responsibilities :

1. Participate in Job Fairs facilitated by the Municipal PESO
2. Coordinate with other activities developed by DOLE and Municipal PESO , including those intended for special groups like displaced workers and Persons with Disabilities (PWD)
3. Cause the posting of available vacancies in conspicuous places in the Barangay, including but not limited to the Barangay Hall, School and sari-sari stores in the barangay;
4. Commission such research and study for job matching in the barangay;

9. OTHER PESO SERVICES. In addition to the functions enumerated in Section 4, the PESO shall also undertake the following programs and activities:

a. **Jobs Fair** – these shall be conducted periodically to bring together in one venue job seekers for immediate matching;
b. **Special Program for Employment of Students (SPES)** – This program shall endeavor to provide employment of deserving students coming from poor families during summer and/or Christmas vacations as provided for under R.A.7323 to enable them to pursue their education;
c. **Work Appreciation Program (WAP)** – This program aim to develop the values of work appreciation and ethics by exposing the young to actual work situations;
d. **Workers Hiring for Infrastructure Project (WHIP)** – This program is in pursuance of RA 6685 which requires construction companies, including the DPWH and contractor for government funded infrastructure projects, to hire thirty percent (30%) of skilled and fifty percent (50%)of unskilled labor requirements from the areas where the project is constructed/located; and
e. Other Programs/Activities developed by DOLE to enhance provisions of employment assistance to PESO clients, particularly for special groups of disadvantage workers such as persons with disabilities (PWDs) and displaced workers.

10. PERSONNEL STRUCTURE OF THE LGU-PESO. Under Republic Act 10691, the PESO shall be initially organized and composed of a PESO Manager and may be assisted by a Labor and Employment Officer (LEO) as may be determined by the LGU subject to availability of funds and Limitation on the Personal Services as provided for under Section 325 of the Local Government Code.

11. APPROPRIATION. That necessary fund shall be appropriated annually for PESO operation.

SECTION 139. SENIOR CITIZENS ORDINANCE

A. REGULATORY CLAUSE

1. This ordinance mandates all business/medical/public service establishments in Tigbauan, Iloilo to adopt and implement the Expanded Senior Citizens' Act of 2010.

2. Employment

a. Senior citizens who have the capacity and the desire to work, or be re-employed, shall be provided information and matching services to enable them to be productive members of society. The terms of employment shall conform to the provisions of the Labor Code, as amended and other laws rules and regulations.
b. For this purpose, employers are prohibited from discriminating against senior citizens on the sole account of their age.
c. Senior citizens who apply for work and may be required for a physical examination shall be entitled a twenty percent (20%) discount on all hospitals and facilities owned, operated and maintained by the Government.

3. Privileges for the Senior Citizens.

The senior citizens shall be entitled to the following:

a. the grant of twenty percent (20%) discount and exemption from the value added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the senior citizen:
a1. on the purchase of medicines, including the purchase of influenza and pneumococcal vaccines, and such other essential medical supplies, accessories and equipment to be determined by the Department of Health (DOH). "The DOH shall establish guidelines and mechanism of compulsory rebates in the sharing of burden of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;

a2. on the professional fees of attending physician/s in all private hospitals, medical facilities, outpatient clinics and home health care services;

a3. on the professional fees of licensed professional health providing home health care services as endorsed by private hospitals or employed through home health care employment agencies;

a4. on medical and dental services, diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics, and home health care services, in accordance with the rules and regulations to be issued by the DOH, in coordination with the Philippine Health Insurance Corporation (PhilHealth);

a5. in actual fare for land transportation travel in public utility buses (PUBs), public utility jeepneys (PUJs), taxis, Asian utility vehicles (AUVs), and shuttle services;

a6. in actual transportation fare for domestic air transport services and sea shipping vessels and the like, based on the actual fare and advanced booking;

a7. on the utilization of services in hotels and similar lodging establishments, restaurants and recreation centers;

a8. on admission fees charged by theaters, cinema houses and concert halls, circuses, leisure and amusement; and

a9. on funeral and burial services for the death of senior citizens;

b. exemption from the payment of individual income taxes of senior citizens who are considered to be minimum wage earners in accordance with Republic Act No. 9504;

c. the grant of a minimum of five percent (5%) discount relative to the monthly utilization of water and electricity supplied by the public utilities: *Provided,* That the individual meters for the foregoing utilities are registered in the name of the senior citizen residing therein: *Provided, further,* That the monthly consumption does not exceed one hundred kilowatt hours (100 kWh) of electricity and thirty cubic meters (30 m3) of water: *Provided, furthermore,* That the privilege is granted per household regardless of the number of senior citizens residing therein;

d. exemption from training fees for socioeconomic programs;

e. free medical and dental services, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities, subject to the guidelines to be issued by the DOH in coordination with the PhilHealth;

f. the DOH shall administer free vaccination against the influenza virus and pneumococcal disease for indigent senior citizen patients;

g. educational assistance to senior citizens to pursue post-secondary, tertiary, post tertiary, vocational and technical education, as well as short-term courses for retooling in both public and private schools through provision of scholarships, grants, financial aids, subsides and other incentives to qualified senior citizens, including support for books, learning materials, and uniform allowances, to the extent feasible: *Provided,* That senior citizens shall meet minimum admission requirements;

h. to the extent possible, the government may grant special discounts in special programs for senior citizens on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA);

i. provision of express lanes for senior citizens in all commercial and government establishments; in the absence thereof, priority shall be given to them; and

j. death benefit assistance to qualified indigent Senior Citizens of a minimum of Two thousand pesos (Php2, 000.00) shall be given to the nearest surviving relative of a deceased senior citizen which amount shall be subject to adjustments due to inflation in accordance with the guidelines to be issued by the DSWD.

4. In order to avail of the privileges mentioned above, the senior citizen, or his/her duly authorized representative, may submit as proof of his/her entitled thereto any of the following:

a. an identification card issued by the Office of the Senior Citizen Affairs (OSCA) of the place where the senior citizen resides: Such identification card issued by the particular OSCA shall be honored nationwide;

b. the passport of the senior citizen concerned; and

c. other documents that establish that the senior citizen is a citizen of the Republic and is at least sixty (60) years of age as further provided in the implementing rules and regulations.

5. In the purchase of goods and services which are on promotional discount, the senior citizen can avail of the promotional discount or the discount provided herein, whichever is higher.

6. The establishment may claim the discounts granted under subsections (a) and (c) of this section as tax deduction based on the cost of the goods sold or services rendered: Provided, That the cost of the discount shall be allowed as deduction from gross income for the same taxable year that the discount is granted: Provided, further, That the total amount

of the claimed tax deduction net of VAT, if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code (NICR), as amended.

7. The Tigbauan Senior Citizens Council.-There shall be created a Municipal Senior Citizens Council, hereinafter referred to as the Council, to be composed of the Chairman of the Committee on Senior Citizens of the Sangguniang Bayan, the Head of the Office for Senior Citizens Affairs and the Presidents of the Senior Citizens Associations from the different barangays in the Municipality of Tigbauan.

a. Objectives:

a1. To formulate policies and adopt measures mutually beneficial to the elderly and to the municipality.

a2. To strengthen the organization of the office of the Senior Citizen Affairs (OSCA) in the Municipality of Tigbauan.

a3. To motivate and encourage Senior Citizen to contribute to nation building.

a4. To encourage their families and the community where they live in to reaffirm the Filipino values and traditions of caring for, sharing with, the elderly.

a5. To establish mechanism whereby Senior Citizen are assisted appreciated by the Community as a whole.

a6. To establish programs beneficial to the Senior Citizen, their families and their communities.

b. Council Chairperson and Vice Chairpersons. – The Tigbauan Municipal Council for Senior Citizens shall be chaired by the Chairperson of the Sangguniang Bayan Committee on Women and Family, Social Services and Senior Citizens who shall be assisted by Two Vice Chairpersons, one being the Chairman of the Office of Senior Citizen Affairs and the other being the Municipal President of the Senior Citizens Federated Association of Tigbauan.

c. Board of Directors. - The members of the Board of Directors shall be elected from among the members of the Municipal Federation of Senior Citizens, as the Council's policy-making body, to be composed of four (4) Presidents of the Senior Citizens Association of the barangays. They shall serve for a term of three (3) years unless earlier removed for cause. The Chairperson of the Council shall act as the Presiding Officer of the Board and in the absence of the Chairperson, any of the Vice Chairmen shall act as the Temporary Presiding Officer.

d. Other Officers. – In addition to the Chairman and the two (2) Vice Chairmen, the body shall have a Secretary, a Treasurer, Auditor, a Business Manager and a Public Relations Officer, to be elected for a term of three (3) years. Other officers and or working committees may be elected by the body to perform the duties traditionally attached to the position.

e. Staff Personnel. – Upon recommendation of the Board of Directors, the Municipal Mayor shall provide an Office Space for the council and appoint or designate such employee(s) as may be necessary to constitute the administrative staff of the Council with corresponding compensation, subject to the approval of the Sangguniang Bayan of Tigbauan. As much as possible senior citizens who have potential and capacity to perform the duties of the position effectively and efficiently shall be given priority for appointment.

f. Board of Advisers. – The Council shall have a Board of Advisers to be composed of the Honorable Mayor, as Chairman, the Chairmen of the Sangguniang Bayan Committees on Appropriations, and Ordinances, and Resolutions and the Municipal Social Welfare and Development Officer as Members.

g. Appropriations. – The Sangguniang Bayan shall appropriate an annual budget for the Council subject to the availability of funds to support the programs and projects of the elderly in addition to the one half percent (.5%) set aside in the Budget of Local Government Unit of Tigbauan for the programs and projects related to Senior Citizens provided for in Joint Circular No. 2003-001 of the Department of Budget and Management (DBM) and the Department of Social Welfare and Development (DSWD) dated April 28, 2003.

2. PENAL CLAUSE

1. Any violation of the provisions contained in Numbers1, 2 and 3 of Section 1 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.

2. If the offender be a public official or employee the penalty provided herein shall be without prejudice to the offender's administrative liability. Such administrative liability shall attach without regard as to whether the violation was committed in the performance of official functions or otherwise.

3. If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner or such other officer charged with the management of the business affairs shall be liable therefore.

Upon filing of an appropriate complaint, and after due notice and hearing, any permit, franchise and other similar privileges granted by the Municipal Government to any person, establishment or business entity that fails to abide by the provisions of this Ordinance may be revoked or cancelled, either temporarily or permanently.

4. All fines generated here from shall accrue solely for the benefit of the Municipal Senior Citizens Council which shall be utilized for program implementation and administrative requirement. Provided however, that no part of such funds may be used for travel and representation outside of the Municipality, *per diem* or honorarium.

SECTION 140. RATIFYING RULE 10 OF ADMINISTRATIVE ORDER NO. 1, SERIES OF 2012 OF THE PHILIPPINE STATISTICS AUTHORITY PURSUANT TO THE RULES AND REGULATIONS GOVERNING THE IMPLEMENTATION OF REPUBLIC ACT NO. 10172

A. REGULATORY CLAUSE

1. AUTHORITY TO COLLECT FEES.
The Municipal Civil Registrar (MCR) is hereby authorized to collect from every petitioner three thousand pesos (P3,000.00) for petition to correct the day and/or month in the date of birth or sex.

When a petitioner/document owner files a petition for correction of clerical error under R.A. 9048, simultaneously, with a petition for correction of clerical error under R.A.10172, and the same document is involved, the petitioner/document owner shall pay only the amount of P3,000.00 corresponding to the fee under R.A. 10172.

2. EXEMPTION OF INDIGENTS.
An indigent petitioner shall be exempted from paying the required payment, provided that the petition is supported by a certification from the Municipal Social Welfare Office that the petitioner/ document owner is indigent.

3. UTILIZATION OF FEES COLLECTED.
All fees collected by the MCR or the consul general pursuant to this law shall accrue to the funds of the Local Civil Registry Office concerned or the Office of the Consul General for modernization of the office and hiring of new personnel and procurement of supplies, subject to government accounting and auditing rule.

SECTION 141. ASSISTANCE FOR INDIVIDUAL IN CRISIS SITUATION (AICS)

A. REGULATORY CLAUSE

1. GUIDELINES FOR AVAILMENT OF AICS

a. MEDICAL ASSISTANCE

a1. *Supporting documents required:*
- Medical Certificate or Certificate of Confinement (Original Copy)
- Certificate of Residency (in the name of claimant to be interviewed from the barangay)
- Certificate of Eligibility (MSWDO)
- Social Case Study Report (MSWDO)

a2. *Amount - P5,000.00 (case to case basis)*

b. BURIAL ASSISTANCE

b1. *Supporting documents required:*
- Death Certificate (Original, carbon, Xerox copy)
- Certificate of Residency (in the name of claimant to be interviewed from the barangay)
- Certificate of Eligibility (MSWDO)
- Social Case Study Report (MSWDO)

b2. *Amount - P3,000.00*

c. HOUSING ASSISTANCE (VICTIMS OF NATURAL/MAN-MADE DISASTER)

c1. *Supporting documents required:*
- Police Blotter Report (PNP)
- Inspection Report (BFP or the MDRRC *as the case maybe)*

- Certificate of Residency (in the name of claimant to be interviewed from the barangay)
- Certificate of Eligibility (MSWDO)
- Social Case Study Report (MSWDO)

c2. *Amount - P5,000.00 (case to case basis)*

d. VICTIMS OF (RA9262) – "VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (PHYSICAL AND SEXUAL)" AND VICTIMS OF (RA7610)- "SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE" ASSISTANCE

d1. *Supporting documents required:*

- Police Blotter Report (PNP)
- Medico Legal Certificate/Medical Certificate (Hospital)
- Certificate of Residency (in the name of claimant to be interviewed from the barangay)
- Certificate of Eligibility (MSWDO)
- Social Case Study Report (MSWDO)

d2. *Amount - P3,000.00*

2. UTILIZATION AND SOURCE OF FUNDS

a. The Source of Funds for Assistance to Individual in Crisis Situation (AICS) shall be from the amount appropriated for such purpose be it from the regular budget or supplemental budget as the case maybe.

b. The disbursement of funds for Assistance to Individual in Crisis Situation (AICS) shall be in accordance and subject to usual accounting and auditing rules and procedures. Compliance with all existing laws, rules and regulations shall be the responsibility of the officials authorizing the disbursement of funds. Expenditures of funds in violation of the Local Government Code and other laws shall be a personal liability of the official or employee responsible therefore.

SECTION 142. POSTING OF BILLS FOR ADVERTISEMENT PURPOSES INSIDE THE PUBLIC MARKET

A. REGULATORY CLAUSE

The posting of any bill for advertisement inside the public market without prior permit from the Office of the Municipal Mayor is hereby prohibited within the Municipality.

B. PENAL CLAUSE

Any person violating the 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.

CHAPTER XI
EDUCATION

SECTION 143. TIGBAUAN MUNICIPAL LIBRARY AND HISTORICAL CENTER

A. REGULATORY CLAUSE

1. Functions of the Tigbauan Municipal Library and Historical Center

a. To serve as study / research room for residents and visitors;

b. To provide a wide array of reading materials, including materials prescribed by schools and distributed by government agencies, non-government organizations and the private sector;

c. To provide at least one (1) local and one (1) one general circulations of newspapers for the daily consumptions of the reading public.

d. To serve as archives of Tigbauan Historical Records.

e. To serve as venue for briefing or presentations relative to the History of Tigbauan or the Municipality's profiles, among other things.

f. To offer such other services or functions relative or incidental thereto.

2. Administrative Provisions

a. There shall be enacted a set of rules and regulations governing the operation (i.e. reading and borrowing of reading materials) of the Tigbauan Municipal Library and

Historical Center by this Sanggunian within forty five (45) days from the date of approval thereof.

b. There shall be an annual appropriations of not less than Fifty Thousand Pesos (P50,000.00) for the operation and maintenance of the Municipal Library and Historical Center.

c. There shall be Municipal Librarian, to be incorporated in the Municipal Plantilla of Personnel whose qualification shall be in accordance with RA 7743 and its Implementing Rules, and Civil Service Law, Rules and Regulations.

d. It shall be the duty of the Municipal Librarian or the Officer-In-Charge of the Municipal Library and Historical Center to coordinate with the National Library, Philippine Information Agency (PIA), the National Historical Institute (NHI) or other government agencies so as to avail and to be updated of their programs and projects.

e. Pending the appointment of the Municipal Librarian as provided herein, there shall be appointed or assigned an Officer-In-Charge to do the functions of a Municipal Librarian.

f. The operation and maintenance of the Tigbauan Municipal Library and Historical Center shall be under the supervision of the Office of the Secretary to the Sangguniang Bayan.

g. The Sangguniang Bayan Committee on Tourism, Culture, Arts and History shall assist the Municipal Librarian as the Officer-In-Charge thereof in the collection, researches and display of Historical Records.

h. The SB Committee on Education shall assist the Municipal Librarian or Officer-In-Charge thereof in the procurement of reading materials.

3. Service Hours

The Tigbauan Municipal Library and Historical Center, otherwise known as the library, is open from Monday to Friday, 8:00 AM - 12:00 Noon and 1:00 – 5:00 PM.

4. Reading / Researching Inside the Library

a. Library users shall register first at the Register Book upon entering the Library;

b. Silence shall be strictly observed;

c. Ask the Librarian, Officer-in-Charge or Library Assistant for the needed materials;

d. Only Library personnel are allowed to take reading materials or historical records from the shelves;

e. Residents of the Municipality of Tigbauan are free of charge in reading, while non-residents shall pay a research fee of Twenty Pesos (P20.00).

f. Only the requested reading material(s), historical records, pens, pencils or pieces of paper shall be allowed on the reading table. Bags or other belongings shall be placed in a corner or booth devoted for the purpose.

g. The privilege of photocopying of reading materials or historical records can be availed by those who have library IDs; provided however that those without library IDs may still be allowed to photocopy a reading materials upon approval by the Secretary to the Sangguniang Bayan;

h. Taking of photographs of reading materials / historical records may likewise be allowed upon approval of the Secretary to the Sangguniang Bayan;

5. Issuance of the Library Identification Cards

a. Residents of Tigbauan who intend to become member – readers of the Library may ask for the issuance of the Library ID. Membership Fee is Ten Pesos (P10.00), renewable every year. As such a member – reader will be entitled to whatever privileges that may be given to member – readers.

b. Non-residents of Tigbauan are disqualified from the issuance of library IDs

6. Lending Policies

a. Elected Municipal Officials and department heads are exempted from the Issuance of Library IDs. They can borrow a maximum of three (3) reading materials or historical records at a time for a period of five (5) days.

b. Municipal employees are still required to ask for library IDs to be considered as member – readers;

c. Member – readers can borrow a maximum of two (2) reading materials / historical records at a time for a period of three (3) days;

d. Non – member – readers can not avail of the privileges under the lending policies;

e. An overdue fine of Five Pesos (5.00) for the first 24 – hours after the due time of return, and Ten Pesos (10.00) per day for the succeeding days of failure to return

f. Municipal employees may ask for an extension of one (1) day upon the recommendation of the department head concerned;

g. Borrowing of reading materials for reasons of photocopying or photograph shall be for a maximum period of three (3) hours. Failure to return them on time shall mean a fine of Ten Pesos (10.00) per hour or Twenty Pesos (20.00) per hour for framed or mounted pictures of historical significance; provided however, that the borrowings for exhibit purposes, or if requested by government institutions or NGO's and upon approval by the Local Chief Executive shall be exempted from the time of return and fine as provided above;

h. In case of loss, a member – reader shall replace the lost material or pay its value which shall be estimated by the librarian or officer-in-charge;

i. Negligent loss of reading material for two (2) times shall mean cancellation of the Library ID;

j. In case of unintentional damage to reading materials, a borrower shall replace the material damaged with the same material; provided however that if damages found in three separate times, the borrower's library ID shall be cancelled.

7. Applicable Library Rules and Regulations

Other Library rules and regulations as provided in the library operation manuals as are applicable in so far as the operation of Municipal Library and Historical Center is concerned, shall likewise be adopted in consonance with these Rules and Regulations.

SECTION 144. GUIDELINES IN THE DISPOSAL OF READING MATERIALS IN THE MLHC (n)

A. REGULATORY CLAUSE

1. Policies

a. Only donated books coming from the National Library, the National Historical, Institute, the United Nations Information Center; the Philippine Senate Library Service and other agencies or associations, shall be the subject to disposal.

b. Reading materials with Mission Receipt (MR) from the National Library or other government agencies shall never be the subject of disposal.

c. Reading materials about the History of Tigbauan shall never be disposed.

d. Reading materials shall only be disposed to accredited reading centers in the Municipality in the following order of priority;

d1. Barangay Reading Centers.

d2. Libraries or reading centers.

d3. Libraries or reading centers of interested persons or non-accredited NGO's

e. Only old reading materials with new editions / issues shall be considered subject of disposal

f. Encyclopedia, dictionaries, thesaurus or other hard-bound reading materials which can be used for longer periods shall not be disposed.

2. Guidelines

a. Barangay resolutions or written request for available reading materials shall be addressed to the Librarian or Office-in-charge of the Library through the Vice mayor;

b. The Librarian, in consultation with the Vice mayor, the Secretary to the Sanggunian and the Committees on Culture, History Arts, Tourism and Education shall determine what reading materials to be disposed taking into consideration the materials edition, number of copies, the materials asked for, among others;

c. The Librarian shall acknowledge receipts of disposed reading materials and report in writing all pertinent data of materials disposed to the Secretary to the Sanggunian through the Vice Mayor;

d. The librarian shall accept affiliation or accreditation with the Municipal Library of Barangay reading centers or those operated by persons or NGO's taking into consideration the requirements of the National Library in terms of affiliation with public libraries, or other rules that may hereinafter enacted;

e. Barangay Resolutions of Barangays are enough to merit affiliation with the Municipal Library.

f. The Librarians or the Officer-in-Charge shall take other measures as are regularly done by Librarians on discharging their duties and functions.

CHAPTER XII
PUBLIC FACILITIES / PROPERTIES

SECTION 145. REGULATING THE USE OF NAMOCON TO TIGBAUAN NATIONAL HIGH SCHOOL TOURISM ROAD

1. **Prohibited Acts.**
   (a) The following vehicles are strictly prohibited from passing through the Tourism Road: Dump trucks, quarry trucks, heavy equipment, private or passenger buses and all other motor vehicles with six (6) or more wheels, *except* fire trucks and vehicle responders during emergencies, calamities and disasters, and trucks for hauling construction materials in the area, such as but not limited to sand and gravel not exceeding five (5) cubic meters; and
   (b) No vehicle allowed to use the Tourism Road shall exceed the speed limit of 40 KPH (Kilometer Per Hour), except during emergencies and other situations when public order or safety requires otherwise;

2. Tourist buses or those used for educational field trips or travel by students or visitors shall be allowed to use this Tourism Road, provided that permit from the Office of the Municipal Mayor has been secured for its purpose;

3. **Penalty.** Any violation of the provisions of this Ordinance shall be punished by a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than thirty (30) days, or both fine and imprisonment, at the discretion of the Court;

4. It shall be the duty and responsibility of the traffic enforcers of Barangay Namocon and Barangay 4 (Poblacion), with the assistance of the Philippine National Police, Tigbauan Municipal Police Station, to implement the provisions of this Ordinance in their respective jurisdiction. As incentives, fines collected for violations hereof shall be apportioned as follows:
   a. Fifty percent (50)% - to the Barangay Namocon/Barangay 4 (Poblacion) where the apprehension was made;
   b. Fifty Percent (50%) - to the Municipal Government

The whole proceeds from the operations shall be turned over to the Municipal Treasurer as income of the Municipal Government while the incentives of the Barangay shall be released to them following the COA rules and regulation.

