

**OFFICE OF THE SANGGUNIANG BAYAN**

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**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PURA, TARLAC HELD AT THE SB SESSION HALL ON TUESDAY, JUNE 3, 2014**

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PRESENT:

Hon. FERDINAND C. VALDEZ -----	Municipal Vice Mayor & Presiding Officer
Hon. MANUEL N. MADDELA JR. -----	Municipal Councilor
Hon. TEODORA D. ROBINO -----	Municipal Councilor
Hon. TIMOTEO D. BALMORES-----	Municipal Councilor
Hon. JOHN PAUL M. BALMORES-----	Municipal Councilor
Hon. REBHENJER J. CARATIQUIT-----	Municipal Councilor
Hon. NENITA M. CABARIOS-----	Municipal Councilor
Hon. FREDDIE D. DOMINGO-----	Municipal Councilor
Hon. SEGUNDO B. RAMILO-----	Municipal Councilor
Hon. NOEL C. MELEGRITO-----	Ex-Officio Councilor (Liga)

ABSENT:

NONE

**RESOLUTION NO. 073**

Series of 2014

**A RESOLUTION ENACTING MUNICIPAL ORDINANCE NO. 005-14 -AN ORDINANCE ENACTING THE HEALTH AND SANITATION CODE OF PURA, TARLAC.**

**Chapter I : TITLE, POLICIES AND PRINCIPLES**

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

**Section 2. *Declaration of Policies.*** The Health and Sanitation Code shall be the legal and policy framework for a holistic management of health and sanitation services of the municipality basing on Sections 16 and 17 (2)(iii) of Republic Act No. 7160. It shall be primarily aimed to contribute to the promotion and attainment of a Healthy Community by instituting legislative measures and reforms. Thus, fulfilling the Local Government Unit’s vision: of “An ecologically balanced, peaceful and progressive Pura with unified, self-reliant, healthy and empowered people living in a just society.”

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

- a) Integration – characterized by comprehensiveness of scope, coherent and consistent strategies, and cost-effectiveness of results of the policy making and implementation processes undertaken. Integration is the principle behind the mandate for local governments to implement and translate into their development initiatives the national policies, plans and programs.
- b) Interdisciplinary – refers to the recognition of the need to a diverse field of knowledge to include natural, social and engineering sciences aside from available traditional knowledge.
- c) Precautionary Principle – wherein local decision makers take immediate preventive action, using the best available knowledge in situations where there is reason to think that something is causing a potentially severe or irreparable harm – even in the absence of conclusive scientific evidence establishing a causal link. This principle also applies in the formulation of predictive policies in Local Health Management.
- d) Intergenerational Equity – that means ensuring equal access to goods and resources for people in the present and future generations.

- e) Public Participation – that consists in the appropriate access to information held by public authorities and the participation of the general public in the decision making process. This is necessary for stakeholders to gain sense of ownership to the issues sought to be addressed, and to the interventions and solutions, which are decided upon as necessary. This is also a way to decentralize responsibility for health management and ultimately empower communities without using the coercive power of the state.

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

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

## **Chapter II: WATER SUPPLY**

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

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

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

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

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

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

**Section 9. Other Protective Measures.** To protect drinking water from contamination, the following measures shall be observed:

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

**Section 10. Penalty.** A maximum fine of Two Thousand Five Hundred Pesos (PhP2,500.00) shall be imposed or an imprisonment for a period not exceeding Six (6) Months, or both at the discretion of the court, for the violation of Sections 6, 7 and 9 of this Code.

### **Chapter III: MARKET AND SLAUGHTERHOUSE**

**Section 11. Prescribed Standards of Construction.** The construction of market and slaughterhouse shall conform to standards prescribed by the Department of Health in accordance with the Building Code. These standards shall be set along with the following guidelines:

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

**Section 12. Responsibility of the Municipal Market Administrator/Market Administrator Designate in coordination with the Municipal Health Office.**