SECTION 146. USE OF MUNICIPAL VEHICLE

A. REGULATORY CLAUSE

1. Prioritization of the Use of Vehicle. The use of the municipal property vehicle shall be according to the following priorities:

a. Official Business of the Sangguniang Bayan Members will be in the top priority on the utilization of the vehicle, specially the Officers of the Day.

b. Other private/entities, government agencies or personnel could avail services of the municipal vehicle through a written request submitted to the office of the SB Secretariat.

2. Use of the Vehicle by the Sangguniang Bayan Members and Other Departments/Entities:

The use of the municipal property vehicle is for the application and implementation to the SB official functions shall be free of charge. In case of other departments/entities requesting for the use of the municipal property vehicle the official driver shall operate the vehicle. The requesting personnel shall provide fuel and shall be held liable for any damage during the use of the vehicle. Any amount equivalent to the damage shall be paid to the Treasurer's Office, Municipality of Tigbauan.

a. Use of Municipal Property Vehicle In Other Cases. For Humanitarian reasons such as assistance during school activities, emergency/medical attentions (in cases the municipal ambulance and the police patrol car are not available) and other related activities, maybe allowed subject to the discretion of the Vice-Mayor or the Officers-of-the-Day.

b. Municipal Vehicle could be requested only during office hours and official days (Monday to Friday/ 8:00 A.M. to 5:00 P.M.) only.

c. Municipal Vehicle charge rates:
P300.00 as regular rates (50 kilometers-radius used)
Additional rates: P50.00 for every 10 kilometers

d. Collected charges shall be in custody of the Sangguniang Bayan Secretariat and shall be used as trust fund of the SB office.

3. Management of the Vehicle. The municipal property vehicle shall be under the care and management of the Sangguniang Bayan Office, of this municipality. Scheduling of the use of the Municipal Property vehicle shall be the responsibility of the Sangguniang Bayan Secretariat in coordination with the Sangguniang Bayan Members.

4. Procedure In Requesting For The Vehicle. The following is the procedure to be followed in requesting for the use of Municipal Property Vehicle:

a. A request form (see attached outline of Requisition Form) will to filled-in by the Requesting Personnel (Officer-of-the-Day), SB Members, barangay, private or public entities) with the SB Secretariat. The SB Secretariat shall be responsible to follow up for the approval/disapproval thereof.

b. If the request is approved, the person requesting shall be informed and a trip ticket shall be filed for driver's use and for documentation.

c. If the request is disapproved, there shall be a written explanation as to the reason of the disapproval thereof.

d. Upon compliance of all required documents, the SB Secretariat shall release the papers and the municipal property vehicle for the use of the requesting person.

e. After the use of the municipal property vehicle, the designated driver shall report/assess about the condition of the vehicle. If upon inspection and there are damages, assessed amount of damage shall be paid by the requesting person to the Municipal Treasurer the amount thereof.

SECTION 147. USE OF MUNICIPAL HEAVY EQUIPMENT

A. REGULATORY CLAUSE

1. General Provisions

a. Declaration of Policy. It shall be declared the policy of the Municipality of Tigbauan to promote the ideals of good governance in order to deliver public service for the welfare of its inhabitants.

The provisions of this Ordinance are in line with the Government's commitment to good governance and its effort to adhere to the principle of transparency, equity, efficiency and economy in the use of its assets, specifically the heavy equipment of this Municipality;

b. Governing Principles on the Use of Municipal Heavy Equipment. The use of municipal heavy equipment shall be governed by these principles:

b1. Transparency in the use of the municipal heavy equipment for the implementation of municipal infrastructure and other projects;

b2. System of accountability where both the public officials directly or indirectly involved in the use of heave equipment as well as in the implementation of projects and the private parties that may use the municipal heavy equipment are, when warranted by circumstances, be investigated and held liable for their actions relative thereto;

b3. Equity and Uniformity shall apply to all persons whether public or private; who will request the use of the municipal heavy equipment.

c. Scope and Application. This Ordinance shall apply to the use of the municipal heavy equipment for the implementation of Municipal infrastructure projects, Barangay projects, and for the use of other public entities and private persons who may want to rent the municipal heavy equipment.

2. Use of Municipal Heavy Equipments

a. Prioritization of the Use of the Municipal Heavy Equipments. The Use of the Municipal Heavy Equipments shall be according to the following priorities:

a1. The implementation of infrastructure projects of the Municipality of Tigbauan;

a2. The implementation of infrastructure projects of the barangays situated in the Municipality of Tigbauan;

a3. Request by Other Government Agencies and Instrumentalities; and

a4. Request by Private Persons/Entities

b. Use of Municipal Heavy Equipments by the Municipality and the Barangays. The use of the Municipal Heavy Equipments for the implementation of infrastructure projects of the municipality and that of the barangays shall be free of charge.

In case of the Barangays requesting for the use of the Municipal Heavy Equipments, the driver/operator of the Municipality shall be the one to operate the Municipal Heavy Equipment. The Barangay concerned shall provide for the fuel, oil and lubricants to be used. In the event that there is damage to the heavy equipments in connection with the use thereof, the requesting Barangay shall be liable for the damage and will pay the amount equal to the damage thereto to the Municipal Treasurer of the Municipality of Tigbauan. The heavy equipments shall be returned in good order and condition to the municipality after its use.

c. Use of Municipal Heavy Equipments by Other Government Agencies and Instrumentalities and by Private Persons/Entities. When the Municipal Heavy Equipments are available, Other Government Agencies and instrumentalities and private Person/Entities may request for the use of such equipments. Such request shall be subject to the payment of rental fees.

The driver/operator of the Municipality shall be the one to operate the Municipal Heavy Equipment. The requesting government agencies and instrumentalities and private person/entitles shall provide for the fuel, oil and lubricants to be used. In the event that there is damage to the heavy equipments in connection with the rental thereof, the requesting government agencies and instrumentalities and private persons/entities shall be liable for the damage and will pay the amount equal thereto to the Municipal Treasurer of the Municipality of Tigbauan. The heavy equipments shall be returned in good order and condition to the municipality after its use.

The fees collected for the rental of municipal heavy equipments shall accrue to the General Fund of the Municipality as rent income.

d. Use of Municipal Dumptruck in other cases. For Humanitarian reasons such as assistance during school activities, funeral and other related activities, may be allowed subject to the discretion of the municipal mayor. The requesting person shall shoulder the expenses for fuel of the dumptruck. In case the request for use of the dumptruck falls on a holiday, Saturday or Sunday, the requesting person shall be responsible for the honorarium of the driver of the dumptruck. In the event that there is damage, the requesting person shall be liable to pay the amount equal to the damage thereof to the Municipal Treasurer of the Municipality of Tigbauan. The Dumptruck shall be returned in good order and condition to the municipality after its use.

3. Management of Municipal Heavy Equipment

a. Management of Municipal Heavy Equipment. The Municipal Heavy Equipment shall be under the care and management of the Office of the Municipal Engineer of this Municipality. The Municipal Engineer shall be responsible for the repair and maintenance of the Municipal Heavy Equipments. Scheduling of the use of the Municipal Heavy Equipments shall be the responsibility of the Municipal Engineer in coordination with the Secretary to the Mayor and other personnel assigned for the monitoring and implementation of municipal and barangay infrastructure projects.

b. Procedure in Requesting for the use of Municipal Heavy Equipments. The following are the Procedure to be followed in requesting for the use of Municipal Heavy Equipments:

b1. A request form will to tilled up by the requesting public (Barangay, other Government Agencies or Private Person/Entity) with the Secretary to the Mayor. - See Annex "A". The Secretary to the Mayor shall be the one responsible to follow up for the approval/disapproval thereof.

b2. Within ten (10) days from the receipt of the request for the use of Municipal Heavy Equipments, the approval/disapproval for the use shall be communicated to the requesting person.

b3. If the request is disapproved, there shall be a written explanation as to the reason of the disapproval thereof.

b4. If the Barangay is the requesting agency, and if the request is approved, the Punong Barangay or his representative shall coordinate with the municipal

engineer as to the scheduling of the implementation of the project using the municipal heavy equipments. Having fixed schedule for the implementation of the infrastructure projects of the Barangay, the Municipal Engineer will advise the Punong Barangay or his representative to deposit the amount equal to the cost of fuel, oil and lubricants to be used to the designated gasoline/filling station.

b5. If the requesting person or entity is a Government agency or instrumentality or a private person, and if the request is approved, he/she shall pay to the Office of the Municipal Treasurer the corresponding fees for the rental thereof.

b6. Upon compliance of all the required documents, the Secretary to the Mayor shall release the papers and the Municipal Heavy Equipment for the use of the requesting person.

b7. After the use of the municipal heavy equipments, the Municipal Engineer and his personnel shall inspect the heavy equipments, whether these are returned in good order and condition. If upon inspection and there are damages, the Municipal Engineer shall assess the amount of damage and the requesting person shall pay to the Office of the Municipal Treasurer the amount thereof.

CHAPTER XIII
AMUSEMENTS, RECREATION, GAMES AND SPORTS DEVELOPMENT

SECTION 148. COCKPIT FRANCHISEE

A. REGULATORY CLAUSE

1. Subject to the provisions of laws, orders or issuances, A.P. Tendero Sports Arena – Gallera De Tigbauan (“grantee") is hereby granted a franchise to establish, maintain and operate a cockpit, for a period of twenty (20) years from the date of the effectivity of this Ordinance, unless sooner revoked or cancelled. In consideration of the Franchise and the rights herein granted, the grantee shall fully pay the amount of Two Thousand Pesos (P2,000.00) per annum, or a total of Forty Thousand Pesos (P40,000.00), prior to the grant of this franchise;

2. The grantee shall begin to operate after it has secured an annual permit to operate a cockpit, the fee of which shall be paid within the first twenty (20) days of January;

3. The payments/fees imposed shall be payable to the Municipal Treasurer’s Office before the special cockfights and derbies can be lawfully held.

4. The payments/fees collected on bets shall be paid after the scheduled cockfights.

5. The permit fees on cockpit personnel shall be paid before they participate in a cockfight and shall be paid annually upon renewal of the permit on the birth month of the permittee. Identification cards for this purpose shall be issued by the Municipal Treasurer’s Office upon payment of cockpit personnel.

6. The grantee shall be subject to the business and other laws and Ordinances now existing or hereafter enacted and any violation thereof, shall be a ground for the revocation of this franchise;

7. The grantee shall not enter in any lease agreement, sub-contract, or sell granted franchise or rights and privileges acquired to any person, firm, company, partnership, corporation, or other commercial or legal entity, nor merge with any other person, firm, company, partnership or corporation organized for the same purpose without the prior approval of the Sangguniang Bayan;

8. The cockpit shall be operated within the appropriate areas as prescribed in the Zoning Law or Ordinance;

9. Cockfighting shall be allowed only in licensed cockpit during Sundays and legal holidays and during local fiestas for not more than three (3) days. It may also be held during provincial, city, or municipal, agricultural, commercial or industrial fair, carnival or exposition for a similar period of three (3) days upon resolution of the Sanggunian Bayan: Provided, that no cockfighting on the occasion of such fair carnival or exposition

shall be held within the month of a local fiesta or for more than two occasions a year; Provided further that no cockfighting shall be held on December 30 *(Rizal Day),* June 12 *(Philippine Independence Day*) November 30 *(Bonifacio Day),* Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for each election or referendum.

10. In the absence of licensed cockpit in the barangay, cockfighting maybe allowed during the celebration of barangay annual fiesta for not more than three (3) days to be held in the place provided for cockfighting; Provided, however, that Sangguniang Bayan resolution and Mayor's permit shall be secured prior to the scheduled cockfighting. In the event of conflict of schedule of cockfighting between the licensed cockpit and the barangay, the former shall prevail and the barangay cockfight shall be held before or after the scheduled cockfight in the licensed cockpit;

11. Prerequisites Of Holding Cockfighting In The Barangay. Barangay concerned shall be responsible in processing all the requirements needed in conducting cockfighting in the barangay. Two (2) weeks before the holding of cockfighting, concerned barangay shall pass a resolution addressed to the Sangguniang Bayan and copy furnished the cockpit franchisee for proper action and/ or approval. Only upon approval of the cockpit franchisee and the Sangguniang Bayan, the barangay shall process their Mayor's permit and pay corresponding fees at the Municipal Treasurer's Office.

12. Only licensed cockpit personnel shall administer the cockfighting in the franchise cockpit and in every barangay fiesta celebration with the presence of one (1) personnel from the Municipal Treasurer's Office.

13. No gambling of any kind shall be permitted on the premises of the cockpit or place of cockfighting;

14. This franchise shall be subject to amendment, alteration, or repeal by the Sangguniang Bayan when public interest so requires;

B. PENAL CLAUSE

Any violation of the provisions of this ordinance shall be subject for the revocation or cancellation of the franchise.

SECTION 149. AMUSEMENT CENTERS

A. REGULATORY CLAUSE

It shall be unlawful for any person, partnership or corporation to operate an amusement centers without a valid permit from the Office of the Mayor.

1. Schedule. In no case shall the operation of the amusement center commence before 9:00 a.m. and end after 10:00 p.m. except on Saturdays, Sundays and Holidays when the center shall be allowed to operate from 7:00 a.m. to 10:00 p.m.

2. Prohibition of Pornographic Materials. In no case shall an amusement center be allowed to show or distribute pornographic films, magazines, or similar materials to the public.

3. Prohibition of Minors:

a. In no case shall minors be allowed to enter or loiter around any amusement center during class hours.

b. It shall be the duty of the owner/s of the amusement center and/or adults present therein to report to municipal authorities any minor caught violating paragraph (a) of this section.

c. Owners of Amusement Centers shall put up signs of the said Prohibition of minors.

B. PENAL CLAUSE. Any person violating any provision of this ordinance shall be punished 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.

SECTION 150. LOCAL SPORTS DEVELOPMENT COUNCIL

A. REGULATORY CLAUSE

1. Local Sports Development Council– there shall be created a Local Sports Development Council which shall be responsible for the formulation of policies and

implementation of sports development programs, projects and activities in coordination with various government and non-government organizations.

2. **Objectives**– Local Sports Development Council shall have the following objectives:
   - **a.** To be the leading council that will provide sports program to all Tigbauanons.
   - **b.** To encourage active participations of all sectors towards the development of the sports program.
   - **c.** To provide a just and transparent system of athlete selection that will represent the municipality.
   - **d.** To provide well competent and impartial officials that will organize and manage the sports activities.
   - **e.** To harmonize all barangay sports program for the development of our municipal sports programs.
   - **f.** To provide information mechanism on sports related concerns to all Tigbauanons.
   - **g.** To provide venue for the proper recognition and identification of Tigbauanon athletes who give honor to the municipality.
   - **h.** To assist potential athletes to excel in their field of specialization.

3. **Composition of the Council** – The council shall be composed of the following:

Chairman	Municipal Mayor
Co-chairmen	SB member Committee on Youth and Sports Members
Members	Municipal Program Development Officer
	District Supervisor/For Elementary Level
	Principal, Secondary Schools
	Chairman, Committee on Social Services, Senior Citizens, Disabled Persons, Cultural Minorities, Indigents and NGO's
	One (1) representative for every recognized sports associations in the whole municipality
	Liga ng mga Barangay President
	Municipal Health Representative
	Physical Education Teacher (One (1) from elementary, One (1) from High School/both public and private)

4. **Membership Requirements for NGO's and Other Sports-Related Associations**.
   a. Recognized by the S.B. Committee on Social Services, Senior Citizens, Disabled Persons, Cultural Minorities, Indigents and NGO's.
   b. Submit to the Local Sports Development Council the following requirements:
      b.1 Letter of intent to become a member of the council
      b.2 Constitution and By-Laws of the organization
      b.3 List of the officers and members
      b.4 Proposed program of activities
   c. Acquire approval of membership/recognition from the Office of the Mayor.

5. **Functions of the Local Sports Development Council**– The following shall be the functions of the Local Sports Development Council:
   - **a.** To formulate policies and component programs in coordination with the various government agencies handling sports-related programs, projects and activities.
   - **b.** To coordinate and harmonize activities of all barangays, schools and organizations in the municipality engaged in sports development programs.
   - **c.** To provide and support for the development and coordination of sports projects and design strategies to gain support and participation of all sectors in the municipality.
   - **d.** To assist the local and national government agencies in the identification and nomination of qualified participants to different programs, projects and activities in the local level.
   - **e.** To conduct fund raising programs and solicitations. It shall likewise receive donations, bequests and may enter into contracts with other government and non-government agencies necessary for the accomplishment of the objectives of this ordinance;
   - **f.** To recommend sports programs and project proposals to appropriate government agencies and non-government organizations;
   - **g.** To accredit Training pools for athletes and officials to appropriate agencies both public and private necessary for the accomplishment of the objectives of this ordinance;
   - **h.** To nominate qualified members to any local and national sports activities;
   - **i.** To establish sports centers as necessary;
   - **j.** To monitor implementation of programs and projects of the council at the local level;

k. Perform such other functions as may be provided by law

6. **Local Sports Development Plan**– The Council shall formulate and adopt a five year municipal sports development plan which shall be duly supported by an ordinance enacted by the Sangguniang Bayan. The said plan shall be the basis for the implementation of the Local Sports Development programs and services in coordination with concerned agencies. These shall include school base and barangay-base sports programs and services.

7. **Budget**– The Local Chief Executive shall allocate necessary fund every year for the utilization of the Local Sports Development Council and this shall be part of the Municipal Budget.

8. **Sports Center**– The Council may establish a Sports Center which shall be located in the Municipal Proper. The Sports Center shall operate as a multi-purpose center to accommodate sports –related concerns.

9. **Meetings Of The Council**– The Council shall meet at least once a month or as often as maybe deemed necessary. The Chairman or his duly designated convener shall preside in all council meetings.

10. **Privileges** – To promote active participation, the following privileges shall be given:

a. Members of the Pool of Athletes shall be in top priority to represent the municipality in any in and out of town games, and shall avail benefits as provided by the municipality.
b. Members of the Pool of Officials shall be in top priority to officiate in the municipal leagues and represent the municipality in the seminar-workshops both local and national.

SECTION 151. BANNING OF SPIDER FIGHTING

A. REGULATORY CLAUSE

1. Spider wrestling/fighting is totally banned in the Municipality of Tigbauan, Province of Iloilo.
2. Punong Barangays, Barangay Officials, Barangay Tanods, head teachers, school teachers (both private and public) and all members of the PNP are hereby deputized and authorized by this ordinance to arrest or apprehend any person caught engaging in spider wrestling/fighting in this municipality, Province of Iloilo. The arrested persons shall be brought to the Tigbauan Police Station for proper disposition.
3. The act by any person in spider wrestling/fighting if apprehended shall be recorded in the Police Blotter.

B. PENAL CLAUSE

Any person caught in the act or engaging in spider wrestling/fighting shall be punished 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.

CHAPTER XIV
BARANGAY AFFAIRS

SECTION 152. REGULATING THE NUMBERING OF RESIDENTIAL, COMMERCIAL, PUBLIC AND OTHER BUILDINGS

A. All Barangay Local Government Units (BLGUs) are mandated to implement the house/building numbering system in their respective barangay. The BLGU shall be responsible for preparing the registry of barangay inhabitants and designating the corresponding house/building numbers.

B. All residential, commercial, public and other buildings in the municipality shall be numbered in accordance with the approved **barangay ordinance** based on the number/code indicated herein.

C. The BLGU shall post a barangay map showing the numbered houses and buildings in their areas of jurisdiction.

D. The house number shall be printed on a tin plate with dimension of 4 inches by 6 ½ inches, the actual size of which is shown in the template illustrated below:

Example:

The number/code shall be installed in an area of the house/building where it is fully visible. The cost of the tin plate shall be chargeable to the house or building owner.

E. It shall be unlawful for any person to remove, transfer, deface or otherwise destroy the house/building number. Any person violating this provision shall be penalized with a fine of Two Thousand Five Hundred Pesos (₱2,500.00) or imprisonment of ten (10) days or both at the discretion of the court.

F. **TRANSITORY PROVISION**. In cases where a house or building, or portion thereof, is located along the boundary of two (2) adjacent barangays, or where there is a boundary dispute between two (2) or more barangays and the exact geographical location of the house or building cannot be determined, the house/building number shall belong to the barangay (a) where its owner is officially registered as a voter, or (b) where its address in the building permit or business license is indicated; Provided, however, that after the boundary dispute has been finally settled, the house/building number shall be retained by or transferred to the proper barangay.

G. **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 (₱300,000.00) shall be sourced from the fund of the Municipality of Tigbauan and is hereby allocated.

SECTION 153. DEATH BENEFITS AND FINANCIAL ASSISTANCE TO BARANGAY OFFICIALS OF THE MUNICIPALITY OF TIGBAUAN, ILOILO IN CASE OF DEATH OR PERMANENT TOTAL DISABILITY DURING THEIR TERM OF OFFICE, ESTABLISHING A TRUST FUND FOR THE PURPOSE, AND PRESCRIBING GUIDELINES IN THE GRANT THEREOF

A. **Statement of Policy**.- It is the policy of the Local Government of Tigbauan, Iloilo (called hereafter as “LGU”), pursuant to Section 393 (b)(2) of RA 7160, otherwise known as the Local Government Code of 1991, to ensure that the welfare and benefits of the barangay officials are always safeguarded and promoted; hence, the LGU is extending not only

moral but also financial assistance to the family of an elected or appointed barangay official who dies or becomes permanently incapacitated during his/her term of office.

B. **Objectives**.- This ordinance aims to give monetary assistance to any barangay official of Tigbauan, Iloilo who dies or suffer permanent total disability during his/her term of office, establishing a trust fund for the purpose, and setting the guidelines for the grant thereof.

C. **Coverage**.- Regardless of whether the cause of death is work-related or not, the barangay official concerned or his/her beneficiary, as defined herein, shall be entitled to death benefits or financial assistance for death or permanent total disability during his/her term of office.

D. **Death Benefits and Financial Assistance**.

Upon submission of documents required under Section 7, the beneficiary/claimant shall be entitled to the following:

a. Death benefit – Thirty Thousand Pesos (P30,000.00);
b. Financial Assistance for Permanent Total Disability – Twenty Thousand Pesos (P20,000.00); Provided that, in the event the barangay official eventually dies during his term of office by reason of the injury or sickness that caused his/her permanent total disability, his/her beneficiary shall be entitled to death benefit but the *total* amount of benefits shall not exceed P30,000.00.

Unless expressly prohibited by law or ordinance, the benefits granted herein shall be without prejudice to other benefits previously or hereafter granted by the LGU or by any other local, provincial or national government agency.

E. **Requirements**.

To avail of the death benefits or financial assistance under Section 6, the beneficiary/claimant shall submit with the Office of the Mayor, this Municipality, one (1) original or certified copy of each of the following documents:

a. Certification from the Punong Barangay, or his/her successor, which states (a) The name, address, civil status and current position of the barangay official, and (b) the particular facts and circumstances surrounding the death or injury of the barangay official;
b. Death Certificate, if applicable, duly certified by a licensed physician;
c. Police Report or Blotter, if applicable;
d. Medico Legal Certificate issued by any government physician or Medical Certificate issued by the Municipal Health Officer under Section 4 (e);
e. Certificate of Incumbency by the MLGOO (Municipal Local Government Operations Officer);
f. Sufficient identification and proof of relationship of the claimant and/or beneficiary;
g. Other documents as may be required by the Office of the Mayor.

F. **Penalties**.

a. Any statement or certification issued by the Punong Barangay, or his/her successor, which is found to be intentionally false or misleading and which caused the payment of death benefits or financial assistance to an unqualified individual under this Ordinance shall:
    1. Automatically disqualify his Barangay from availing the benefits hereof; and
    2. Cause the filing of appropriate administrative, civil and/or criminal cases against the offender under the laws of the Republic of the Philippines, with the Local Government of Tigbauan, Iloilo as the offended party.

b. Any person, agency or institution who shall issue a statement, certification or report which is found to be intentionally false or misleading and which caused the payment of death benefits or financial assistance to an unqualified individual under this Ordinance shall be charged with the appropriate administrative, civil and/or criminal cases under the laws of the Republic of the Philippines, with the Local Government of Tigbauan, Iloilo as the offended party.

G. **Funding**.

a. A Trust Fund shall be established and maintained in the books for the purpose of this Ordinance.
b. Upon approval of this Ordinance, the amount of Three Hundred Thousand Pesos (P300,000.00) shall be initially appropriated and shall be utilized exclusively for the

payment of death benefits or financial assistance to barangay officials in accordance with the provisions thereof.

c. Thereafter, the same amount of Three Hundred Thousand Pesos (P300,000.00) shall be included in the annual budget of the LGU for the continuous implementation of this Ordinance.

H**. Exclusions** –

(a) The LGU shall not provide any death benefit or financial assistance to the barangay official whose death or permanent total disability is caused or resulting from, whether directly or indirectly, wholly or partly:

1. by intentional self-inflicted injury resulting to death, or suicide;
2. accident while under the influence of prohibited or illegal drugs or under the influence of liquor;
3. While in any attempted commission of, or willful participation in any crime punishable by any prevailing law or ordinance.

(b) All doubts shall be resolved in favor of the application of this ordinance and of giving the benefits herein to the barangay officials.

SECTION 154. ADMINISTRATIVE CASES AGAINST ELECTIVE BARANGAY OFFICIALS

A. REGULATORY CLAUSE

1. Grounds for Administrative Disciplinary Action

a. ***Grounds for Disciplinary Action*** – **(1)** An elective barangay official maybe disciplined, suspended or removed from office on any of the following grounds after due notice of hearing:

a1. Disloyalty to the Republic of the Philippines;
i.e.
- espionage
- treason
- conspiracy and proposal to commit treason
- inciting to war or giving motives to reprisals
- correspondence with hostile country
- piracy and mutiny on the high seas
- qualified piracy

a2. Culpable Violation of the Constitution;
i.e.
- arbitrary detention or expulsion
- delay in the delivery of detained person
- violation of domicile
- searching domicile without witnesses
- interruption of religious worship
- offending the religious feelings
- prohibition, interruption and dissolution of peaceful meetings

a3. Dishonesty, Oppression, Misconduct in Office, Gross Negligence or Dereliction of Duty;
i.e.
- bribery
- malversation
- conniving with or consenting to evasion
- removal, concealment, or destruction of documents
- open disobedience
- refusal of assistance
- usurpation of powers
- abuses against chastity
- simulation of birth and usurpation of civil status
- frauds

a4. Commission of any offense involving moral turpitude or any offense punishable by at least prison *mayor*, which is from six (6) years and one (1) day to twelve (12) years' imprisonment;
i.e.
- rape
- adultery or concubinage

- act of lasciviousness
- seduction, corruption of minors and white slavery

a5. Abuse of Authority;

a6. Unauthorized absence for fifteen (15) consecutive working days for Punong Barangays and four (4) consecutive sessions for Sangguniang Barangay Members;

a7. Application for or acquisition of foreign citizenship or residence or the status of an immigrant of another country; and

a8. Such other grounds as maybe provided by the Local Government Code of 1991, Republic Act No. 6713, Republic Act No. 3019, Civil Service Law, Revised Penal Code and all other applicable general and special laws.

c. An Elective barangay official may only be removed from office on the grounds enumerated above by order of the proper court.

2. Complaint

a. ***How initiated*** – An administrative case may be initiated by any private individual or any government officer or employee by filing a verified or sworn written complaint against any elective local official enumerated under Section 2, Rule 1 hereof. It may also be initiated motu propio by any local government official or agency duly authorized by law to ensure that local government units (LGUs) act within their prescribe powers and functions.

b. ***Form of Complaint*** – No complaint against any local elective official shall be given due course unless the same is in writing and verified or under oath.

The complaint, accompanied by the affidavits of witnesses or evidences in support of the charge, shall be addressed to the Sanggunian. It shall be drawn in clear, simple and concise language and in methodical manner as to apprise the respondent of the nature of charge against him and to enable him to prepare his defense. The party filing the complaint shall be called the ***complainant***, while the official against whom the complaint is filled shall be called the ***respondent***.

The complaint shall also contain the following:

b1. Full name and address of the complainant;
b2. Full name and address of the respondent as well as his position and office;
b3. A narration of the relevant and material facts which shows the acts or omissions allegedly committed by the respondent. Documentary evidence and sworn statements or affidavits of witnesses, is any, should be attached as annexes;
b4. Certification by the complainant that no other administrative action or complaint against the same party involving the same acts or omissions and issues, has been filed before any agency or administrative body performing quasi-judicial functions;

Non-compliance with the foregoing requirements shall cause the dismissal of the complaint, at the discretion of the Sanggunian Bayan.

c. ***Where filed*** – Two (2) copies of the complaint plus additional copies corresponding to the number of respondent/s shall be filed with the Office of the Sangguniang Secretary, which shall be included in the calendar for business on the next regular session immediately following the day of the receipt of the complaint.

A copy of the complaint shall be furnished by the complainant to each of the following:
c1. The Office of the Municipal Mayor
c2. The Municipal Local Government Operations Officer (MLGOO) of the DILG assigned at the municipality;

No complaint shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the municipal mayor and the MLGOO;

d. ***Complaint filed with other agency*** - If a complaint is filed with other government agency, the same maybe referred and accepted by the Sanggunian, provided, it complies with all the requirements as provided in the immediate two (2) preceding sections.

e. ***Anonymous complaint*** - No action shall be taken on an anonymous complaint for non-compliance of the requirements.

f. ***90-day ban -*** No complaint shall be accepted within ninety (90) days immediately prior to any local election.

3. Answer

a. ***Notice***– Within seven (7) days after the complaint is filed, the Sanggunian, in its Regular session, shall determine if the complaint complies with all the requirements under Sections 2 and 3 of the preceding Rule and shall issue an order requiring the respondent to submit his verified answer within a non- extendible period of fifteen (15) days from the receipt hereof. The seven (7) day period shall commence from the moment the Sanggunian secretary had formally received the complaint;

b. ***Form of Answer*** – The answer shall be verified, accompanied by affidavits of witnesses or evidences in support of the defense, shall be addressed to the Sanggunian and shall be drawn in clear, simple, and concise language.

c. ***Where filed***- Two (2) copies of the answer shall be submitted to the Office of the Sanggunian Secretary and copy of the same shall be furnished to each of the following:

c1. The complaint/s through counsel if presented by counsel;
c2. The Office of the Municipal Mayor; and
c3. The MLGOO.

No answer shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the foregoing parties/ persons/entities.

d. ***Failure to Answer*** - Unreasonable failure of respondent to file his verified answer within fifteen (15) days from receipt of the complaint against him shall be considered as waiver of his right to present evidence in his behalf.

No motion shall be allowed in lieu of the answer.

4. Evaluation

a. ***Evaluation*** - Upon receipt of the answer, the Sanggunian shall, in its regular session, determine the existence of a probable cause, and within ten (10) days commence the investigation through, the creation of an ad hoc committee which shall be composed of the following:

a1. The chairman of the committee on good government of the Sanggunian, as chairman; and
a2. Two regular members of the Sanggunian as maybe determined by the Sanggunian through a majority vote of all the members;

If there exist no prima facie evidence against respondent, the Sanggunian may ***motu propio*** dismiss the case.

5. Preventive Suspension

a. ***Determination***– After the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence, the committee may recommend to the Sanggunian that respondent be placed under preventive suspension which shall not extend beyond sixty (60) days; Provided, That in the event that several administrative cases are filed against the respondent, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension.

b. ***Imposition*** – Upon receipt of the Resolution of the Sanggunian of preventive suspension to respondent, the municipal mayor shall issue the order imposing the preventive suspension to the respondent without delay.

A copy of the order duly served shall be furnished the Sanggunian, and other departments of the municipality for their information and appropriate action.

c. ***90-day ban***- No preventive suspension shall be imposed within nine (90) days immediately prior to any local election. If the preventive suspension has been imposed prior to the 90-day period immediately preceding a local election, it shall be deemed automatically lifted upon the start of the aforesaid period.

d. ***Automatic reinstatement*** – Upon expiration of the preventive suspension, the suspended barangay official shall be deemed reinstated in office, without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he was formally notified of the case against him. However, if the delay in the proceeding of the case is due to his fault, or request, other than the appeal duly filed, the duration of such delay shall be counted in computing the time of termination of the case.

e. ***Salary of respondent pending suspension***- The respondent who is preventively suspended from office shall receive no salary or compensation during such suspension; but upon subsequent exoneration and reinstatement, he shall be paid his full salary or compensation, including such emoluments accruing during such suspension.

6. Preliminary Conference

a. ***Preliminary Conference***- the Committee shall, within ten (10) days from its constitution summon the parties to a preliminary conference to consider the following:

a1. Whether the parties could agree on an amicable settlement;

a2. Whether the parties desire a formal investigation or are willing to submit the case for resolution upon submission of their respective position papers together with their documentary evidences;

a3. If the parties desire a formal investigation, to consider the simplification of issues, the possibility of obtaining stipulation or admission of facts and of documents, specifically affidavits and depositions, the limitation of the number of witnesses, dates of hearing, and such other matters as may aid the prompt disposition of the case.

b. ***Preliminary conference brief*** - The parties may submit their respective preliminary conference brief containing the matters found in the forgoing section and such other matters that will aid the Committee in the expeditious resolution of the case, at least three (3) days before the date of the scheduled preliminary conference, and a copy furnished to the other party.

c. ***Amicable settlement, compromise and arbitration***- The committee shall encourage the parties and their counsels to enter, at any stage of the proceedings, into amicable settlement, compromise or arbitration, the terms and conditions of which shall be subject to the approval of the Sanggunian.

d. ***Preliminary conference order*** - After the preliminary conference, the committee shall issue an order reciting the matters taken up thereon, including the facts stipulated and the evidences marked if any. Such order shall limit the issues for hearing to those not disposed of by agreement or admission of the parties, and shall schedule the formal investigation within ten (10) days from its issuance unless a later date is mutually agreed upon by the parties concerned.

e. ***Submission for the resolution/decision***- The parties may agree to submit the case for resolution/decision based on the result of the preliminary conference without any need for further hearings.

f. ***Presence of the Parties and counsel*** - The parties and their respective counsels, if represented are required to attend the preliminary conference.

In case of the absence of the complainant and his counsel, if represented, without any justifiable reason, the case shall be dismissed.

In case of the absence of the respondent and his counsel, if represented, without any justifiable reason, it shall be deemed as waiver of his right to present evidence in his favor and the investigation/hearing may proceed ex-parte.

7. Formal Investigation

a. ***Procedural due process*** - the respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him, and to require the attendance of the witnesses and the production of documents through the compulsory process of ***subpoena ad testificandum*** and ***subpoena duces tecum.***

b. ***Who conducts the hearing***. – The formal administrative investigation shall be conducted by the committee; Provided, that the Sanggunian is not precluded from assuming the conduct of the investigation at any stage of the proceeding, if it may deem necessary.

c. ***Power to take testimony or receive evidence and issue interlocutory orders*****.** – The committee is hereby authorized to take testimony or receive evidence relevant to the administrative proceedings, which authority shall include the power to administer oaths, summon witnesses and require the production of documents by issuing subpoena and ***subpoena duces tecum*** pursuant to Book I, Chapter 9, Section 37 of the Administrative Code of 1987.Anyone who, without lawful excuse, fails to appear upon summons issued under authority of the preceding paragraph or who, appearing before the Committee exercising the power therein defined, refuses to make oath, give testimony or produce documents for inspection, when lawfully required, shall be subject to discipline as in case of contempt of court and, upon application by the Committee, shall be dealt with the judge of the proper regional trial court in the manner provided for under Book II, Chapter 3, Section 13, in relation to Chapter1, Section 2 (1) , of the Administrative Code of 1987.

The Committee is also authorized to issue interlocutory orders.

d. ***Notice of hearing*** –The parties and their witnesses shall be notified of the scheduled hearing at least five (5) days before the date thereof, stating the date, time and place of the hearing.

e. ***Venue of hearing***- The formal investigation as contemplated in this rule shall be conducted in the session hall of the Sanggunian.

f. ***Request for subpoena*** **-** If a party desires the attendance of a witness or the production of documents, he should formally request for the issuance of the necessary subpoena or subpoena ***duces tecum*** at least three (3) days before the scheduled hearing.

g. ***Postponement*** - No postponement shall be allowed unless for meritorious grounds, which in no case be more than once during the entire proceeding.

h. ***Stenographic record of proceeding***- The testimony of each witness and the manifestation of the parties and counsels during an investigation shall be taken in shorthand or stenotype, tape-recorded or any other mode recording. A transcript of the proceedings made by the official stenographer or stenotypist, and duly certified by him shall be prima facie a correct statement of such proceedings.

The stenographer, stenotypist or any personnel assigned to record the proceedings shall immediately transcribe the same and prepare the transcript thereof without any delay.

The transcript of the proceedings shall be paged consecutively and in chronological order, sewed on the left hand side, and properly indexed, showing the page on which the testimony of each witness begins.

All transcripts of the proceedings shall be filed in a separate folder.

The parties may request copies of the transcripts upon payment of the required fees.

i. ***Order of Hearing***. - the order of the hearing shall be as follows:
i1. The complainant shall produce the evidence on his part;
i2. The respondent shall offer evidence in support of his defense; and
i3. The parties may then respectively offer rebutting evidence unless the Committee for good reasons and in the furtherance of justice, permits them to offer evidence upon their original case.

j. ***Order of the Examination***. - The order in which a witness may be examined shall be as follows:
j1. Direct examination by the proponent;
j2. Cross-examination by the opponent;
j3. Re-direct examination by the proponent; and
j4. Re-cross examination by the opponent.

The affidavit of the witness shall constitute his direct testimony but the same shall be identified and affirmed by him before his cross-examination.

The parties are required to furnish each other copies of the affidavits of their respective witnesses at least five (5) days before the scheduled hearing, unless said affidavits are attached to the complaint and the answer.

k. ***Termination of the formal investigation*****. -** The formal investigation of the case shall be terminated by the Committee within ninety (90) days from the start thereof, unless there are justifiable grounds for extension.

l. ***Memorandum*****.** - Within fifteen (15) days after the termination of the formal investigation, the parties shall submit their respective memoranda, stating clearly and distinctly the facts and the law upon which they are based, serving each other a copy thereof. These requirements shall likewise apply to motions or applications other than the final decisions.

m. ***90-day ban*****.** - No formal investigation shall be conducted within ninety (90) days immediately preceding any local election.

8. Evidence

a. ***Rules of evidence*** - In administrative disciplinary proceedings-

a1. The Committee may admit and give probative value to evidence commonly accepted by reasonably prudent men in the conduct of their affairs. A fact may be deemed established if it is supported by substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion;
a2. Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, the parties shall be given opportunity to compare the copy with the original. If the original is in the official custody of a public officer, a certified copy thereof may be accepted;
a3. The Committee may take notice of judicially cognizable facts and of generally technical or scientific facts within its specialized knowledge. The parties shall be notified and afforded an opportunity to contest the facts so noticed.

b. ***Marking*****.** - All documentary evidence or exhibits shall be properly marked by letters (A, B, C, etc.), if presented by the complainant and by numbers (1, 2, 3, etc.), if presented by the respondent. They shall attach to the records or, if voluminous, kept in a separate folder marked “Folder of Exhibits” which shall be attached to the records.

c. ***Offer of evidence/exhibits*****.** - Testimony of a witness shall be offered at the time the witness is called to testify.

Documentary and object evidence shall offered after the presentation of a party’s testimonial evidence. Such offer shall be done orally unless allowed by the committee to be done in writing.

The purpose for which the evidence is offered shall be specified.

d. ***Objection***. - Objection to evidence offered orally shall be made immediately after the offer is made.

Objection to a question propounded in the course of the oral examination of a witness shall be made as soon as the grounds therefore shall become reasonably apparent, otherwise, the same shall be considered admitted.

An offer of evidence in writing shall be objected to within three (3) days after notice of the offer unless a different period is allowed by the Committee.

In any case, the grounds for the objections shall be specified.

All objections raised during the hearing shall be resolved by the Committee.

The Committee shall accept all evidence deemed material and relevant to the case. In case of doubt, the Committee shall allow the admission of evidence or allow the witness to answer, subject to the objection interposed against its admission.

9. Report of the Committee

a. ***Report to the Sanggunian*** - The investigation shall be terminated within ninety (90) days from the start thereof and the Committee shall make written report and/or submit a draft decision to the Sanggunian with its findings and recommendations, signed by at least a majority of the members thereof, within twenty (20) days:

a1. from the receipt of the last pleading and evidence, if any in case the respondent does not elect a formal investigation;

a2. after the expiration of the period within which to submit the same; or after termination of the formal investigation; or

a3. after the parties have submitted their respective memoranda or after the expiration of the period for their submission.

10.Decision

a. ***Rendition of decision*****. -** Immediately upon receipt of the report or draft decision of the Committee, the Sanggunian shall calendar the same for deliberation on the next regular session immediately after its receipt. The conclusion in the decision shall be reached in consultation, after which, the case shall be assigned to member thereof as ***ponente*** or writer of the opinion/decision.

The decision shall be rendered within thirty (30) days from the date of submission for resolution. The decision shall be in writing stating clearly and distinctly the facts and reasons for such decision.

The decision shall state the concurring, dissenting, abstaining and absent members, and shall bear the signatures of the *ponente* and members who concur. Any member of the Sanggunian who dissents may write a separate dissenting opinion which shall be submitted within the said 30-day period, which shall be appended to the decision of the majority.

The Sanggunian may, at its discretion, adopt in toto the recommendation and/or decision submitted by the Committee thru the passage of a resolution.

Copies of the said decision shall immediately be furnished the respondent, the Municipal Mayor, the MLGOO, and all interested parties after it has been signed as mentioned above.

b. ***Required number of votes for the decision***. - All decisions of the Sanggunian, be it with sanction or dismissal, shall be approved by at least a majority of all the members duly elected and qualified.

c. ***Finality of decision/order***. - The decisions and final orders of the Sangguninan shall become final and executory after the lapse of thirty (30) days from the receipt of a copy thereof by the complainant of the respondent as the case maybe, if no appeal has been made within the said period.

11. Motion For Reconsideration

a. ***Motion for Reconsideration***- a motion for reconsideration may be filed within the period to appeal and shall be entertained only on any of the following grounds:

a1. New evidence has been discovered which materially affects the order, or decision; or

a2. Errors of law or irregularities have been committed prejudicial to the interest of the movant.

Only one motion for reconsideration shall be allowed, which shall be decided within fifteen (15) days from the date of submission for resolution. No other pleading shall be allowed other than the motion for reconsideration and opposition thereto.

A motion for reconsideration shall not toll the running of the period to appeal and the movant has to perfect his appeal within the period to appeal.

The motion for reconsideration shall be heard and evaluated by the Committee and shall submit its recommendation with the draft resolution/order to the Sanggunian within (10) days from submission for the resolution.

If the motion for reconsideration has not been resolved with the period to appeal, the same is deemed denied.

It is incumbent upon the movant to check with the Committee or the Sanggunian the status on his motion for reconsideration and to perfect his appeal, in case the said motion has not been resolved within the period to appeal.

12. Execution of Decision

a. ***Execution of final decisions and orders*****. -** The Municipal Vice Mayor shall execute all final and executory decisions or orders of the Sanggunian by issuing the corresponding order implementing the same. He may also deputize or call upon any personnel of the Philippine National Police (PNP) stationed within the municipality, to execute the said decisions or orders.

A copy of the Order implementing the final decisions and orders of the Sanggunian shall be furnished the Office of the Municipal Mayor, MLGOO, and other interested parties for their information and appropriate action.

b. ***Execution pending appeal***. - An appeal shall not prevent a decision from becoming final or executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of the appeal, which should not be more than the penalty imposed. In the event the appeal results in exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

13. Administrative Appeal

a. ***Appeal where made*****. -** Decisions of the Sanggunian may, within thirty (30) days from receipt thereof, be appealed to the Sangguniang Panlalawigan whose shall be final and executory.

b. ***How to appeal***. - The appeal is under taken by filing a notice of appeal with the Sanggunian that rendered the decision or final order appealed from. The notice of appeal shall indicate the parties to the appeal, the decision or final order appealed from, and state the material dates showing the timeliness of the appeal.

A copy of the notice of appeal shall be served the adverse party and the Sangguniang Panlalawigan.

c. ***Transmittal of original record***. - Within fifteen (15) days from receipt of the notice of appeal, the Sanggunian whose decision or final order has been appealed shall transmit to the Sangguniang Panlalawigan the complete original record of the case with each page consecutively numbered and initialed by the custodian of the records, together with the exhibits and transcripts, which shall be certified by such custodian as complete. A copy of the letter of transmittal of the records to the Sangguniang Panlalawigan shall be furnished the parties.

14. Miscellaneous Provisions

a. ***Docket or logbook***. - The Sanggunian shall keep a logbook and /or docket of all administrative cases filed before it and shall assign a case number for each case in the order that it is filed, prefixed with the last two (2) digits of the year of filing, e.g., in the first cased filed for the year 2001, it should be numbered as ADM. CASE NO. SB-01-_____, etc.

Important data such as date of filing, date of hearing, status of the case, e.g., when submitted for resolution, date of promulgation of decision becomes final, and other relevant data shall be entered in the said logbook or docket.

b. ***Custodian of the records***. - The Sanggunian Secretary shall be the custodian of all records pertaining to all administrative cases and shall receive all pleadings and other papers in connection thereto.