- a) On Market.
  - 1) Make periodic inspections to ascertain the maintenance of adequate sanitary conditions of the market and its premises;
  - 2) Supervise and control the proper care and use of market stalls;
  - 3) Prohibit the construction of living quarters within the market and its premises;
  - 4) Enforce the ban on construction of partitions, sheds or booths within the market area.
- b) On Slaughterhouse.
  - 1) Supervise the maintenance of adequate sanitation in the slaughterhouse and its premises;
  - 2) Enforce the requirements on the examination of meat as provided in existing laws;
  - 3) Permit the slaughter of animals for public consumption in other designated areas of certain exigencies, provided public health is adequately protected and the guidelines stipulated in the Municipal Revenue Code are strictly observed.
  - 4) Supervise the sanitary disposal of all the slaughterhouse waste and
  - 5) Ensure that only healthy animals shall be slaughtered, and that the method of slaughtering, the techniques of dressing and the storing, handling and transporting procedures are in accordance with prescribed standards by the National Meat Inspection Commission [NMIC].

**Section 13. Responsibility of the Local Government and Private Operators.** The local government and private operators of public market respectively and slaughterhouse shall employ adequate number of personnel to ensure their efficient operation and hygienic maintenance.

## **Chapter IV: FOOD ESTABLISHMENTS**

### **Section 14. Sanitary Permit.**

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

**Section 15. Health Certificates.** No person shall be employed in any food establishment without a health certificate issued by the Local Health Authority. This certificate shall be issued only after the required physical, medical and laboratory examinations are performed and immunizations are administered at prescribed intervals.

**Section 16. Quality and Protection of Food.** All foods must be obtained from sources approved by the Municipal Health Officer. In this regard, the following requirements are applicable;

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

**Section 17. Structural Requirements.** Food establishments shall be constructed in accordance with the following requirements:

- 1) No person shall use any room or place for, or in connection with the preparation, storage, handling or sale of any article of food:
  - a) Which is at anytime used or in direct communication with a sleeping quarter or toilet;

- b) In which any animal is kept;
- c) Which is or has been used for any purpose which would be likely to contaminate the food or to affect detrimentally its wholesomeness or cleanliness or
- d) Which is not used exclusively for the purpose.

**Provided**, that in department stores or multi-purpose business establishments, food may be manufactured, prepared, cooked, stored, or sold only in the area set aside exclusively for the said purpose and for which a sanitary permit has been issued.

2) No sanitary permit shall be issued for any premises to be used for the preparation, handling and sale of food unless it is constructed in accordance with the following requirements:

a) Floors. The floors shall be:

- i) 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;
- ii) 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
- iii) 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.

b) The Walls. The walls shall:

- i) Have a smooth, even and non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials;
- ii) 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
- iii) The internal walls shall be painted in light colors or treated with such other wall finish as the health authority may prescribe.

c) The Ceilings.

- i) All ceilings or, if no ceilings are provided, the entire under surface of the roof shall be dust-proof and washable.
- ii) The ceiling or under surface of the roof or in which utensils or hands are washed, shall be smooth, non-absorbent and light colored.

d) The Lightings.

- i. 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.

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

f) Dressing Rooms. Shall provide adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belonging of employees or persons engaged or employed in the premises. Such facilities shall be situated and arranged so that there is no contamination of food by contact with clothing. There shall be a separate changing rooms for each sex.

g) Wash-Hand Basins.

i) Wash-hand basins shall be installed in convenient places and as near as practicable to where the person for whose use they are provided are working while handling food for sale or in such locations as may be otherwise prescribed in any particular case.

ii) If required in writing by the local health authority an additional wash-hand basins shall be installed.

iii) Wash-Hand Basin Maintenance.

- a) An adequate supply of soap, clean towels, roller towels presenting a clean surface to each user from a continuous roller towel dispenser or other hand drying services approved by health authorities.
- b) The wash-hand basins and all hand washing facilities shall, at all times, be maintained in a clean condition.
- c) All wash-hand basins shall, at all times, while the premises are being used, be supplied with hot and cold running water at a minimum temperature of 100 F (37.8 °C).

*Provided*, that wash-hand basins specified in this regulation shall be installed under specification of the National Plumbing Code of the Philippines.

**Section 18. Use of Food-Service Spaces.**

- a) Food-service spaces shall not be used as living or sleeping quarters.
- b) Clothing or personal effects shall be kept in lockers or in designated places away from food service spaces.
- c) Persons not directly connected with food preparation and serving shall not be allowed to stay in food-serving spaces.
- d) Foods in storage or in preparation must not be handled by anyone other than the preparation and serving staff.