B. PENAL CLAUSE

1. Reprimand, censure or suspension. - A respondent found guilty of any of the offenses enumerated in Rule 2 thereof may be meted the penalty of reprimand, censure or suspension depending on the evidence presented, the gravity of the offense, and the attendant circumstances that maybe determined by the Sanggunian, taking into consideration the scale of penalties as provided under the Omnibus Rules Implementing Book V of Executive Order No. 292 and other Pertinent Civil Service Laws.

2. ***Suspension*****. -** The penalty of suspension shall not exceed the unexpired term of the respondent, of a period of six (6) months for every administrative offense , nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office.

When the respondent has meted two (2) or more penalties of suspension for two (2) or more administrative offenses, such penalties shall be served successively.

CHAPTER XV
CULTURE, HISTORY AND ARTS

SECTION 155. POLICIES FOR PORTRAITS AND PICTURES OF LOCAL CHIEF EXECUTIVES AND OTHER ELECTIVE MUNICIPAL OFFICIALS

A. REGULATORY CLAUSE

1. It shall be the policy of this Local Government Unit that Local Chief Executives shall cause the display of their portraits in the Sangguniang Bayan Session Hall during their tenure of Office.

2. It shall likewise be the policy of this Local Government Unit that other elective municipal officials shall cause the display of their group pictures in the Municipal Library and Historical Center during their tenure of office.

3. Portraits and pictures of Local Chief Executives and other Municipal Officials, respectively, shall be properly labeled, providing therein the names and term of office or tenure of office, as the case may be, by the General Services Officer.

SECTION 156. GUIDELINES ON MONUMENTS HONORING NATIONAL HEROES, ILLUSTRIOUS FILIPINOS AND OTHER PROMINENT PERSONAGES IN PUBLIC PLACES

A. REGULATORY CLAUSE

1. Dominance

The size and configuration of monuments shall not exceed that of the National Hero (Dr. Jose Rizal's) referring to the Rizal Monument in Luneta. If two or more monuments are present at the site including the new one, the more or most important monument shall be given more or the most dominance at the site. The height is likewise controlled by the same ruling.

2. **Site**
The place of monuments shall be properly oriented to the existing set-up of the site. Usually, they are oriented fronting a prominent building or facing a flagpole at the center of an interior courtyard, surrounded by enclosing walls of a building, at the center of a partially opened space; or on an open park or plaza. However if the site is limited and does not permit the aforementioned conditions, a monument figure may be located side by side (not very near or next to) with the existing flagpole on the same axis parallel to the significant building's façade line; the monument figure, and the flagpole fronting said building. Monuments are generally co-axial with the significant structures around. If there are to be two monuments at the same time on the site, these may be side by side with the flagpole, with the Philippine Flag at the center.

3. **Design and Materials**
The design fundamentally be based on the over-all character of the site and its peripherals (urban or environmental character). It should be contextual with the site and its vicinity. The proposed design of the monument or site development should adapt to the existing, original or significant structure. It shall not be the reverse process. With regards to the other aspects, the commissioned artist or architect is given the leeway in his own interpretations of the design. Pedestals, plant boxes, platforms, and other low portions of the design shall be carefully studied so as to avoid areas attractive to street dwellers and vandals. The choice of materials shall be to the sound discretion of the artist or architect. However, color texture materials matching and combination shall be well taken into consideration for a refined overall appearance. Full-bodied monuments are preferably placed on a simple pedestal having the same height or a proportion of 1:1 figure to pedestal ratio.

4. **Structure**
The structure of the monument, which may include the platform, the pedestal, the figure, the pylon or the arch, shall be rigidly constructed in accordance with the existing National Building Code requirements, and to the accepted engineering practices. Structures located outdoors, shall be built to withstand strong winds and earthquakes. Emphasis shall be given to the construction method on mounting of the monument figure to the pedestal.

5. **Landscaping and Amenities.**
Site development, landscaping and amenities shall depend on the existing site requirements. Local and national government restrictions regarding site development shall be complied with. To give prominence to the monument, the immediate are shall be simple and preferably unobstructed. Unsightly installations, including stalls, tents, debris, garbage or shanties existing prior to the site development, shall be cleared from the site.

6. **Concepts of Open Space and Historical Precedents.**
The concept of an open space is that it shall remain open, simple, neat and should be considered a breathing space and a center for public congregation.

An Open space shall be treated more as a natural environment and a space which relates the surrounding structures. It is a whole composition that is homogenous and functional.

Historical precedents shall always be respected. This means that existing elements, designs and other features that have gained significance and are considered distinct elements which the town, site or center is identified with, shall be preserved and protected. Additions or renewal shall only be done to enhance the existing set up, but not to compete or radically contrast with it, resulting in the discriminate alteration of the meaning and intention of the site.

7. **Proper Use.**
All monuments as stated herein shall be treated with utmost respect and reverence, more particularly, full bodied statues and busts of the country's heroes, illustrious Filipinos and eminent leaders of the Municipality. Desecration in any form is therefore prohibited. They shall be given utmost protection from vandalism, improper use, such as places for herding animals, dumping areas for garbage, gambling dens, venues for illicit activities, and other forms of desecration.

8. Maintenance

All monuments shall be ensured with proper and continuous maintenance.

The General Services Office, this Municipality, is mandated under this Ordinance to upkeep and maintain the cleanliness and proper use, as stated in paragraph 7 above, the following monuments: Dr. Jose P. Rizal and Jose P. Laurel monuments at the plaza and the Andres Bonifacio Monument along Bonifacio Street or other monuments that may hereinafter be installed by the Local Government. Said Office (GSO), together with an assigned police officer of the Tigbauan PNP shall also manage persons rendering monument services as provided in Section IV hereof. Funds, as far as possible, be appropriated by this Sanggunian for their repair or beautification.

All other monuments located within school premises shall be maintained by their respective schools.

The World War II Veterans Monument in the plaza, the first ambush in Namocon and the Liberation Landmark in Parara shall likewise be maintained by its Sponsor – the Veterans Federation of the Philippines, Tigbauan Post or its Sons and Daughters Associations, Incorporated.

9. Relocation

a. Existing Monuments cannot be relocated without any justifiable reasons. Instances in which monuments cannot be relocated include the following:

a1. If the event which the monument immortalizes occurred in the particular area where the monument now stands.

a2. If relocating the monument will mean the destruction of the monument;

a3. If there was no prior consultation or due process;

a4. If the monument is to be replaced with that of a lesser stature of importance;

a5. If the site to relocate the monument is still uncertain or is not of a better location;

a6. If the monument is left idle or decommissioned;

a7. If the new development plans conflict with that of the existing environment of the monument. The existing monument should be made the point of reference for any development plans, not vice versa.

b. Monuments can be relocated if the reasons for its relocation will not conflict with the above reasons. Other instances include the following:

b1. If the new development plan is an accepted improvement over the old plan and does not conflict with the old plan. In some instances, a monument is to be added within the area; the new monument shall be placed side by side with the existing monument.

b2. If the positioning of the old monument is to be corrected, e.g. the monument is repositioned to face the flagpole.

b3. If the monument will be replaced with a better monument, e.g. a cement monument being replaced with a bronze monument. In most cases, even the old monument is transferred to another appropriate side, but not destroyed.

10. Illustrations.

The following illustrations form as part of these guidelines for the purpose of illustrating, in figures, the provisions earlier provided specifically on Number 2 hereof:

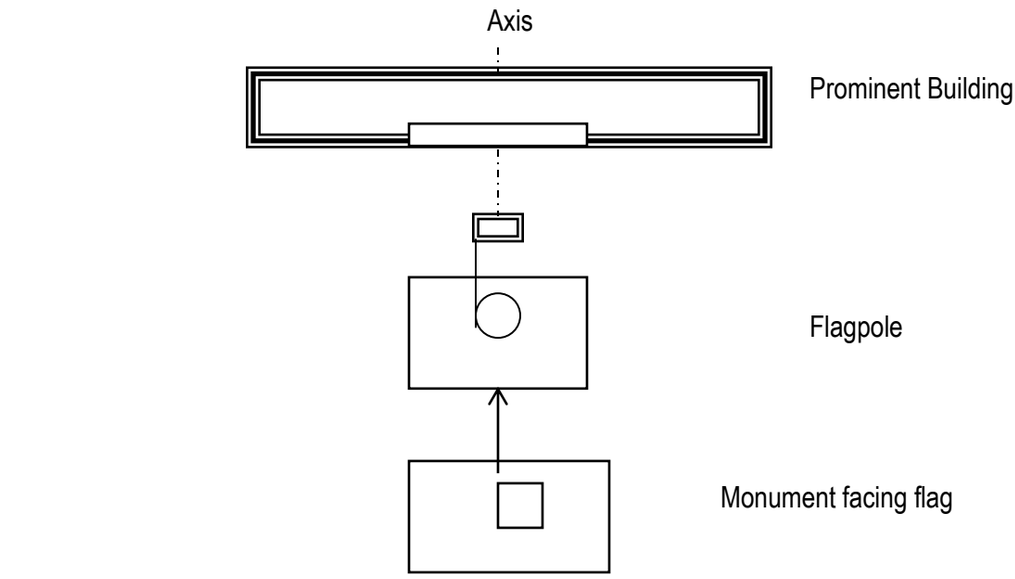


Figure 1. Monument Facing Flagpole fronting a Prominent Building

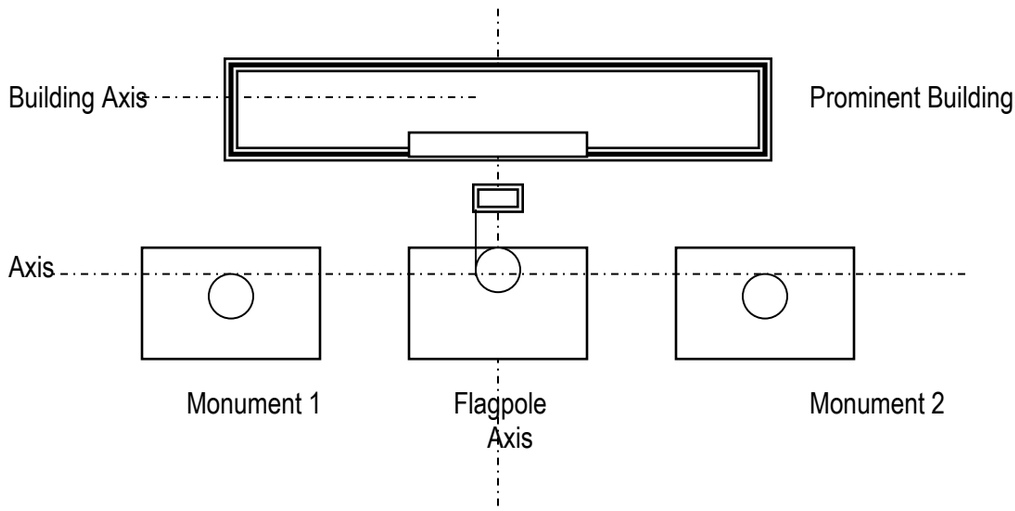


Figure 2. Two monuments side by side with the flagpole on Axis parallel to Prominent Building's Axis.

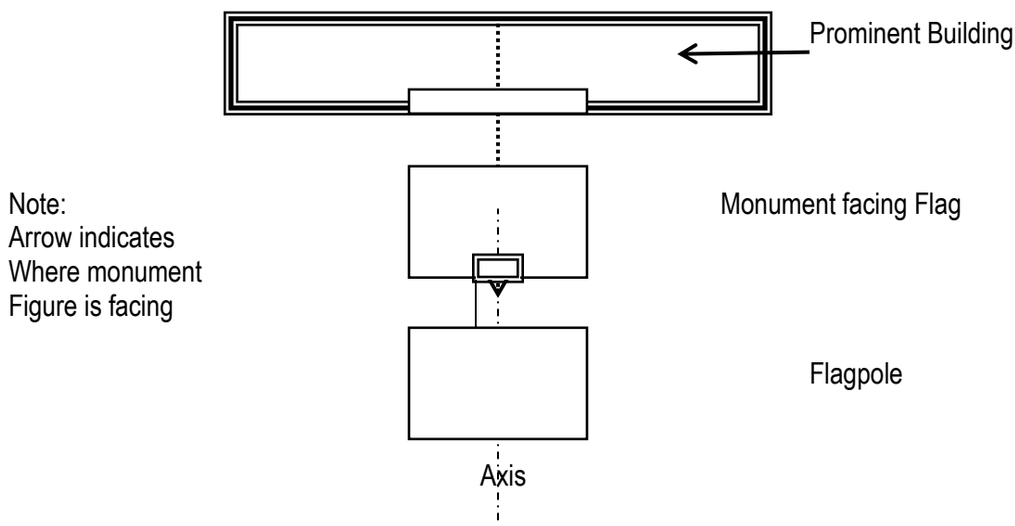


Figure 3: Monument facing Flagpole

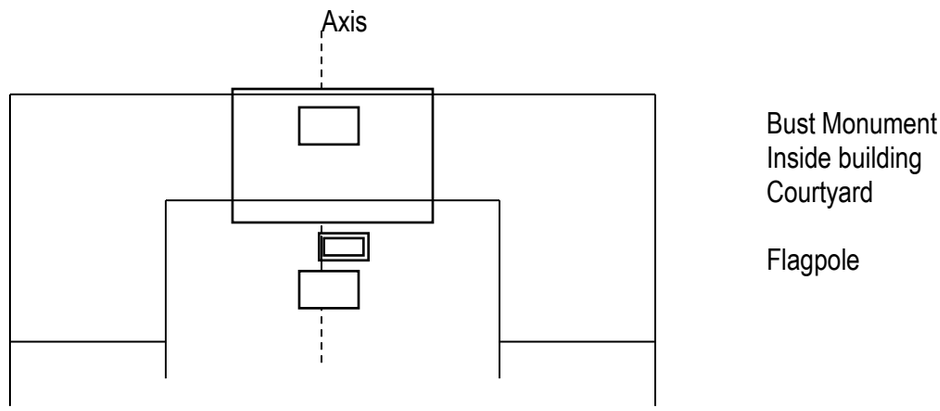


Figure 4: Monument at the center of an Interior Courtyard or at center of Partially opened space.

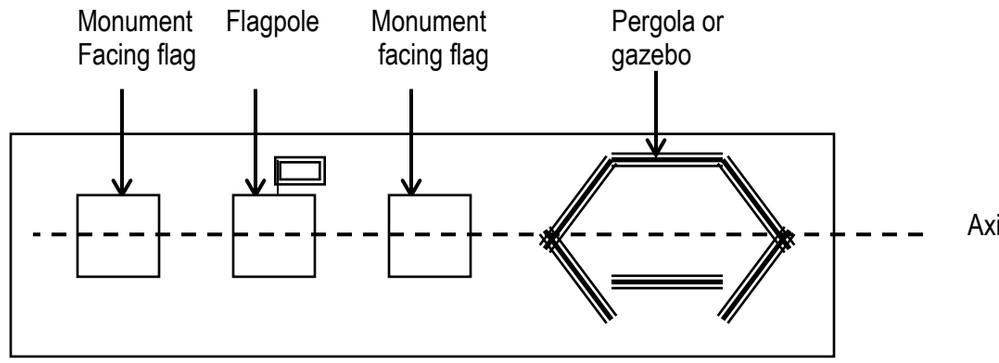


Figure 5: Monuments on Open Plaza or Park

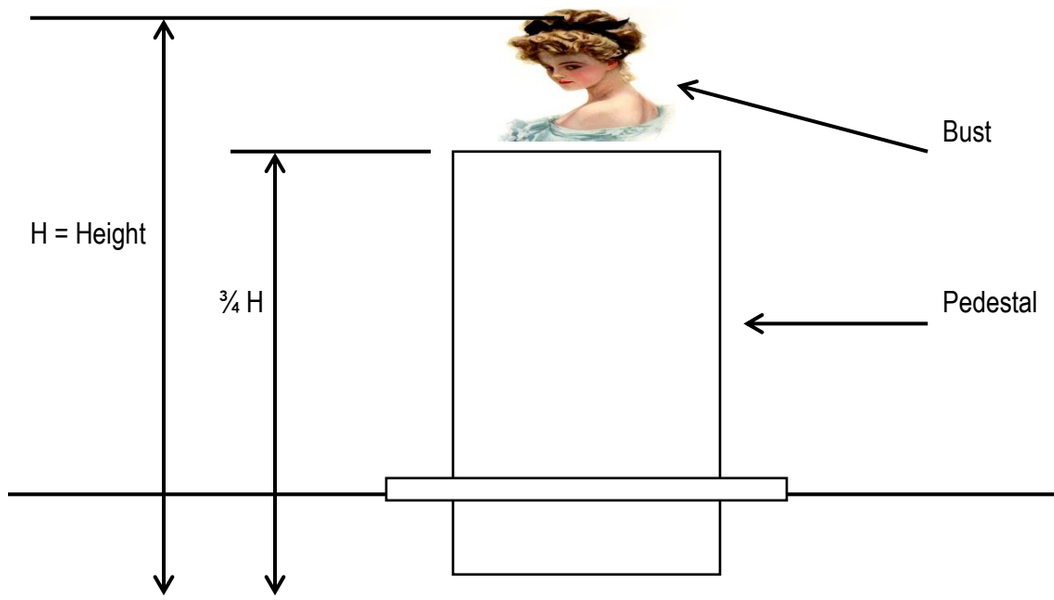


Figure 6: Basic Proportion of Bust – Pedestal

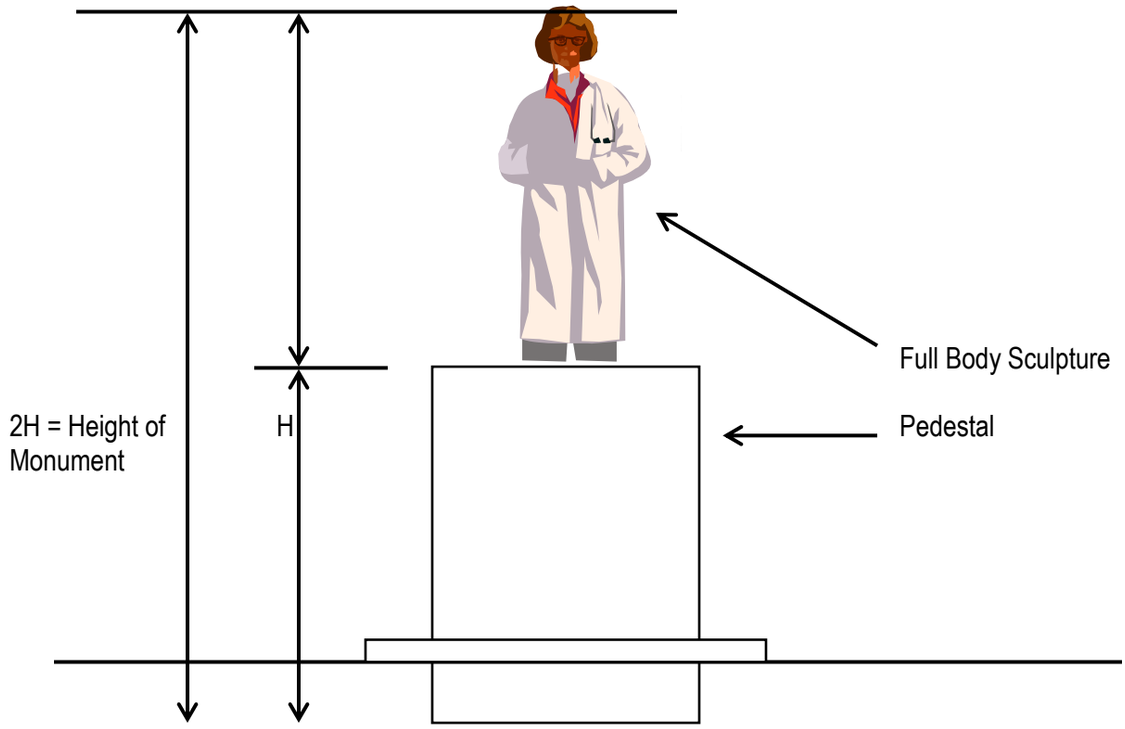


Figure 7: Basic proportion of Full – Body Sculpture and Pedestal

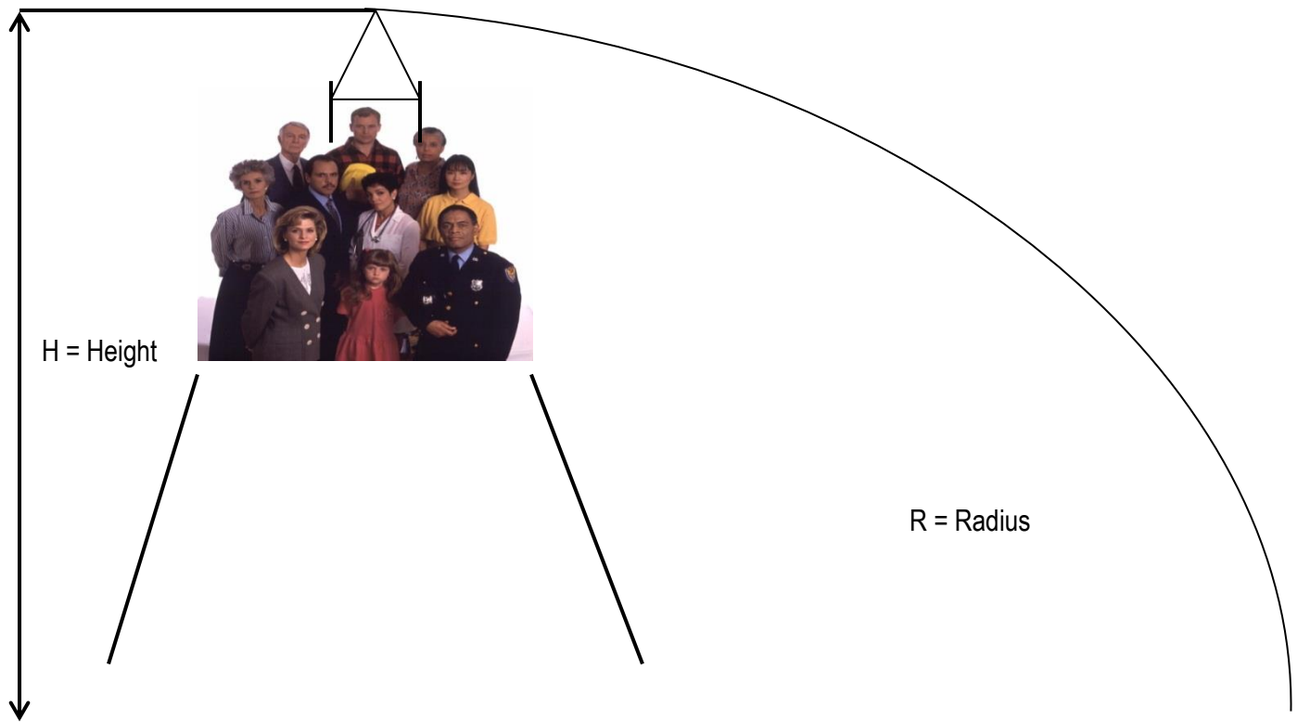


Figure 8: Basic proportion Monument and Radius of immediate periphery

B. PENAL CLAUSE

1. Any public officer violating any of the Guidelines provided in Section 3 hereof shall be administratively liable.

2. Any person who within the five – meter radius of a monument, commits acts of deformation, vandalism, herding of animals, dumping garbage, littering, gambling and other illicit activities shall be meted the following penalties:

a. Acts resulting to deformation of monuments – aside from restitution, pay a fine of Two Hundred Pesos (P200.00) or render eight (8) hours monument service, if act is willful, aside from restitution, pay a fine of Four Hundred Pesos (P400.00) or render sixteen (16) hours monument service or both fine and monument service at the discretion of the court;
b. Vandalism – aside from restitution, pay a fine of Two Hundred Pesos (P200.00) or render monument service of eight (8) hours or both fine and monument service at the discretion of the court.
c. Herding of Animals – aside from restitution or payment of corresponding damage, pay a fine of Four Hundred Pesos (P400.00) or render monument service of eight (8) hours or both fine and monument service at the discretion of the court;
d. Dumping of Garbage – aside from restitution or payment of corresponding damage, pay a fine of Four Hundred Pesos (P400.00) or render monument service of sixteen (16) hours or both fine and monument service at the discretion of the court.
e. Littering – aside from restitution, pay a fine of Two Hundred Pesos (P200.00) or render eight (8) hours monument service or both fine and monument service at the discretion of the court.
f. Gambling – pay a fine of Four Hundred Pesos (P400.00) or render sixteen (16) hours monument service or both fine and monument service at the discretion of the court.
g. Other illicit activities which include making the monument radius as venue for illegal drug trade, white slavery, etc. – pay a fine of Four Hundred Pesos (P400.00) or render sixteen (16) hours monument service or both fine and monument service at the discretion of the court.

CHAPTER XVI
TOURISM CODE

SECTION 157. DECLARATION OF PRINCIPLES AND POLICIES

1. ***Operating Principles*** **-** Consistent with the provisions of the Constitution and other related laws and issuances, the Local Government Unit of Tigbauan, in enacting this code adheres to the following operating principles.
   a. The Local government unit shall take major responsibility in partnership and cooperation with concerned government agencies and the private sector, for the improvement, security, administration and management of tourism destinations;
   b. Marketing of tourism products and services shall be as truthful and honest at all times;
   c. The Tourism Sector should strive to continually improve products and services;
   d. All other sectors concerned, specifically the academe shall work hard to enhance the skills and capabilities of local human resources to respond to the needs of the tourism industry.

2. ***Declared Policies.*** - In the pursuit of cultural preservation and sustainable holistic development as a mechanism for maintaining our identity, the Municipality of Tigbauan hereby declares adherence to the Tourism Act of 2009, National Cultural Heritage Act of 2009, environmental laws, health laws and other tourism-related laws.

   The municipality shall pursue a balanced atmosphere where the historic past harmonizes with modern society. It shall approach the problem of conservation in an integrated and holistic manner, cutting across all relevant disciplines and technologies. The municipality shall further administer the heritage resources in a spirit of stewardship for the inspiration and benefit of the present and future generations.

This Code provides that the Local Government Unit of Tigbauan shall pursue policies consistent with the provisions of the constitution and other related laws and issuances in order to ensure adherence to the following guiding principles:

a. Conserve the natural environment including its biodiversity;
b. Respect the cultural sensibilities and rights of host communities;
c. Safeguard and preserve the integrity of cultural heritage, historical sites, attractions and natural endowments;
d. Educate all stakeholders, community and tourists on the principles of responsible and sustainable tourism;
e. Alleviate the less privileged from poverty by ensuring the benefits of tourism to effect the communities;
f. Support sustainable tourism development plans;
g. Encourage active involvement and participation of communities in tourism development;
h. Ensure that all tourism activities, plans and programs reflect the positive territorial values;
i. Identify, develop and promote existing and potential tourism areas and tourism enterprise;
j. Institutionalize and advocate a responsible cultural and heritage tourism;
k. Promote teamwork and cooperation among stakeholders to attain common goals and objectives for the common good;
l. Encourage, promote and link community-based tourism support to industries to tourism mainstream;
m. Strengthen and support the capability of the barangays in mandated tourism functions;
n. Provide incentives and recognition to private initiatives in the establishment and development of tourism-related programs, projects, activities, events, and investments; and,
o. Develop a tourism industry that is highly professionalized with trained human resource components through the concerted efforts and cooperation of both public and private sectors.

3. SCOPE

The provisions of this Code shall apply to all barangays, agencies and instrumentalities, non-government organizations, businesses and establishments, directly or indirectly involved in the tourism industry.

SECTION 158. TIGBAUAN TOURISM AND CULTURAL HERITAGE COUNCIL AND OFFICE

1. THE TIGBAUAN TOURISM AND CULTURAL HERITAGE COUNCIL.

1.1. ***Organization***. - There is hereby created Tigbauan Tourism and Cultural Heritage Council (TTCHC) which shall be the highest coordinating and policy formulating body for tourism, heritage, culture and the arts program, projects and activities in the municipal level under the direct supervision of the Office of the Municipal Mayor.

1.2. ***Composition***. - The Tigbauan Tourism and Cultural Heritage Council shall be composed of the following:

Chairperson	-	Municipal Mayor
Vice-Chairpersons	-	Municipal Vice Mayor
	-	SB Member in- charge of Tourism
Secretary	-	Municipal Tourism Officer
Treasurer	-	Municipal Treasurer
Members	-	All Sangguniang Bayan Members
	-	Liga ng mga Barangay President
	-	Municipal Planning & Development Coordinator
	-	Municipal Budget Officer
	-	Municipal Engineer
	-	Municipal Health Officer
	-	Municipal Disaster Risk Reduction Management Officer
	-	Municipal Assessor
	-	Parish Priest or any representative from Religious Sector
	-	Public School District Supervisors
	-	Representative from secondary schools
	-	DILG Officer
	-	Chief of Police
	-	Representative, Business Sector
	-	Representative, Hotels & Resorts Association
	-	Representative Tigbauan Market Vendors Assn.
	-	Representative from Transportation Sector

- Representative, Local Historical Council Secretariat

1.3. ***Duties and Functions***:
The Tigbauan Tourism and Cultural Heritage Council shall:

a. Prepare, review and approve master plan and other annual plans on tourism, culture and arts to be integrated in the local development plan and to be implemented by the Municipal Tourism and Cultural Heritage Office;
b. Create special committees that will handle the event planning, organizing, facilitating and monitoring the special tourism events, other tourism and cultural related events and activities;
c. Approve and/or manage all tourism, culture and the arts events and activities such as Pagdaug-Saludan Festival, Adlaw sang Tigbauan, and all other related events;
d. Help identify, develop and promote potential tourism attractions;
e. Ensure the protection, preservation and conservation of the local historical heritage and cultural assets;
f. Conduct inventory or registry, inspection, validation on local cultural assets and historic sites in partnership with National Historical Commission of the Philippines ;
g. Declare and install local historical marker to identified cultural assets and historic sites subject for confirmation by the local Sangguniang Bayan;
h. Extend technical assistance to all tourism-oriented and related establishments;
i. Create, promote and support sustainable tourism, culture and the arts programs and projects to the community by facilitating community-based activities;
j. Coordinate with the Barangays in the implementation of the Tigbauan Integrated Tourism and Cultural Heritage Code;
k. Formulate and recommend plans and policies on tourism and cultural development to both government and private sectors;
l. Initiate private and public partnerships in implementing tourism and cultural development plans, programs and activities;
m. Encourage the development of local tourism and cultural organizations in the Municipality in accordance with the Tourism Code; and
n. Facilitate resource generation for tourism and cultural activities.

1.4. ***Sources of Funds***. The funds of the council shall be sourced out from the LGU Appropriations on Tourism, Culture and Arts Programs, Projects and Activities and from external sources without prejudice to the right of the council to receive donations, grants, benefits and financial assistance from any persons, groups and organizations as well as any other income that may be legally earned by the Council.

SECTION 159. MUNICIPAL TOURISM AND CULTURAL HERITAGE OFFICE

1. ***Creation***: There shall be created a Municipal Tourism and Cultural Heritage Office. The Municipal Tourism and Cultural Heritage Office shall implement programs and projects relating to tourism, culture and the arts including the marketing and promotions of the tourism industry and preservation of heritage sites and cultural properties.

   It shall pursue the development of the tourism industry in adherence to the mission and vision of the Municipality of Tigbauan.

2. ***Qualifications Of The Tourism Officer.***
   Based on R.A. 9593 or Tourism Act of 2009, the Tourism Officer must be:
   a. A Filipino citizen permanently residing in Tigbauan ;
   b. Obtained relevant bachelor's degree in tourism, business, law, economics, marketing, public administration and other related fields;
   c. At least five (5) years of substantial work experience and involvement in the Tourism industry and promotions either in private sector or government;
   d. A second level Civil Service Eligible; and
   e. Underwent and completed training programs undertaken by the DOT.

3. ***Powers and Functions.***
   As the primary operating agency of the Municipal Government, the Municipal Tourism and Cultural Heritage Officer shall be responsible for the efficient and effective implementation of the policies, plans and programs as recommended by the Tigbauan Tourism and Cultural Heritage Council.

   Towards this end, the Municipal Tourism and Cultural Heritage Officer shall:

a. Initiate and organize tourism and cultural activities;
b. Formulate, monitor and coordinate integrated plans for tourism and culture and the arts;
c. Assist, monitor and conduct accreditation of tourism-oriented and related facilities and service providers;
d. Conduct capability-building trainings for tourism front liners;
e. Conduct research, establish and maintain tourism information and cultural mapping management system and web portal for the Municipality that is globally accessible.
f. Establish linkage and networking with national government agencies (NGAs), non-government organizations (NGOs) and people's organizations (POs) in planning and implementing tourism activities;
g. Conduct inventory of existing, emerging and potential tourism attractions;
h. Conduct inventory of heritage site and cultural property;
i. Promote and market the Municipality of Tigbauan as tourist destination, regionally and globally, through social media, exhibits, selling missions and the production of marketing collaterals;
j. Formulate and recommend plans and policies on tourism development by both government and private sectors;
k. Initiate and recommend the implementation of programs and activities on tourism in coordination with the DOT, private sector and other entities;
l. Initiate private and public partnerships in implementing tourism development plans, programs and activities;
m. Establish close coordination with barangay tourism partners to ensure responsive tourism through the proper implementation of the Tigbauan Tourism Code;
n. Encourage the development of barangay tourism linkages in the Municipality in accordance with the Tigbauan Tourism Code;
o. Promote and support sustainable tourism by facilitating community-based tourism activities; and,
p. Facilitate resource generation for tourism activities.

SECTION 160. TOURISM INFRASTRUCTURES

1. TOURISM PHYSICAL INFRASTRUCTURE.

The Local Government Unit of Tigbauan, including each and every barangay and the private stakeholders shall promote and encourage the construction of tourism-related establishments and facilities either through public or private funding, or both, in their areas of jurisdiction.

A. <u>BEACH RESORTS, INLAND RESORTS/SWIMMING POOLS, AND CAMP SITES</u>

1.) ***Minimum Requirements***:
   a.) Parking – An adequate parking space with parking security shall be provided free to guests;
   b.) Lounge and Reception Counter- There shall be a reception counter and reasonably furnished lounge commensurate with the size of the resort;
   c.) Facilities and Room Accommodation.- The resort shall have its rooms, facilities and amenities clean, safe and sanitary.
   d.) Public Washroom/Comfort Rooms.- There shall be a separate clean and adequate public toilet and bathroom for male and female, provided with sufficient running water, toilet paper and soap.
   e.) Food and Beverage Outlets.- The resort shall have at least one (1) food and beverage outlet.

2.) ***Fire-Fighting Facilities***. – Fire-Fighting facilities shall be provided in accordance with the Fire code of the Philippines.

3.) ***Signboards/Signages*** – Appropriate signboards and signages shall be conspicuously displayed outside the establishment showing clearly the name, address and direction of the resort as registered in the Municipal Tourism Office of Tigbauan.

4.) ***Lifeguard and Security***. – All resorts shall provide sufficient number of well- trained lifeguards duly accredited by the either the Philippine National Red Cross, the Water life Saving Associations of the Philippines or any recognized organizations promoting safety and adequate security to guests.

5.) ***Precautionary Measures***. –
   a) Night Swimming at the pools shall be allowed only if there are adequate lifeguards on duty and when the pool premises are sufficiently lighted.

b) Management shall post sufficient and visible sign in strategic areas in the swimming pools, to warm guest/customers of the presence of artificial or natural hazards, danger area or occurrences thereat.
c) Resort keepers, managers or operators shall likewise prohibit gambling of any form, drunkenness or disorderly conduct of any kind or allow any activity using prohibited drugs in the resort and immediate premises.

B. HOTELS

a) ***Location***. – The locality and environs including approaches shall be suitable for a very good hotel. The architectural features and general construction of the building shall be of very good standard.

b) ***Bedroom Facilities and Furnishings*.**

1. *Size* – All single and double rooms shall have a floor area of not less than 18 square meters inclusive of bathroom.
2. *Bathrooms* – All rooms shall have bathrooms which shall be equipped with showers and fittings of good standard with cold running water on a 24-hour basis and hot running water at selected hours.
3. *Telephone* – There shall be a telephone in each guest room.
4. *Drinking Water* – There shall be drinking water and glasses in each bedroom.
5. *Room Service* – Room service shall be provided at selected hours.
6. *Furnishings and lighting* – All guest rooms shall have furniture of good standard and design; floors shall have good quality carpet; walls shall be well furnished and drapes shall be well tailored and of good material. Lighting arrangement and fixtures in the rooms and bathrooms shall be well-designed ensuring complete functionality.
7. *Information materials*– Room tariffs shall be prominently displayed in each bedroom plus notices for services offered by the hotel including food and beverage outlets and hours of operation, fire exit guidelines, and house rules for guests.

c.) ***Front Office/Reception***. – There shall be a reception/information counter providing a 24-hour service and attended by qualified and experienced staff.

1. Lounge – There shall be a well-appointed lounge the size of which shall be commensurate with the size of the hotel;
2. Porter Service – Porter service shall be provided upon request;
3. Foreign Exchange Counter – There shall be a duly licensed and authorized foreign exchange counter;
4. Reception Amenities– There shall be left-luggage rooms and safety deposit boxes.
5. Linen – There shall be adequate supply of linen, blanket, towels, etc. of good quality, which shall be kept clean all the time. These shall be changed daily.
6. Laundry– Laundry and dry cleaning services shall be available by arrangement.
7. Dining Room – There shall be at least one (1) dining room facility which is well equipped and well-maintained and serving good quality cuisine.
8. Kitchen– The kitchen, pantry and cold storage shall be professionally designed to ensure efficiency of operation and shall be well-equipped, well-maintained, clean and hygienic. The kitchen shall have an adequate area with flooring and tiled walls and adequate light and ventilation.

d.) ***Engineering and Maintenance***.

1.) *Maintenance* – Maintenance of hotel in all sections (i.e. building, furniture, fixtures, etc.) shall be of good standard.
2.) *Ventilation* – There shall be efficient and adequate ventilation in all rooms.
3.) *Lighting* – There shall be adequate lighting in all public and private rooms.
4.) *Emergency power* – There shall be a high-powered generator capable of providing sufficient lighting for all guest rooms, hallways, public areas operating elevators, food refrigeration and water services.
5.) *Fire Prevention Facilities* – The fire prevention facilities shall conform with the requirements at the Fire Code of the Philippines.

e.) ***General Facilities*.**

1. *Parking* – There shall be adequate parking space.

2. *Shops* - There shall be sundry shop, provided other convinient stores are located within a distance of 100 meters.
3. *Security* – Adequate security on a 24-hour basis shall be provided on all entrances and exits of the hotel premises.
4. *Service and Staff* – Only qualified, trained, experienced, efficient and courteous staff shall be employed. The staff shall be in clean uniform.

f.) ***Insurance Coverage***. – There shall be an adequate insurance against accident for all guests.

C. MOTELS

1. ***Requirements for Motels***. - For purposes of accreditation, the following are the minimum requirements for the establishment, operation, and maintenance of motels:
   a.) *Location*. – The motel, except those already existing, shall be located along or close to the highways or major transportation routes.
   b.) *Garage*. – The motel shall have an individual garage or a common parking space for the vehicle of its guest.
   c.) *Bedroom*. - Each unit shall be provided with a fully air-conditioned bedroom, or at least, an electric fan, and shall be furnished with comfortable bed/s, clean pillows, linen and bed sheets which shall be changed every after use.
   d.) *Toilet and Bathroom*. – The unit shall be provided with attached toilet and bathroom with cold and hot water, clean towels, tissue paper and soap.
   e.) *Telephone.* – There shall be a telephone or call-bell in each unit.
   f.) Staff and Service. – The motel staff shall be trained, experienced, courteous and efficient. They shall wear clean uniforms while on duty.
   g.) *Fire-fighting Facilities*.- Adequate fire-fighting facilities shall be provided for each separate unit/building, in accordance with the Fire Code of the Philippines.
   h.) *Lighting*.- Lighting arrangement and fixtures in all units shall be adequate.
   i.) *Housekeeping*.- Efficient housekeeping shall be maintained.
   j.) *Maintenance*.- Efficient maintenance of the motel in all its sections (i.e. building, ground, furniture, fixtures public rooms, air-conditioning, etc.) shall be provided on a continuing basis.
   k.) *Other Facilities*. – The motel may, at its option, serve food and drinks exclusively to its guests, and install such other special facilities necessary for their business.
   l.) *Signboard*.- All motels shall keep and display in a conspicuous place outside the establishment a signboard showing clearly the name of the motel.

2. ***MINORS to be accompanied by Parent or Guardian***. - No motel shall accept for lodging or accommodation any person below 18 years of age unless accompanied by a parent or guardian.

3. ***Departure of Guests***. - On the departure of guests, the motel clerk shall record in the Registry Book the date and hour of their departure.

4. ***Room Rates***. - In addition to daily rates, motels may likewise impose wash – up rates. No guest who desires to be accommodated on a daily rate basis shall be refused. The rental rates shall be posted prominently at the reception counter and/or at the door of each room.

D. PENSION HOUSE

Requirements. – For purposes of accreditation, the following are the basic requirements for the establishment, operation and maintenance of pension houses:

a.) *Number of Rooms*. – A pension shall have at least five (5) lettable rooms.
b.) *Bedrooms*. – The bedrooms shall be provided with sufficient number of comfortable beds commensurate with the size of the rooms. Each room shall have adequate natural as well as artificial light and ventilation. It shall be provided with at least a writing table, closet, and a proportionate number of beds in the room. Rooms shall be clean and presentable and reasonably furnished to depict the true atmosphere of a Filipino home.

c.) *Common Toilet and Bathroom*. – The establishment shall provide a toilet and bathroom for the guests. There shall be at least one (1) bathroom/shower for every five occupants in all lettable rooms.
d.) *Linen*. – There shall be adequate supply of clean linen and towels.
e.) *Soap and tissue paper* shall be provided at all times.

f.) *Living Room*. – There shall be a reasonably furnished lounge or living room area commensurate to the size of the pension where guests may receive visitors, watch television or read.
g.) *Dining Room*. – The pension shall have a dining room which shall be available for use of its guests.

E. **RESTAURANTS** - A place where people pay to sit and eat meals that are cooked while you wait and served on the premises.
Requirements:
a.) Restaurants must follow the requirements of the laws, rules and regulations on the proper food handling and sanitation;
b.) There shall be provided clean comfort rooms for customers and guests, preferably separate for men and women;
c.) Cooks and waiters shall wear hairnets, caps or visors as maybe preferred by the management for proper food servicing.
d.) Cooks and waiters must undergo periodic health check up, preferably before the renewal of business permits.
e.) No Smoking/No Vaping signages must be posted on conspicuous places inside the restaurant.

F. **EATERIES** - A small place offering food to the public with limited menu.
Requirements:
a. Eateries must secure a health inspection certificate before the start of its operation which must be periodically secured, preferably before the renewal of the business permits;
b. Eateries must be located at least 10 meters away from establishments emitting foul odors and hazardous chemicals;
c. Cooks and waiters must wear hairnets, caps or visors, as they may prefer for food safety and handling purposes.

2. ***HUMAN RESOURCES INFRASTRUCTURES.***
Acknowledging tourism as a major factor in income and employment generation of the Municipality of Tigbauan, every barangay is therefore strongly encouraged to create a barangay tourism council to be composed of people with passion and interest in tourism and be provided with budgetary allocation for its operation.

Tourism programs shall be geared towards the fulfillment of the needs of the tourism industry. Towards this end, both Local Government and private investors in tourism shall join hands to:
a. Provide financial and technical support for the professionalization of services and skills of tourism industry workers;
b. Organize and train a team of local trainers to capacitate and improve delivery of services of tourism front liners such as tourism officers, transport operators, tour guides, drivers, boatmen, porters, and the like;
c. In coordination with the Department of Tourism and with the Municipal Tourism and Cultural Heritage Office shall implement a certification and accreditation system to regulate the quality of service and skills provided by front liners and other tourism industry workers;
d. Coordinate with concerned government agencies in monitoring and evaluate certified and accredited tourism industry workers annually which will be the basis for renewal or revocation of certification and accreditation;
e. Incorporate the culture of tourism and values formation in all levels of education starting with the elementary or primary level;
f. Advocate the culture of tourism at all levels;
g. Ensure that tourism front liners are well-trained and qualified, provided with incentives and rewards, organized and federated based on their work affiliations;
h. Implement guidelines, rules, regulations through appropriate local government agencies in accordance with DOT standards for the construction of appropriate and adequate accommodation facilities including shopping centers, health care centers, emergency and safety facilities, recreation and entertainment and restaurants conforming to unified design.

3. ***LEGAL AND REGULATORY INFRASTRUCTURE.***
The tourism industry is governed by national and local laws as well as rules and regulations issued by the administrative bodies pursuant thereto. No foreign tourist guides shall be allowed under this Code except when there are no available local tourist guides speaking the language of a particular foreign tourist market, in which case travel and tour facilitators shall be required to hire accredited local tourist guides as understudy. One year after the effectivity of this Code, all tourist guides shall be a native of the Municipality of Tigbauan known as Tigbaueño.

SECTION 161. TOURISM-RELATED FESTIVALS OF TIGBAUAN

1. *PAGDAUG SALUDAN FESTIVAL*

"Pagdaug-Saludan" Festival- is the official festival of Tigbauan celebrated every 18th Day of March. *(Previously, a festival aptly dubbed as"Saludan Festival" was made part of the celebration of "Adlaw sang Tigbauan" every October.)*

Pagdaug-Saludan is coined from the words "*pagdaug*", meaning victory from the war against the Japanese Imperial Army; and, "*saludan*" taken from the root word "*salud"* or the act of collecting, gathering, or harvesting.

"Hataw Tigbauan"- is the official Theme Song of the Pagdaug-Saludan Festival. (*Lyricsby: Adrian S. Camposagrado; Tune by: Iana Tañada; and Song by: Arvin Seth Tresico, Ayabelle Paelmo, Nora Jane Tonete and Gejette Clair Trafiero).* It is a song that motivates and inspires the people to take pride of their great history and their culture of industry.

2. *TIGBAUAN DEVOTIONAL FIESTA*

Every Third Sunday of January, the Municipality celebrates its annual devotional fiesta in honor of Senior Sto. Niño. This is a matter of devotion on the part of the people of Tigbauan. During this time, people from far and near, "*balikbayans"* or Tigbaueños from all over the world look forward for this day to celebrate the feast of Sto. Niño, to whom our people believe to have brought miracles and countless blessings for our town and to His faithful devotees. A week-long celebration involving the different sectors of the community is being undertaken to add color and festive spirit to the event.

3. *ADLAW SANG TIGBAUAN*

Every fourth week of October, a week-long celebration is dedicated to commemorate glorious history and colorful culture of our town and our people. This is a thanksgiving dedicated to mark the end of the harvest season. The highlight of the celebration falls on the fourth Friday of October which is consequently declared as a Day of Observance in order to maximize the participation of the people of Tigbauan. During the said week, activities are undertaken giving value and focus on history and culture. Municipal Ordinance No. 2000-002 is hereby amended declaring the last Friday of October as "ADLAW SANG TIGBAUAN" and it shall be strictly observed every year by the residents of this Municipality of Tigbauan, Province of Iloilo.

During the highlight, the Municipal Mayor shall deliver the State of the Municipality Address (SOMA).

*"**Stylized Folkdance**" is a unique dance conceptualized in 2007 by former Vice Mayor, Dr. Roel Jarina, (2007-2016).* A competition involving pupils and students of both elementary and secondary schools in Tigbauan showcasing the fusion of the past and the present using basic steps in folkdance and original Filipino music highlights the celebration.

4. *COMMEMORATION OF FIRST AMBUSH IN SOUTHERN PANAY*

The 2nd day of September was declared under Ordinance No. 2010-005 as a day of observance in commemoration of the First Ambush in Southern Panay that happened in Barangay Namocon, Tigbauan Iloilo and for this purpose, it shall be observed by the residents of this municipality. Local Government Unit of Tigbauan officials and employees, public and private educational institutions, NGAs and NGOs with offices in the Municipality of Tigbauan to remember this historical event. The said account of history shall also be incorporated in the history books and DepEd teaching materials so that it will be known to the younger generation. A commemorative program is also held on the said date every year at Barangay Namocon, Tigbauan, Iloilo which is a joint endeavour by the Municipal Government and the Barangay.

5. *LIBERATION OF PANAY AND ROMBLON*

March 18 of every year shall be locally declared and celebrated as the Liberation of Panay and Romblon.

This is in commemoration of the landing of US naval forces led by Major General Rapp Brush on March 18, 1945 on the beach of Brgy. Parara, Tibauan, Iloilo to liberate the islands of Panay and Romblon. It was the day when the Panay Guerilla forces launched the final assault

against the Japanese Imperial Forces with the aid of the United States Armed Forces in the Southeast.

This has become the most significant role of the town of Tigbauan in the Philippine History and has been celebrated by the people since 1950s.

In 1989, then-President Corazon C. Aquino issued Proclamation No. 430, declaring March 18 of every year as *"Victory Day"* in the Islands of Panay and Romblon including the cities of Roxas and Iloilo and making a special non-working holiday.

6. SANTACRUZAN/FLORES DE MAYO

Flores de Mayo is a festival held in the month of May. It is one of the May devotions to the Blessed Virgin Mary that lasts for the entire month and ends with a procession called the Santacruzan. It is the ritual held on the last day of the month about the finding of the True Cross by Helena of Constantinople (*known as Reyna Elena*) and Constantine the Great. This is one of the most awaited events in the life of the female teen-agers of the municipality where they could fairly participate if they are lucky.

7. BURIHAN FESTIVAL

It is a week-long festivity and is the people's way of recognizing the role of the buri palm tree in the cultural and historical development of Barangay Bitas. Burihan Festival is also held to honor their patron, Our Lady of Lourdes where the community gathers to share their joy and merry-making in thanks-giving for a fruitful year.

This is a barangay-initiated festival and has become a tradition as the years went by.

SECTION 162. TOURISM RESOURCES

1. ***THE TOURISM RESOURCES***. Tourism resources are any natural, cultural, human or capital resources that are being used or can be utilized to attract or serve tourists.

Inventory And Classification Of Resources. The Tigbauan Tourism and Heritage Conservation Council in coordination with the Municipal Tourism and Cultural Heritage Office shall periodically make an inventory in order to identify and classify the resources available open for opportunities to tourism development.

Assessment Of Resources. The Municipal Tourism and Cultural Heritage Office shall periodically conduct an objective and realistic assessment of the quality and quantity of resources that can be used for tourism and cultural programs and activities.

Tigbauan Tourism Campaign Jingle. "Lagaw Ta Ron" (*written by Adrian Camposagrado, tune by IannaTañada, and sung by Ayabel Paelmo and Aaron Tibudan) is hereby adopted as the* official tourism campaign jingle for the Municipality of Tigbauan. This song invites everyone to come to Tigbauan and discover the beauty of the place and its people.

2. INVENTORY OF TOURISM POTENTIALS

2.1. ***Classification & Inventory Of Tourism Destinations***. The Municipal Tourism and Cultural Heritage Office in coordination with the different Barangays shall, on an annual basis, classify and update the inventory of tourism sites and destinations in accordance with DOT standards as existing, emerging and potential tourism destinations in the Municipality of Tigbauan.

2.2. ***Prioritized Tourism Destinations***. Tourism destinations that are given higher classification category shall be included among the priority for promotion and marketing. The classification will guide tour operators and tourists where to go and what to do.

2.3. ***Investment and Development***. All barangays are hereby encouraged to initiate partnership with the private sectors, if necessary to invest and to develop their respective tourist attractions.

2.4. ***Protection and Preservation.*** The Municipal Tourism Office in coordination with the barangays shall ensure the integrity of all tourism resources and cultural properties for its protection and preservation.

3. LOCAL CULTURAL PROPERTY

3.1. ***Local Cultural Property Considered Important Cultural Property***

For purposes of protecting a local cultural property against exportation, modification or demolition, the following shall be considered as Local Important Cultural Property as maybe declared by the Tigbauan Tourism and Cultural Council and confirmed by the Sangguniang Bayan:

1. Works by local artists
2. Archaeological materials
3. Marked Structures
4. Structures dating at least fifty (50) years old

3.2. ***Privileges for Local Cultural Property***

All local cultural properties shall be entitled for the following privileges:

1. Priority for government funding for protection, conservation and restoration;
2. Official local historical marker shall be placed for identification;
3. Shall be given priority protection by the government in times of armed conflict, natural disasters and other exceptional events that endanger the cultural properties.

3.3. ***Inventory and Valuation of Cultural Assets and Properties***

The Municipal Tourism Office shall maintain an inventory of all the cultural assets and properties deemed important to Tigbauan's cultural heritage. There shall be maintained an inventory registry logbook and a regular conduct of cultural mapping. The Municipal Tourism and Cultural Council shall validate the authenticity of the information of the cultural assets and properties. The Municipal Assessor's Office shall determine the valuation of such historical, cultural and architectural assets and prepare individual appraisal report thereof.

3.4. ***Classification of Cultural Assets and Properties.***

The cultural assets and properties will be classified as follows:

1. Structures dating at least fifty (50) years old and 70 % authentic;
2. Historic sites and structures with historical and artistic or with cultural value *(properties that bear strong foreign architectural influence such as Americans, Spanish or Japanese)*; and
3. Sites and structures with historical significance (*site or structure reveals something meaningful or important about our past).*

3.5. ***Declaration as Local Historical Landmarks and Historical Site***

The Tigbauan Tourism and Cultural Heritage Council (TTCHC) shall recommend to the Sangguniang Bayan the official declaration of the sites and structures as Local Historical Landmark and Historical Site.

The declaration procedures for newly identified historical sites shall be as follows:

1. Risk Assessment of cultural and historical properties by the TTCHC;
2. Sites and structures are included in the inventory/registry or cultural mapping;
3. Property Owner's Written Permit/Consent; and
4. TTCHC's Declaration Document

The following shall be declared as Local Historical Sites and Landmarks in the Municipality of Tigbauan:

a. LAND MARK OF THE LIBERATION OF PANAY AND ROMBLON located in Brgy. Parara Sur, Tigbauan, Iloilo;
b. WAR MEMORIAL OF THE FIRST AMBUSH IN SOUTHERN PANAY located in Brgy. Namocon, Tigbauan, Iloilo;
c. JAPANESE GARRISON located at Brgy. Cordova Norte, Tigbauan, Iloilo
d. STATUE OF DR. JOSE RIZAL located in front of the Municipal Hall, Tigbauan, Iloilo
e. MARKER OF THE JESUITS' FIRST BOARDING SCHOOL FOR BOYS, located at the premises of the St. John de Sahagun Parish Church, Tigbauan, Iloilo
f. St. John of Sahagun Parish Church, Tigbauan, Iloilo
g. FIRST MUSCUVADO SUGAR MILL located at Brgy. Namocon, Tigbauan, Iloilo

3.6. ***Installation of Local Historical Markers and Signages***

Local historical markers and signages made of concrete materials or metal shall be installed to the declared cultural and heritage property or site. The inscription on the local

historical marker shall disclose the significance of the property and site and the signages shall provide directions on how to reach to the destination.

3.7. ***Incentives for Local Cultural Property***. All cultural properties locally declared as local historical landmark shall be entitled to the following privileges:

1. Exemption from payment of real property tax through legislation;
2. Provision of technical assistance for the conservation/restoration efforts;
3. Provision of technical assistance for adaptive re-use purposes;
4. Recommendation to NHCP for possible technical and funding assistance on restoration; and
5. Promotion and marketing.

3.8. ***Heritage Agreements***.

The Local Chief Executive shall enter into memorandum of agreements with private owners of cultural properties with regard to the local declaration subject to the authorization by the Sangguniang Bayan. Such agreement shall include such terms and conditions including, but not limited to:

1. Public access to the property;
2. Maintenance and management of the property;
3. Provision of technical assistance for the maintenance of the property;
4. Procedure for the resolution of any dispute arising out of the agreement; and
5. Maintenance of the historical marker.

3.9. The approval from Tigbauan Tourism and Cultural Heritage Council (TTCHC) for any restoration or improvement plans by the private owners on the declared cultural and historical properties shall form part of the documentary requirements in the issuance of building permit by the local building official.

3.10. In case of occurrence of calamities or force majeure, a joint ocular inspection by the Engineering Office, MGB and MDRRMO shall be conducted immediately after damage assessment and needs analysis by the local government. A report shall be submitted to proper authorities for appropriate actions.

3.11. In case any cultural and historical properties will be affected by government development projects, such property shall be endorsed by the local government to the NHCP for arbitration between and among concerned agencies.

3.12. ***Power to Issue a Cease and Desist Order***. When the physical integrity of the local historical landmarks are found to be in danger of destruction or for significant alteration from its original state, the local government in consultation and recommendation with TTCHC, shall immediately issue a Cease and Desist Order suspending all activities that will affect the property. Thereafter, the local government unit and the TTCHC shall give notice to the owner or occupant of the property and conduct hearing on the propriety of the Cease and Desist Order. The suspension of activities shall be lifted only upon the written authority of the Tigbauan Tourism and Cultural Heritage Council after due notice and hearing involving interested parties and stakeholders.

3.13. ***Visitorial Powers***. The Local Government Unit of Tigbauan and the TTCHC shall have the power to inspect the local historical landmarks and historical sites at any time to ensure the protection and integrity of such.

4. ***CULTURAL EDUCATION***

4.1. ***Integration Of Tourism And Cultural Heritage In The School Curricula In Public And Private Schools In All Levels Within The Municipality Of Tigbauan.***

The local Department of Education in coordination with the Local Government Unit of Tigbauan through the MTO shall formulate the tourism promotions and cultural heritage programs to elementary and secondary schools both public and private to be integrated into the formal, informal and alternative education programs with emphasis on the familiarization, protection, conservation and promotions of cultural properties and historic sites. The Local School Board shall also allocate funding from its Special Education Fund to finance the various activities such as preparations of modules/books for pupils and high school students both public and private schools within the municipality, and for the training on Tourism and Cultural Advocacy Campaign and other funds coming from the different agencies.

4.2. ***Tourism and Cultural Heritage Education Programs***

The local Department of Education shall set forth in its teaching programs the following, but not limited to:

a. Discussions about Tigbauan History and other historical significant information;
b. Discussions on the protection, conservation and preservation of cultural heritage properties;
c. Instructional materials in print, film and broadcast media on the cultural and historical significance of cultural property; and
d. Conduct of familiarization tours and lakbay-aral to the tourist attractions and local cultural properties

Himno sang Tigbauan

(Himno sang Tigbauan was written by Maria Luisa T. Torrento, and given a tune by Ms Loreto Tenefrancia).

a. Teaching of the singing of the Himno sang Tigbauan shall be at the earliest possible time during the Kindergarten years.
b. Section 2, Article C, Code of General Ordinances (Mun. Ord. 2014-003) is hereby adopted:

The Municipal Hymn shall be sung in the following:

a. During flag raising and retreat, after the singing of the Philippine National Anthem in the Municipal Building, all schools both public and private, barangay halls and their premises, local and national government offices, including their sub-offices located within the territorial jurisdiction of the Municipality of Tigbauan;
b. In all kinds of programs, after the singing of the Philippine National Anthem in all establishments or offices aforementioned. However, in case of programs conducted by the Religious Sector, any sect may sing the Municipal Hymn at its option.

5. TIGBAUAN PASALUBONG CENTER (TPC)

5.1. ***Operation***

The Tigbauan Pasalubong Center (TPC) is a display center aimed at promoting products manufactured in Tigbauan and artworks by Tigbauanon artists for domestic and foreign markets. It serves as a venue for product information and network linkage among producers/manufacturers and various government and non-government agencies.

5.2. ***Management.***

The Tigbauan Pasalubong Center shall be managed by the private sector or any of the duly recognized non-governmental organizations through public-private partnership. The requirements, terms and conditions shall be embodied in the Memorandum of Agreement subject to the authorization by the Sangguniang Bayan.

5.3. ***Major Services.***

The Tigbauan Pasalubong Center offers two (2) major services as follows: marketing and promotions of local products; and, display and exhibit center of locally manufactured products and artworks.

5.4. ***Product Labeling***

Products for display shall be properly labeled with product information as follows: product name, manufacturer's profile, address, expiry date and price tags for easy reference. Labeling is the responsibility of the exhibitors. Artworks for exhibit shall be properly captioned with the following data: *title, brief description written in local dialect or English language and artist's profile.*

6. TOURIST REGISTRATION AND ENVIRONMENTAL FEE.

The Local Government Unit of Tigbauan through the Municipal Treasurer's Office shall require all tourists to enter his name on a Tourist/Guest's Logbook and collect the required tourist registration and environmental fees.

The funds collected shall form part of the Special Fund for tourism development programs and activities in the local government unit.

6.1. ***Tourist Registration Fee***. There shall be collected a Tourist Registration Fee amounting to Five Pesos Only (P 5.00) from every tourist for each attraction he/she intends to visit.

6.2. ***Environmental Fee***. There shall be collected an environmental fee amounting to Five Pesos Only (P5.00) from every tourist for each attraction he/she intends to visit.

6.3. ***Mode of Collection and Sharing of Revenues from Fees Collected***

6.3.1. *Mode Of Collection*.

The Municipal Treasurer shall designate revenue collection officers to collect the tourist registration fee and environmental fees at each attraction. Cash Tickets shall be issued to the tourist upon payment of such fees. The collected tourist registration and environmental fees shall be remitted to the Municipal Treasurer's Office as a Special Account for Tourism.

6.3.2. *Sharing Of Revenues*. Host Barangays with attractions shall be shared fifty percent (50%) of the collections from the tourist registration and environmental fees. Fifty Percent (50%) share of the Local Government of Tigbauan shall accrue to Special Account for Tourism intended for the maintenance and operations of the MTCHO, Visitors Information Centers and marketing and promotion of the tourism products.

SECTION 163. PRIVATE AND PUBLIC PARTNERSHIP ON TOURIST ATTRACTION DEVELOPMENT AND TOUR OPERATIONS

1. The Local Government Unit of Tigbauan may enter into Memorandum of Agreement with the private individuals or groups developing tourist attractions, facilities and local tour operation activities. Such agreement may include such terms and conditions including, but not limited to:

a. Site development, maintenance and management;
b. Tour operation concept;
c. Roles and commitment;
d. Revenue sharing.

2. The Sangguniang Bayan shall authorize the Municipal Mayor in behalf of the Local Government Unit to enter into Memorandum of Agreement on the private and public partnership for the development of the tourism industry in the Municipality of Tigbauan.

3. ***TOUR GUIDES AND TOUR FACILITATION***. Tour facilitation and tour guiding shall be of Public-Private Partnership. The Municipal Tourism Office shall facilitate training of tour-guides of properly registered and accredited groups or associations.

4. ***REGISTRATION OF LOCAL TOURIST TRANSPORT VEHICLES***

4.1. ***Accreditation of Local Tourist Transport Vehicles***

Local tourist transport vehicles such as tricycle, vans and coaster for tourist use with franchise to operate within the Municipality of Tigbauan shall be registered for accreditation with the Municipal Tourism Office as with the minimum requirements:

1. Tricycle
2. Trisikads *(pedicabs)*
3. Motorcycle Service *(Habal-habal)*
4. Tourist Vans and Coasters

4.2. ***Validity Of The Registration Certificate And Sticker***

The accreditation certificate and sticker shall be valid for a period of one (1) year from the date issue, unless sooner revoked by the Office of the Mayor for reasonable cause(s).

5. ***SUPERVISION OF REGISTERED TOURISM-RELATED ESTABLISHMENTS***

It shall be the responsibility of the TTCHC- TTCHO to formulate a program for the supervision of registered establishments for the purpose of identifying the needs for assistance that may be extended in order to meet standards for the consequent grant of DOT accreditation

6. ***INCENTIVES, BENEFITS AND PRIVILEGES GRANTED TO TOURISM-REGISTERED TOURIST TRANSPORT VEHICLES***

The following are the incentives, benefits and privileges of a registered tourist transport services:

1. Issuance of certificate, sticker and ID
2. Inclusion in the intensive marketing and promotional programs
3. Highly recommended for tourist use
4. Endorsement when applying for DOT accreditation
5. Assistance to manpower training
6. Technical support assistance

7. ***MONITORING AND EVALUATION SYSTEM.*** The Municipal Tourism and Cultural Heritage Office, together with the Tigbauan Tourism and Heritage Conservation Council shall establish a monitoring and evaluation system in order to evaluate the economic, social and environmental impact of the tourism activity. They should cover all elements that are crucial to sustainability of the tourism resource in compliance with the provisions of this Code. Monitoring and evaluation indicators should include service quality and participation of local communities.

8. ***REGULAR BUDGETS.*** The Local Government Unit of Tigbauan shall include in its annual budget the funding on the implementation of the programs, projects and activities for tourism, culture and the arts and other funding requirements for the development of tourism infrastructures, facilities, access roads, amenities and heritage conservations.

9. ***FUNDING SUPPORT FROM THE NATIONAL GOVERNMENT***. Specific tourism and cultural heritage conservation projects may be undertaken with funding support from the National Government through representations made by the Local Government Unit.

SECTION 164. MAINSTREAMING AND INTEGRATION CLAUSE

1 . LGU POLICY.

It is the policy of the Municipality of Tigbauan to secure and safeguard the tourism infrastructures and human resources in the industry with primacy on the tourists and guests by mainstreaming and integrating Gender and Development; environmental protection; Disaster Risk Management (DRM); Climate Change Adaptation (CCA) and other safety and protective measures with the local tourism agenda and industry.

1.1. ***Mainstreaming Climate Change Adaptation***.

The need for Mainstreaming Climate Change Adaptation adjustments in human and natural systems in response to actual or expected climatic variation, with a view to moderate harm or exploit beneficial opportunities is an area of growing concern and engagement for many developing tourism destinations and potentials in the municipality. The uncertain effects of a changing climate pose significant risks for the local tourism development and achievements.

1.2. ***Integrating Disaster Risk Reduction in Tourism***

Disaster Risk Management (DRM) and other risks need to be mainstreamed into the tourism sector as well as in tourism agenda of the Tigbauan Municipal Risk Reduction and Management Office (TMRRMO).

1.3. ***Mainstreaming Gender and Development***

Mainstreaming Gender and Development is a strategy for ensuring that the LGU pursues gender equality in all aspects of the development process to achieve the vision of a gender-responsive society where women and men equitably contribute to and benefit from development.

Women's Employment and Participation in Tourism aims at bringing gender aspects of tourism in the policy making, especially the issues of women's employment in the tourism industry and women's local participation in tourism planning and management. It presents information about the situation of women as members of the workforce in tourism industry locally through flagging up good practice of women's participation on the local level.

1.4. ***Integration of Traffic Code***

a. Pertinent provisions of the Municipal Traffic Code is hereby adopted. All drivers of local transport utilities must be duly licensed and wear identification cards or transport association's uniform.
b. There shall be no over-charging of fares to passengers. Fare tariffs must properly be observed.

1.5. ***Integration of Sanitation and Health Code***

Proper sanitation and health practices must be observed in all tourist destinations and tourism-oriented establishments and facilities. Sanitary and health inspections maybe regularly conducted including on-the-spot inspections to ensure the health and protection of customers, visiting and local tourists.

2. SUPPLETORY LAWS, RULES AND REGULATIONS

2.1. ***National Laws, Rules, Regulations and Issuances Applicability.***

In the implementation of the provisions of this Code, reference shall always be made to existing national laws, rules, regulations and issuances on Tourism Act of 2009 and the National Cultural Heritage Act of 2009. For this purpose, the Municipality of Tigbauan shall issue directives to spell out with clarity specific provisions of law applicable in the municipality.

2.2. ***Applicability of Certain Pertinent Provisions of the Code of Sanitation of the Phils.***
All jeepney terminals, rest areas and service stations must provide a clean and sanitary toilet for public use. This must be provided with proper lightings, ventilation and abundant supply of water.

2.3 ***Applicability of Other Municipal Codes and Ordinances***.
Relevant provisions of other Codes and ordinances of the Municipality of Tigbauan shall apply to the municipal tourism industry to highlight the overriding importance of public safety, environment preservation and protection.

2.4. ***Applicability of Other Local Codes and Ordinances of Tigbauan***

a. Pertinent provisions of the Code of General Ordinances, not inconsistent with the provisions of this Code shall be applied;
b. Relevant provisions of the Environment Code of the Municipality of Tigbauan are hereby adopted to highlight the overriding importance of environment preservation and protection in relation to the tourism industry.
c. Related and applicable provisions of Gender and Development policies shall also be given due course and importance in the implementation of this code particularly in the hiring of human resource in the tourism common place marketing and both in the government and the private sector.
d. Pertinent provisions of the local traffic and transport code shall be fairly implemented to enhance the tourism industry of the municipality.
e. All other local codes and ordinance with pertinent provisions on tourism which are not inconsistent herewith shall continue to apply.

SECTION 165. PROHIBITED ACTS, PENALTIES AND INSTITUTION OF ACTIONS

1. ***PROHIBITED ACTS COMMON TO THE HERITAGE SITES AND STRUCTURES.***

a. Destroys, demolishes, mutilates or damages any locally marked heritage site and structures.
b. Modifies, alters, or destroys the original features of or undertakes construction or real estate development in any NCHP marked sites and structures, without the prior written permission from the Commission.
c. Explores, excavates or undertakes diggings for the purpose of obtaining materials of cultural historical value without prior written authority from the National Museum or from the National Historical Commission of the Philippines. No excavation or diggings shall be permitted without the supervision of a certified archaeologist.
d. Imports, sells, distributes, procures, acquires, or exports cultural property stolen, or otherwise lost against the will of the lawful owner;
e. Illicitly exports cultural property listed in the Philippine Registry of Cultural Property or those that may be categorized as such upon visitation or incorrectly declares the same during transit; and,
f. Deals in cultural property without proper registration and license issued by the cultural agency concerned.

2. ***PROHIBITED ACTS COMMON TO ALL TOURISM SITES AND ACTIVITIES***

a. Engaging in any tourism activities and other similar activities without registering and proper coordination with the Municipal Tourism Office.
b. Dumping or otherwise disposing of any waste product or materials.
c. Using fire irresponsibly or leaving behind burned materials.
d. Hunting, destroying, inflicting injury or disturbing any plant or animal life, except for survival purpose or for Indigenous Community rituals.
e. Mutilating, defacing, vandalizing or destroying objects of natural beauty, burial grounds, religious sites, artifacts, other sites and objects with cultural significance.
f. Knowingly destroying, disturbing, defacing, marring, altering, removing, or harming the natural beauty of the environment;
g. Altering, removing, desecrating, destroying or defacing boundary markers and signages, historical monuments and markers and heritage building and sites.
h. Gathering, collecting, possessing, consuming, selling, bartering or exchanging or offering for sale without authority any part of the natural endowments or resources;

i. Counseling, procuring, soliciting or employing any other person to violate any provision of this Section;
j. Sex trafficking, other forms of human trafficking in tourism workplace marketing;
k. Sexual harassment, commoditization, pornography and other related offenses;
l. Prohibition of printing, publication, display and distribution of indecent posters pictures, video of tourism entertainers, billboards and other materials; bare/naked live shows;
m. Pedophilia & sanctions for pedophiles; and
n. Disrespect and distortions of indigenous cultural practices.

3. ***PENALTIES***.
Upon conviction, the offender shall be subject to a fine of not less than Two Thousand Five Hundred Pesos (PhP2,500.00) and/or imprisonment upon the discretion of the Court. Provided that any cultural property attempted to be concealed from registration or those intended to be encumbered or excavated in violation of this Act shall be summarily confiscated and forfeited in favor of the Local Government Unit of Tigbauan. Provided further that if the violation is committed by a juridical person, the president, manager, representative, director, agent or employee of said juridical person responsible for the act shall also be liable for the penalties provided herein. Provided furthermore that if the acts are committed by dealers, they shall suffer, in addition to the penalties provide herein, the automatic revocation of their license to operate. Provided finally that if the offender is an alien, he shall be placed under the custody of the Bureau of Immigration for the appropriate proceedings under this Act, and shall be summarily deported after serving his/her sentence. LGU officials and employees found to have intentionally or by negligence failed to perform their required duty as prescribed by this code shall be liable for nonfeasance and shall be penalized in accordance with applicable laws.

4. ***VIOLATION BY A NON-LICENSEE OR CLIENT OF A TOURISM ESTABLISHMENT /BUSINESS***.
Any person who is not a holder of a permit or license to operate issued by the Municipality, or clients of such tourism-related industry/establishment, who shall violate any provision of this Code shall, upon recommendation by Tourism Inspectorate Team be meted the penalty of fines or imprisonment or both which amount and length of confinement shall be determined by the authority of appropriate jurisdiction.

5. ***PENALTY IMPOSED UPON OFFICERS OF JURIDICAL PERSON***.
If the offender is a corporation, partnership, firm or association, the penalty shall be imposed upon the officer or officers who have been responsible for the violation, and if such officer or officers is/are (an) alien, he/they shall, in addition, be subjected to deportation.

6. ***JURISDICTION***.
The Sangguniang Bayan of Tigbauan shall exercise original jurisdiction to decide on whose authority appropriate jurisdiction shall be cognizable to resolve complaints/disputes relating to the supervision and control of tourism businesses and in the observance of the guidelines of this Code.

CHAPTER XVII
GENDER AND DEVELOPMENT CODE

SECTION 166. REGULATORY CLAUSE

A. VIOLENCE AGAINST WOMEN

1. Violence Against Women shall include but is not limited to:
a. Physical, sexual and psychological violence occurring in the family regardless of the relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational situations and elsewhere, trafficking in women, and forced prostitution.
c. Violations of the human rights of women in situations of armed conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.

d. Forced sterilization and abortion, social stigmatization, coercive/forced use of contraceptives, prenatal sex selection, female infanticide, forced medical or psychological examinations without expressed approval of the concerned person.
e. To buy and sell a woman or any of her body parts for profit.
f. Sexual harassment and assault of women in detention.

2. Sexual Abuse shall include but is not limited to the following.
a. when a man inserts or attempts to insert his penis into the mouth, genital or anus of a woman under any of the following:
a1. through force, threat or intimidation;
a2. by means of abuse of authority or relationship;
a3. when the offended party is deprived of reason or is otherwise unconscious;
a4. when the offended party is below twelve years old, even though none of the above circumstances is present.
b. When a person who inserts part of his or her body other than the sexual organ, or who introduces any object or instrument into the genital or anus of a woman under any of the situation stated in paragraph 1.
c. When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in paragraph 1 or through any abdominal, unusual or ignominious sexual act.
d. Sexual abuse in intimate relationships consisting of any form of forced sexual act by a partner to the other within intimate relations as defined in the Anti-Rape Law of 2001, such as those between women relations, married or unmarried, legally separated or separates in fact.
e. Incestuous abuse committed by any person who has authority over a person by virtue of consanguinity and/or affinity such as those perpetrated by father, mother, grandparent, brother, sister, whether whole of half-blood, an uncle, aunt, nephew or niece, or cousin to the fourth degree.

3. Trafficking in women shall include the following but not limited to any association, cult religion or organization or similar entities to conduct following acts:
a. Establish or carry on a business for the purpose of matching women for marriage to foreigners, either on a mail-order basis or through personal introduction or cyberspace;
b. Advertise, publish, print or distribute or cause the advertisement publication, printing or distribution of any brochure, flyer or propaganda material calculated to promote the above mentioned paragraph for profit or advantage;
c. Induce any woman to join any club association or organization whose objective is to match women for marriage to foreigners either on a mail-order basis or through personal introduction or cyber or any form which facilitates the act of solicitation;
d. Use the proposal service, cyberspace or satellite TV to promote the abovementioned prohibited acts;
e. To buy or sell a woman, or any of her body parts for profit or to use her body by any pretext; to be used for experiments, research or the like without her consent
f. Act as a procurer of a prostituted woman;
g. Threaten or use violence for a woman to become a mail-order bride;
h. Lease or sublease, use or allow to be used any house, building or establishment for the purpose of trafficking in persons; and
i. Organize, produce or distribute pornographic materials that promote traffic in persons.

4. Sexual harassment shall be unlawful in the employment education or training environment as prescribed in RA 7877.

5. Other Forms of Sexual Harassment- Other than the definition provided by RA 7877, the following constitute sexual harassment, some of which are covered by the Revised Penal Code under Acts of Lasciviousness:
a. Persistent telling of offensive jokes such as green jokes or other analogous statements to someone who finds them offensive and humiliating;
b. Taunting a person with constant talk about sex and sexual innuendoes; displaying offensive or lewd pictures and publications in the work place;
c. Interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant or any lawful activity applied for;
d. Making offensive hand or body gesture at someone;
e. Repeatedly asking fur dates despite verbal rejection;

f. Touching, pinching or brushing up against someone's body unnecessarily or deliberately;
g. Kissing or embracing someone against her will;
h. Requesting sexual favors in exchange for a good grade, obtaining a good job or promotion etc.;
i. Cursing, whistling or calling a public with words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman such as "puta" "peste", "pokpok";
j. Any other unnecessary acts during physical examinations;
k. Requiring women to wear suggestive or provocative attire during interviews such as job hiring, promotion, admission; and
l. Any expression of gender bias against a person with the intention to embarrass, humiliate and stigmatized.

6. Commercial Exploitation of Women/Men and Girls/Boys - It shall be unlawful for any person to sell or market women's and other girl's bodies in various forms of packaging. These include but are not limited to the following:

a. prostitution which is selling a woman's body mainly for sex;
b. printing, publication, display and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials;
c. literature that threat women/men and girls/boys as sex objects and commodities;
d. pornographic and indecent shows depicting women/men and girls/boys as sexual objects either in nude or provocative gestures; and/or
e. live shows whether women or girl-children are influenced or forced to dance or do naked shows in public or private places for various purposes.

7. Nondiscrimination of gays lesbians, bisexuals and transgender- It shall be regarded a violation of human rights to discriminate any person on the basis of his/her sexual preference or orientation for employment, participation in city development programs and projects, and/or other family or community activities. Every person's right to her/his sexual preference shall be respected and protected.

B. SUPPORT MECHANISMS TO EMPOWER WOMEN AND PROMOTE AND RESPECT WOMEN'S RIGHT

1. Comprehensive Support to Women-survivors of Violence- The Municipal government shall provide comprehensive support to women-survivors of violence which consists of, but not limited to the following:
a. immediately conduct an investigation within twenty-four hours;
b. provide for counseling and medical services for the offended party;
c. gather evidence for the arrest and prosecution of the offenders;
d. make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within thirty-six (36) hours from time of filling, regardless of his/her evaluation of the case;
e. the investigation officer or the examining physician, if possible, of the same sex as the offended party, ensures that only persons expressly authorized by the latter are allowed inside the room where the investigation or medical or physical examination is being conducted;
f. women victim-survivors of all forms of violence shall be registered in a community-based psychological program that shall assist the women in holistically rebuilding and empowering themselves;
g. all investigations/hearing involving rape cases and other forms of violence against women conducted in the police stations, prosecution's office and the trial courts shall recognize the survivor's social support group as expressively allowed or requested by the offended party;
h. a temporary shelter with appropriate support services fro women in crises shall be appropriately constructed under the management and supervision of the Municipal Social Services and Development Department; and
i. free legal services to women and victim-survivors.

2. Psychosocial Program- It is an intervention using integration and holistic approach to conditions of women considering their differentiated needs within a social context.

3. Survivor's Support Group Defined- It is an organized group of women to whom a woman-survivor of violence voluntarily agrees to go through a collective helping process.

C. POLITICAL AND PUBLIC SPHERE - PARTICIPATION OF WOMEN

1. Election of Women Sectoral Representative to the Sangguniang Bayan- As a concrete manifestation of acknowledge in the importance of women's role in local governance and pursuant to Section 457(b) of the Local Government Code the Municipal Government shall appropriate funds for the election of the sectoral representative for women at the Sangguniang Bayan of Tigbauan. The woman sectoral representative shall be elected by the members of all accredited women's organizations in the Municipality of Tigbauan.
2. Women's Participation in the Barangay and Municipal Development Council - Both the Municipal and Barangay Council shall ensure that all at least one third (1/3) of its members is composed of women in recognition of their considerable leadership and involvement in various development efforts and initiative. These women shall come from accredited organizations with considerable accomplishments and programs geared towards people-centered genuine development. Both the Municipal and Barangay Development Councils shall undergo capacity building for gender projects are gender responsive.
3. Promoting Gender Balance at all Levels of Tigbauan Local Government Positions - The municipal government shall promote gender balance or equal proportion of qualified women and men for opportunity to assure key positions at all levels of local government whether elective or appointive. This should form part of the Municipal government's efforts to eliminate barriers to women's participation in the public sphere. This shall include their equal representation in the structure of the Municipal Development Code (MDC) and the Barangay Development Council (BDC). Implementation guidelines shall be detailed in the Code's Implementing Rules and Regulations.
4. Barangay gender and Development Committee - All barangays shall establish their respective Gender and Development Committee that shall ensure that gender issues and concerns are incorporated and addressed at the barangay level and reflected in barangay development plans. All accredited women's organizations with mass membership at the community level shall be represented in the committee as a cluster. Details of the Committee operations shall be provided in the Implementing Rules and Regulations of this Code. This committee shall appropriate at least five percent GAD Budget as institutionalized and mandated by law.

5. Marking Significant Days for Women's Action March I as International Women's Day shall be declared as a special day for all women in Tigbauan through an Executive Order. There shall be coordinated Municipal and barangay level activities for women to be highlighted with the State of the Women Address by the Municipal Mayor reporting all accomplishments and initiatives to promote the status of women in Tigbauan. A committee for this activity should be concerned as spear-headed by the Municipal GAD Council.

   A half-day leave with pay may be availed of by any woman employee on March 8. In recognition to women's contribution in society, commercial establishments shall be encouraged twenty percent (20%) discount for women in March 8. Implementation guidelines shall be provided in this Code's Implementing Rules and Regulations.

6. Day of Action for Breast Cancer Awareness - the municipal government shall set a day in the third week of March to organize information campaign activities on breast cancer, one of the top causes of maternal morality. A coordinated municipal and barangay level activities shall be set and spearheaded by the Municipal Health Department to promote consciousness on breast cancer.
7. Girl Child Week - The municipal government shall set the first week of October to recognize activities to celebrate the Girl Child Week, with special recognition of cases of working children. It shall be spearheaded by the Social Services and Development Department.
8. International Day of Action for Women's Health - The municipal government shall set May 28 to mark the International Day of Action for Women's Health, Wellness and Well-being when issues and concerns relative to the protection and promotion of women's wealth shall be examined, deliberated, protected and government action sought. A coordinated municipal and barangay level activities shall be set and spearheaded by the GADRO and the Municipal Health Department to promote women's health and well-being.
9. International Week of Action Against Gender-based Violence – The municipal government shall organize various events and activities to educate residents about violence against women and children every November 25-December 10 as the period

marked as the International Week of Action Against Gender-based Violence and culminates on International Human Rights Day. The activities shall be spearheaded by the Social Services and Development Department the Department of Health, Barangay Operation Center, and the Municipal GAD Council.

10. Tigbauan Municipal Gender and Development Summit – The municipal government shall set a day on the last week of October to hold a Gender and Development Summit as Part of the Municipal Foundation Day Celebration. A committee shall be convened to manage and coordinate the activities and affairs of the summit focusing on (a) the current situation of women in Tigbauan; and (b) women's issues and concerns and how this can be addressed. The summit shall come up with priority issues with their specific action points to be disseminated and proposed for adoption at the municipal and barangay councils.

11. Peace Based on Social Justice and Human Rights - The municipal government shall promote peace education at the barangay level through affirmative action ad information campaign activities on peace and development issues based on social justice and human right to be spearheaded by barangay leaders in coordination with community-based women, and people's and government organizations.

D. LABOR AND EMPLOYMENT

1. Wage and Benefits for Women - Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or as stipulated by pertinent legislation passed by congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement and other benefits provided by law. The same provision shall apply to benefits covered by the Collective Bargaining Agreement (CBA) between the concerned employees union and management. Provided, further, that any additional leave period shall be used for breast feeding for the newborn baby by the concerned employee.

2. Increase Maternity Leave Benefits as incentives for Breastfeeding Mothers in the Private Sector- Additional maternity leave benefits up to sixty (60) days from forty-five (45) days mandated by law under RA 8283, shall be extended to women employees in private offices and commercial/ industrial establishment located in the municipality who have rendered at least one year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees' union and management. Provided, further, that any additional leave period shall be used for breastfeeding for the new born baby by the concerned employee.

3. Increase Paternity Leave Benefits as Incentive for Fathers for Meaningful Participation in care of the New Born Child in the Private Sector – Additional paternity leave benefits up to fourteen (14) days from the seven (7) mandated by law under RA 8187, shall be extended to male employees in private offices and commercial/industrial establishments located in the municipality, who have rendered at least one (1) year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees 'union and management. Provided, further, that any additional leave period shall be used for caring of the new-born baby by the concerned employee.

4. Orientation on Sexual Harassment - All government agencies and private offices, commercial/industrial establishments located in the municipality shall conduct regular orientation on sexual harassment of their respective employees, Certificate of Compliance shall be submitted to the Municipal Gender and Development Resource and Coordinating Office.

The municipal government shall set up/create its own Committee on decorum and Investigation (CODI) including the promulgation of the implementing Rules and Regulations or policy on sexual harassment that will provide/prescribe procedure for the investigation of sexual harassment cases and administrative sanctions covering all municipal officers and employees in accordance with the provision of RA 7877 and the Civil Services Rules and Regulations on Sexual Harassment.

The municipal government shall campaign to set up/create the same CODI in all private offices and commercial/industrial establishments.

5. Setting up Grievance Machinery - A grievance committee shall set up in all government and private offices, commercial/industrial establishments located in the municipality, to act on complaints/cases related to various forms of discrimination against women in the workplace as hiring, job training, promotion and the like.

6. Equal Access to Job Training and Promotion - Women shall not be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion and civil status.
7. Facilities and Support System to Women The municipal government shall ensure the occupational safety and health of women employees in both government and private offices and commercial/industrial establishments. In appropriate cases, it shall require employers to:
   a. provide an organic system of seats or equipment in the performance of their duties without detriment efficiency;
   b. establish separate toilet rooms, lavatories ,and lounge for men and women and provide at least a dressing room for women;
   c. provide a breast feeding corner for women in the workplace.

8. Household-based Workers or Women in the Informal Sector – The municipal government shall ensure that social protection shall be accorded to women working in the informal economy. These are women vendors, sewers, laundry workers and related occupation. Organized home-based worker may avail of social security and employees 'compensation benefits and PhilHealth benefits upon upper documentation and registration with the Social Security system and PhilHealth, respectively.
9. Barangay-based Househelp Support - All barangays in Municipality of Tigbauan shall conduct compulsory education for both househelpers and househelper employers on gender sensitivity. An administrative sanction shall be imposed to any Barangay Council which fails to comply with this provision.
10. Women in the Entertainment Industry - women engaged in illegitimate occupations in the entertainment industry such as singers, stage performers/actresses, bar girls and receptionist, shall be recognized as wage earners and they shall receive minimum wage and benefits afforded to women workers and shall render services as set in the job contract and only in the place of work as specified in the business permit of the establishment concerned.

    It shall be emphasized that employing minors in the entertainment industry is prohibited in accordance to RA 7658.

11. Police Operations in Entertainment establishments - All police operations or raids conducted in any entertainment establishment shall be undertaken with utmost care and respected for human rights. Police officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. Violation of this provision is punishable under the Revised Penal Code and other related laws.
12. Tax Incentives for Business Entities - The municipal government shall provide tax incentives to business entities as follows:
    a. any amount used for the establishment, maintenance and operation of child-minding support service centers shall be tax-deductible;
    b. annual tax credit per child regularly served as for at least one year in the Center; and
    c. annual tax credit per woman extended with maternity leave benefits for breastfeeding.

13. Monitoring System for Labor Standards - A mechanism shall be installed by the Municipal GAD council to monitor all offices, agencies and establishments or companies violating Labor Code provisions and provisions of this Ordinance; prepare regular reports to concerned departments and recommended appropriate actions.

E. HEALTH RIGHTS

1. Right to Health - Article 12 of the UN International Convention on Economic, Social and Cultural Rights provides that women's right to health, which includes women's reproductive rights, is a basic fundamental human right. In recognition of the fact that women's reproductive roles and social expectations have made health policies, programs and more holistic approach, the municipal government shall respect and promote a rights-based approach to women and men's health by considering their respective specific realities and health needs at every stage in their lives, It shall also promote couple's shared responsibilities of child birth and child care.

2. Reproductive Health Defined - As defined in the International Conference on Population and Development and World Health Organization, and affirmed in the International Women's Conference in Beijing, reproductive health is a state of complete physical, mental, and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive system and to its

functions and processes, i.e., people are able to have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide it, when and how to do so.

The Municipal Health Department shall adopt the reproductive health care approach at all levels of health care delivery.

3. Health Care Delivery - Quality health care and services shall be accessible to all women and men regardless of age, sex, creed, religion and ethnicity in Tigbauan.

No health center or similar institution in the municipality shall deny women and men living below the poverty line of reproductive health services. A certificate of indigency shall be issued by the punong barangay for the purpose of verifications.

In case of emergency, a social worker or any authorized personnel shall be designated to conduct rapid appraisal of the socio-economic status of the patient for admission purpose.

The government shall ensure regular expansion and upgrading of health care facilities to ensure their access by all women and men.

4. Women's Control Over their Bodies - Women's decision to attain healthy sexual development and achieve their reproductive intention shall be given appropriate support and guidance by all health professionals, private and public, at very minimal cost.

Provision of accurate and appropriate information on these matters and corresponding services shall made available.

5. Gender-sensitive Women and Children Protection Unit (WCPU) - the municipal government shall establish a Gender-sensitive Crisis Intervention Unit at all levels of health care, especially at the tertiary level, and shall provide service training to all health and other allied personnel who shall be assigned to this unit.

6. Gender-fair Approach to Premarital Counseling Program – The Municipal Health Department and the Social Services and Development Department shall ensure gender-sensitive conduct required in the application for marriage licenses with the Municipal Civil Registry.

7. Mainstreaming Reproductive Health Framework Through Primary Health Care Strategy In consonance with the Municipal Department policies, Children's Youth and Welfare Code, and in pursuance of agreements made at the International Conference on Population and Development (ICPD), the municipal approach in health care services delivery using the primary health care strategy.

F. EDUCATION RIGHTS

1. Conduct of Regular Gender-sensitivity Training for All Teachers at All School Levels - The Division of City Schools in accordance with the Municipality of Tigbauan GAD Council shall conduct and incorporate gender-sensitivity orientation in teachers' orientation seminars and Parents-Teachers Association (PTA's) meetings conducted before classes start at the beginning of the school year.

2. Developing Gender-fair Educational Materials. The Local School Board shall ensure that all educational materials developed by the Municipal Schools Officials and the private sector are gender fair and do not portray stereotyping of roles for women or boys and girls. It shall conduct a regular monitoring review of existing educational materials to ensure that these are gender sensitive and gender fair.

3. Promotion of Gender-sensitive Curriculum. All public and private schools in the Municipality of Tigbauan shall actively promote gender-sensitivity in their subject/course curriculum and gender-fair socialization for school pupils. The Local School Board shall also ensure that the municipal school officials and the private sector professional school counseling and career education programs are gender responsive.

4. Promoting Gender-sensitive Education Programs and Services. All schools, offices, establishments or companies, departments, and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge of gender justice.

5. Gender-responsive Non-formal Education for Youth and Adults. The Local School Board in coordination with Municipality of Tigbauan, Technical Education Services Development Authority (TESDA) shall conduct non-formal classes for women and men desiring to engage themselves in functional and practical education, to be held in barangay high schools or barangay multipurpose centers.

G. CULTURE AND MASS MEDIA

1. Gender-sensitive Portrayals in Media. The Municipal government shall oblige all media institutions to be sensitive in the portrayal of women's and men's role, encourage positive images of women, and discourage sexist and homophobic print materials and broadcast programs.

2. Gender-sensitivity Training for Local Media Practitioners – The Municipal government shall encourage and support the conduct of gender-sensitivity workshop trainings for local media practitioners at the community level and tertiary schools located in the municipal. It shall likewise provide support to media practitioners and freelance independent media productions that advocate gender-sensitive issues through various forms of incentives and recognitions.

3. Regulations of Internet Cafes and Computer shops - the Municipal government shall regulate the operation of internet service-providing establishments and entertainment computer shops in order to curb and prevent the proliferation of success to cybersex pornography of minors.

H. SOCIO ECONOMIC RIGHTS

1. Gender responsive and Comprehensive Livelihood Program – The Municipal government shall allocate funds for socioeconomic programs for poor women and men that include gender-responsive livelihood skills and values training seminars. The comprehensive Livelihood Program shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.
2. Social Lending Program - the Municipal government shall establish a social lending program to cater to low-income families with interest rates similar to those availed by members of cooperatives.
3. Access to Investment and Loan Programs - loans shall be extended to women engaged in small to medium scale enterprises as well as to displaced industrial workers under the principle of self - reliance and hard work.
4. Low-cost Basic Services - the municipal government shall facilitate access of women and men to quality low-cost housing, safe water, electricity, communication, transportation and basic commodities.
5. Economic Empowerment for Poor Women - Feminization of poverty which is regarded as a condition when the gap between the rich and the poor widens and equal distribution of wealth. Such gap reinforces no response to both practical strategic interests of women. The municipality government shall ensure poor women of strategic and transformative mechanisms whereby they could uplift their economic and social relations.

I. SPECIAL SECTORIAL CONCERNS

1. Advocacy on Differently-abled Women's Right and Support mechanisms for Education and Employment - the Municipal government shall initiate active advocacy on the rights of differently-baled women; establish special education schools/classes for them through the Local School Board which shall offer appropriate curriculum for their specific needs; and develop creative employment opportunities for them in recognition of their differentiated conditions and full potentials as human persons.

   The municipal government, through the municipal engineer's office, shall ensure that all educational and commercial buildings are provided with ramps and toilet facilities for differently-abled persons.

   The municipal government shall implement RA 7277 of the Magna Carta for Disabled Persons that reserves five percent (5%) of contractual or emergency positions for persons with disabilities.

2. Organization of Differently-abled Women in the Community. – it shall be the duty of the Barangay GAD Committee to organize differently abled women in the community in order to advance the interest of this special group of women and to monitor and report cases of harassment and discrimination committed against differently-abled women.

3. Mobilizing Support for Elderly Women in the Community. - it shall be the duty of the Barangay GAD Committee to organize elderly women within the barangay to advance their practical and strategic interests and needs. The municipal government and the Barangay GAD Committee shall allocate funds for emergency assistance, yearly physical health check-ups, social group work program, and appropriate socioeconomic activities.

4. Support to Women in Detention. - the rights of all women detainees shall be protected by ensuring them of (a) a speedy trial of their respective cases; (b) an appropriate program to respond to their specific needs and problems as detainees; (c) a separate physical structure and space provisions for detention and rehabilitation; and (d) a provision of legal services.

J. WOMEN AND CHILDREN SUPPORT SYSTEM

1. The Municipal government shall implement systems and programs that are anchored on United Nations Convention on the Rights of the Child (UN CRC) which stipulates the promotion and protection of children's right to survival, development and protection in national and local laws which no include the New Family Code and Child Youth Welfare Code.
2. Gender-responsive and Child-friendly Child Minding Center in every Barangay. - The Municipal Government shall ensure that child-friendly and gender responsive child daycare/minding centers are set up in every barangay to provide parents support facilities for the care of their basic early child education curriculum in the centers promote gender-fair development, care and nurturing of their children; and boys and girls in the center are able to learn to respect the rights of all children to the full enjoyment of their childhood and their rights.
3. Shared Parenting and Responsibilities. - the Municipal government shall advocate that all fathers and mothers have both the moral obligation and responsibility in assuring the rights and well-being of their children, such us caring and nurturing, regardless of sex, physiological and psychological conditions.

K. GENDER AND DEVELOPMENT

1. Gender Sensitivity and Training. All schools offices, establishments or companies, departments and agencies of the municipal government shall be provided with gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issues and concerns, Likewise, all establishments, schools, colleges and other similar institutions shall develop assessment tools for gender biases.

2. Active Support to Gender Studies. - a sufficient amount shall be allotted to gender-related documentation and researches which shall form part of Municipality of Tigbauan's database program development.

3. Production, Population and Campaign of Gender-fair Materials. - the municipal government shall actively promote and publish popular forms of gender-fair materials through all concerned departments and local agencies/network.

4. Gender and Development Focal Point. the Gender and Development Council which has been created under Municipal Ordinance No. 2008-001, shall be designed as the main GAD Focal Point of the municipal government. It shall be the major body that will facilitate GAD programs, project and activities for the municipal's constituents through the various municipal departments and instrumentalities. It shall work with close coordination with the Gender and Development Resources and Coordinating Office, the GAD Focal Points formed in every departments/offices and the Barangay GAD focal points created in each barangay.

5. Integrated Gender-sensitive and Environment-friendly Zonification Plan of Municipality of Tigbauan. - an integrated gender-sensitive and environment- friendly zonification plan of municipality of Tigbauan shall constitute but is limited not limited to the following:
   a. The Municipal government as far as practicable shall ensure that all relocation of communities shall not deprive women and men of their sources to livelihood;
   b. Relocation sites shall not contribute to an increase in women's burden in economic, home and social production;
   c. Housing and industrial project sites shall be those unproductive lands unsuitable for economic purposes;

6. Community-based Environmental Plans and Programs. - Both men and women shall participate in pollution control, zero-waste technology development and management preservation of the municipal's environment and aquatic resources.

7. Gender-sensitive Natural Resources-based Management Programs. - The municipal government shall engage itself in the development of gender-sensitive natural resources-based management programs.

8. Role of Women and Men in Environment Impact Assessment Projects. - The municipal government shall promote the active role of women vis-i-vis men in environmental impact assessment of projects. Instruments for environmental impact assessment shall consciously determine sex-disaggregated data.

9. Promotion of Appropriate Technology. - the municipal government of Tigbauan shall actively promote alternative technologies that are appropriate and safe for women.

10. Sufficient Budget for Basic Social Services. - a sufficient amount shall be allocated from all sources of funds for the basic social services for women and children in extremely difficult circumstances.

11. Investments and Loans. - the municipal government shall hold consultative assemblies with women NGO'S/PO's in establishing contracts for loans and investments to clarify implications on women's welfare development at the barangay level.

12. Overseas Contract Workers'(OCW) Wives and Children Support. - the municipal government shall conduct a survey of overseas contract workers at the barangay level, out of which shall serve as basis for special support to OCW/ families, especially wives and children.

13. Special Course on OCW. - a special course on overseas contract work primarily to orient women on the issues and concerns relative to migration shall be conducted in all barangays to be organized by their respective Barangay GAD Committee.

14. Education on National Policies. - women and men shall undertake education on national policies and their implications on women.

15. Special Training for Lupong Tagapamayapa.- all training courses for Barangay Lupong Tagapamayapa and Barangay Security and Development Officers (BSDOS) shall include gender and development basic orientation.

16. Gender and Population. - the municipal health department shall review and redesign the population program based on the reproductive health framework.

17. Training on Nontraditional Occupation. - Women shall be given opportunity to acquire training on nontraditional occupation specially in the field of science and technology.

L. PROVISIONS FOR IMPLEMENTATION

1. Powers and Functions of the Municipal Gender and Development (GAD) Council. As the municipal government's GAD Focal Point the Municipal GAD Council shall ensure the promotion of women's empowerment and equality/equity between women and men in the municipality, and is primarily responsible for ensuring the sustained implementation of this Municipal GAD Code. To achieve these, it shall perform the following powers and duties:

- **a.** Formulate and submit comprehensive medium term (three years) and annual integrated GAD plans responsive to the needs and situation of women constituents that incorporate policies, programs and activities (PPA's) that will uplift their conditions;
- **b.** Monitor and evaluate the implementation of local gender and development policies, programs and activities through the conduct of regular review evaluation of existing legislation, policies and programs measuring the extent to which women's concerns are integrated in all aspects of life on the basis of equal opportunities with men;
- **c.** Recommend the adoption of appropriate policies, enactment of ordinances or passage of resolutions that enhance the potentials and capabilities of women and men to implement GAD mainstreaming;
- **d.** Promote and support the establishment of a consultative mechanism to provide continuing dialogue between the municipal government and women sector;

e. Maintain and update a sex-disaggregated data bank through the conduct of the primary and secondary data gathering activities;
f. Work in collaboration with national and regional government agencies, NGO's, Pos, the private sector and institutions to ensure that women's concerns are brought into the mainstream of all development efforts;
g. Ensure that all municipal government program planning and implementation activities are gender sensitive/responsive;
h. Review and approve all GAD PPA's from the barangay to city level prior to implementation to monitor if activities to be undertaken are in accordance with guidelines set forth;
i. Create functional committees in the performance of its functions, as the need arises.
j. Assist the Finance Committee, the Committee on Appropriations in the allocation of the GAD Budget
k. Avail of educational and training seminars offered by NGO's/PO', educational and research institutions, and other private sector initiatives that may be helpful in the achievement of its goals;
l. Represent the municipality in local and international women's conferences and for others which are pertinent to its other duties and functions.
m. Gather and disseminate information on current developments and studies on GAD and related issues (i.e. gender and government); and
n. All other duties and functions that may be mandated by its council members deemed necessary to achieve its goals.

2. Function of the Gender and Development Resources and Coordinating Office (GADRCO). The Gender and development resources and coordinating office is responsible for providing technical and administrative support to the GAD Council in implementing this Ordinance the GADRO shall have the following functions to ensure effective and consistent implementation of the provisions of this Ordinance:

a. Act as a Secretariat for the Municipal GAD Council and will provide administrative, operational, and coordinative support to the body, including the documentation of GAD Council meeting proceedings;
b. Assist the Council and the Executive Committee in the monitoring of GAD plans and PPA's from the barangay to the municipal department office level;
c. Assist the Council in capacity building activities for GAD mainstreaming such as GAD/gender sensitivity orientation, gender-responsive planning and budgeting, gender diagnosis or programs/p0eG, and gender-based information systems;
d. Assist the Council in information dissemination and awareness building and in the production of information-education-communication tools such as regular publications, research and monitoring reports, city gender profiling, advocacy materials, audiovisuals; as well as in the identification and maintenance of resource persons and trainers for a GAD speakers bureau for the municipality;
e. Assist the GAD Council in establishing and maintaining a gender- responsive knowledge center/databank;
f. Assist in establishing a GAD Focal Point mechanism in each department within the municipal government and in barangays for better coordination and monitoring;
g. Facilitate the holding of women's assemblies for consultation of issues; and for the registration and election of women NGO/PO representatives to the GAD Council; and
h. Undertake all other work required for the effective and efficient discharge of the Council's functions.

3. Local Monitoring Board of Violence in Media. A local monitoring board for movie, print, broadcast and multimedia shall be set up classify, censure prohibit or regulate the exhibition of materials in the municipality degrading women. The Board's function shall also extend to video shops, electronic communication, cable television, books and other forms of audio visual channels of instruments.

4. Creation of Women and Children's Desk (WCD) and Appointment of WCD Officer. The municipal government shall create the WCO and appoint a WCD Office in all police stations in the municipality of Tigbauan specifically to handle women and children's concerns. Complaints filed by women on battering and other forms of abuse against them shall be handled by female officers in the local police force who shall undergo special courses on handling cases affecting abused women.

5. Creation of Medico-legal Desk for Women and Children at the Municipal Social Services and Development Department. There shall be a medico-legal desk for women at the Municipal Social Services and Development Department to cater to specific women problems and concerns.

6. Community Education on Trafficking. The Barangay GAD Committee shall organize massive information campaigns and continuing education on trafficking of women and children; monitor trafficking activities in their respective communities; and develop a system for reporting pr referral of traffic victims to appropriate agencies.

7. Special Body to Investigate Cases of Violations of Women Under Police or Military personnel in police/military detachment/checkpoint or any service in detention. Violation shall be penalized through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Police Law Enforcement Board.

8. Generating Sex-disaggregated Data and, Undertaking Gender Analysis. It shall be the main function of all Barangay GAD Committee to periodically generate sex-disaggregated data on their respective communities. This shall be the duty of all concerned municipal department and offices and partner NGO's and PO's to enable them to provide situational analysis for better formulation of the Municipal GAD Plan.

9. Guidelines for Determining Gender Biases. The municipal government, through the municipal Personnel Department shall issue guidelines to determine gender biases in municipal government departments and instrumentalities, school and private offices, commercial/industrial establishments, etc., and promote the prevention of these biases.

10. Creation of a Municipal Tripartite Committee to Monitor the Implementation of Labor Standards. There shall be a Tripartite Committee composed or representatives from the municipal industrial Relations Office, organized labor and association of employers. The Tripartite Committee shall be tasked to:
    - **a.** Monitor the implementation of labor standards set under this Code;
    - **b.** Establish a Labor Assistance Desk where women workers could file complaints or seek legal assistance/advice on labor issues to promote industrial peace;
    - **c.** Recommend to the Municipal Council on issues or complaints lodged with the Labor Assistance Desk;
    - **d.** Formulate rules/mechanics or monitoring labor standards; and
    - **e.** Conduct regular labor standards orientation for the Municipal women workers in coordination with the Municipal GAD Resource and Coordinating Office.

11. Implementing Rules and Regulations. Upon effectivity of this Ordinance, a drafting Committee to formulate the Implementing Rules and Regulations (IRR) necessary to carry out the provisions of this Ordinance shall be convened by the Municipal GAD Council composed of representatives from the Municipal Secretary's Office, Municipal Legal Office, Municipal Planning and Development Office, Municipal Administrators Office, Municipal Health Department, Social Services and Development Department, Barangay Operations Center, Community Relations Office, Municipal GAD Resource and coordinating office, Municipal Council on Women and Family Affairs, and NGO's/PO's duly accredited by the Sangguniang Bayan. A consultative body shall be convened the initial formulation of the Code's Implementing Rules and Regulations to validate the draft document. It shall be composed of representatives of the Focal Points of the municipal departments and offices, NGO's/PO's and barangay officials involved in the process of drafting this Code.

12. Compliance Report. Within six (6) months from the effectivity of this Code and Every six (6) months thereafter, all City Government departments and instrumentalities, shall submit a report to the Municipal Council of their compliance with the Code

SECTION 167. PENAL CLAUSE

A. VIOLENCE AGAINST WOMEN AND CHILDREN

1. Sex Tours.-No hotels, beach resorts, sauna baths and related establishments shall be allowed to operate as conduit for sex tours. Cancellation of business permit a fine of not exceeding Two Thousand Five Hundred Pesos (P 2,500.00) shall constitute the penalty for violation.

2. Beauty Contest. Beauty contest which tend to commodity abuse, humiliate and treat other persons, especially women and homosexuals as sex objects shall strictly be

prohibited in schools, communities, barangays and by the municipal government in its special celebrations, but in their stead the projection of women's strengths and potentials, especially with regard to indigenous and culturally relevant forms shall be encouraged.

Those who initiate the conceptualization and implementation of the beauty contest shall be subjected to a penalty consisting of the following:

For business entitles:
a) cancellation of business permit;
b) fine of not exceeding two thousand five hundred pesos (P2,500,00),

For representatives of agencies, departments or units of the local government of Tigbauan:
a) suspension for one month without pay;
b) fine of not exceeding two thousand five hundred pesos (P2,500.00);

For educational institutions, charity or welfare organizations:
a) cancellation of license to operate;
b) fine of not exceeding two thousand five hundred pesos (P2,500.00);

3. All fund-raising activities as defined in this Code shall be strictly prohibited in municipality of Tigbauan. Violators of this provision shall pay a fine of not exceeding two thousand five hundred pesos (P2,500.00) or imprisonment of six (6) months or both at the discretion of the court.

4. Forced Marriage. No person shall be forced to marry on the basis of vitiated consent. Any person or representative committing a fraudulent or coercive act to cause and effect a forced marriage shall be liable under this Code by a fine of not exceeding two thousand five hundred Pesos (P2,500.00) or an imprisonment of one year, or both, at the discretion of the Court.

5. Regular Surveillance of Entertainment Establishments. A Municipal Interdepartmental Task Force shall be created to conduct regular surveillance of business establishment involve in trading women's bodies such as (a) prostitution; (b) printing, publication, display and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials and literature that treat women as sex object and commodities; organizing production of pornographic and indecent shows depicting women and girls as sexual objects either in nude or provocative gestures; and mounting live shows women or girl-child are influenced or forced to dance or do nude shows in public or private places.

Any person or agency who engages in organizing or producing these activities that exploit women and girl children violate human rights and shall be dealt with under the law. Failure of the Task Force to submit weekly report shall be subjected to administrative sanction.

B. LABOR AND EMPLOYMENT

1. Equal Access to Job Training and Program. No women shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion, and civil status. Violations by private employers shall constitute a fine of Five Hundred Pesos (P500.00) and temporary cancellation of business permit for the first offense, and not exceeding Two Thousand Five hundred Pesos (P2,500.00) fine and permanent cancellation of business permit for the second offense or as prescribed by the Court. The government unit of agency head of office is liable with the penalty of three days suspension and a fine of One Thousand Pesos (P 1,000.00).

2. Wage and Benefits for Woman. Every employer shall comply with the minimum wage as stipulated by the regional wage board or passed by the congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement termination and other benefits provided by the law. Violation by private employers shall constitute a fine of not exceeding two thousand five hundred Pesos (P2,500.00) and a cancellation of business permit or as prescribed by the court. A municipal government unit or agency head of office which violates this Code shall be liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00).

3. Facilities and Support System for Women. The municipal government shall ensure the safety and health of women employees. In appropriate cases, it shall require employers to:

a. provide seats proper for women and permit them to use such seats when they are free from work and during working hours, provided they can perform their duties in this position without detriment to efficiency;

b. establish separate toilet rooms, lavatories and lounges for men and women and provide at least a dressing room for women.

c. Provide breast feeding corners for women in the work places.

Violation by private employers shall constitute a fine of not exceeding two thousand five hundred Pesos (P2,500.00) and cancellation of business permit or as prescribed by the Court. The Government unit or agency head of office is liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00).

4. Increase Maternity Leave Benefits as Incentives for Breastfeeding Mothers in the Public and Private Sector. Maternity leave benefits of forty-five (45) days shall be extended according to all women employees (public and private) who have rendered at least one (1) year continuous service.

Any employer who violates this provision shall pay a fine of not exceeding two thousand five hundred Pesos (P2,500.00) and a suspension of business permit or license to operate for six (6) months, For local government department or agency, administrative sanctions shall be imposed.

5. Barangay Education and Gender Sensitivity. All barangay in the Municipality of Tigbauan shall conduct compulsory training and education for both BSDOs, barangay officials, househelpers, and househelper employers on gender sensitivity. An administrative sanction shall be imposed on the barangay council which fails to comply with this provision.

6. Women in the Entertainment Industry. Women engage in the entertainment industry shall be recognized as wage earners and they shall receive a minimum wage and the benefits afforded to women workers and shall render services as set in the job contract and only in the place of work is specified in the business permit of the establishment concerned. Violation of this provision shall be subjected to a fine of not exceeding two thousand five hundred Pesos (P2,500.00)or cancellation of business permit, or both, at the discretion of the Court.

7. Police Operation in Entertainment Establishments. All police operations or raids conducted in any entertainment establishment shall be undertaken with utmost respect for human rights. Police officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. The municipality shall also regulate the media coverage of raiding activities.

8. Orientation on Sexual Harassment. All government commercial and private offices, agencies, establishments or companies located in the municipality shall conduct regular orientation seminars on sexual harassment for their respective employees.

Certificate of compliance shall be issued by the Municipal Gender and Development Resource and Coordinating Office. Establishments which is to comply with this provision shall pay a fine of not exceeding two thousand five hundred Pesos (P2,500.00) immediately or at the discretion of the court.

C. HEALTH RIGHTS

Socialized Reproductive Health Services for all Health Centers, health units and similar establishments. No Health Centers, health units and similar establishments in the municipality shall deny a woman living below poverty of reproductive health services. A Certificate of Indigency shall be issued by the Punong Barangay.

In case of emergency a social worker or any authorized person shall be designated to conduct rapid appraisal of the socioeconomic status of the patient for admission purposes.

D. SOCIOECONOMIC BENEFITS

Socialized Lending Program. All banks, finance, lending institutions and cooperatives shall open special windows for women engaged in small to medium scale enterprises including women who lack access to traditional sources of collateral.

Money lending institutions shall established socialized lending schedule, friendly to women subject to the following conditions:

a. based on cooperative's interest rates;
b. no postdated checks for payment
c. submission of a Certificate of Income-generating Activity

E. SPECIAL SECTORAL CONCERNS

Barangay-level Sanction on Cases of Harassment Committed Against Differently-abled and Elderly Women, All barangays in the municipality of Tigbauan shall formulate a barangay-level sanction on cases of harassment committed against differently-abled and elderly women.

F. GENDER AND DEVELOPMENT

Gender Sensitivity and Orientation Training. All schools, offices, establishments or companies, departments and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and training which shall equip them theoretical and practical knowledge on gender justice. Non compliance of this provision shall require the concerned party to pay a fine of not exceeding two thousand five hundred Pesos (P2,500.00)and issuance of warning by the Integrated Gender and Development office.

CHAPTER XVIII
FINAL PROVISIONS

SECTION 168. SEPARABILITY, APPLICABILITY, REPEALING AND EFFECTIVITY CLAUSES

A. SEPARABILITY CLAUSE

If, for any reason, any provisions, section or part of this Code is declared not valid by a Court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions, sections or parts which continue to be in force and effect.

B. APPLICABILITY CLAUSE

All other matters relating to the impositions or regulations provided in this Code shall be governed by the pertinent provisions of existing laws and other ordinances.

C. REPEALING CLAUSE

All ordinances, rules and regulations or parts thereof, which are inconsistent and in conflict with any provisions of this Code are hereby repealed.

D. SUNSET REVIEW. The sanggunian is mandated to review the provisions of this Code for amendment or revision every five years.

E. There shall be created a Local Legislative-Executive Development Advisory Council **(LLEDAC)** to formulate the Implementing Rules and Regulations (IRR) of this Code.

F. EFFECTIVITY CLAUSE

This Code shall take effect after posting at the prominent places in the municipality for a minimum of 3 consecutive weeks or at the end of the publication, whichever occurs later.

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
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ENACTED: This 14th day of December 2020 at Tigbauan, Iloilo

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