**Section 19. Food Handlers.**

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

**Section 20. Vermin Control.** *Vermin* is a group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice and rats that are vectors of diseases.

- a) Spaces where food and drinks are stored, prepared and/or served shall be constructed and maintained as to exclude vermin.

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

**Section 21. Toilet and Washing Facilities.**

- a) Adequate and clean toilet facilities for male and female customers and personnels shall be provided.
- b) Toilet rooms shall not be opened directly into spaces where food is prepared, stored or served. Where such toilet exist, the doors shall be tight-fitting and self-closing.
- c) Adequate hand-washing facilities shall be provided within or adjacent to the toilet room.
- d) Facilities shall include hot and cold running water, soap and detergent; single-service paper or cloth towel dispenser or a drying device.

**Section 22. Disposal of Refuse.**

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

**Section 23. Equipment and Utensils.**

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

**Section 24. Washing of Utensils.**

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

**Section 25. Bacterial Treatment.**

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

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

**Section 26. 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.
- c)

**Section 27. 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 chipping.
- e) Drawers shall be made of the same materials and kept clean. Felt-lined drawers are not acceptable. Using clean and removable towels for lining drawers is acceptable.

**Section 28. Dry Storage for Non-Perishable Foods.** Non-perishable foods shall be stored in the following manner:

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

**Section 29. Refrigerated Storage of Perishable Foods.** Perishable foods shall be stored in the following manner:

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

**Section 30. Food Servicing Operations.** These operations shall be in accordance with the following requirements:

- a) Hand contacts with food or drinks shall be avoided; fingers shall not be used to serve butter, ice, or similar items of food. Sugars shall be served in covered dispensers or containers, or in packages wrapped for single service.
- b) The surfaces of the containers and utensils, including glasses and table wares, which come in contact with food or drink should not be handled.
- c) Disposable cups, plates, spoons and other single service containers and utensils shall be purchased in sanitary cartons and be stored in a clean, dry place until used. When removing from boxes, care must be taken so as not to touch the surface that comes in contact with food.
- d) Clean clothes, napkins, spoons, towels and other equipment made of cloth shall be stored in clean places designated specifically for them. Soiled linens, including towels, aprons and coats shall be stored in a closed bin or locker, suitably marked.



- e) Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts must be kept in a container filled with water should be changed regularly. Bottles and other containers used for potable water and other beverages shall be kept clean and given effective bactericidal treatment before and after subsequent use.

**Section 31. 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.

**Section 32. Special Provisions.**

- a) Groceries or “Sari-Sari” Stores:
  - 1) No grocery sari-sari store shall be establish within the distance of twenty-five (25) meters from any source of contamination.
  - 2) All foods which require no further cooking before they are eaten shall be protected from contamination while in counters or show cases.

- b) Bakeries. Delivery trucks and carts of bakery products shall always be kept clean and sanitary.
- c) Dairies.
  - 1) No Dairy shall keep unhealthy or infected cows, water buffalos (carabaos) or goats for the production of milk, or feed them unwholesome food that produces impure or unwholesome milk.
  - 2) No animals used for the production of milk shall be allowed to graze on land which has been contaminated by the radioactivity.
  - 3) No dairy shall sell unwholesome milk that has not been previously pasteurized or otherwise sterilized.
- d) Ice Plants.
  - 1) Only potable water shall be used in the manufacture of ice.
  - 2) In storing and transporting ice intended for public consumption, precautionary measures shall be taken to protect the ice from sources of contamination.
- e) Ambulant Food Vendors.
  - 1) These vendors shall sell only bottled food drinks, biscuits and confectioneries.
  - 2) It is prohibited for food vendors to sell food that requires the use of utensils.
- f) Fish Marketing Areas.
  - 1) Only fresh and wholesome fish products shall be sold.
  - 2) Fish caught in radioactive zones as well as in areas contaminated by toxic substances or high in mercury count as determined by the health authorities shall be condemned and not be allowed for public consumption.
  - 3) The selling, distribution and buying of fish caught through the use of explosives and chemicals are prohibited.

**Section 33. *Penalty.*** A maximum fine of Two Thousand Five Hundred Pesos (PhP2,500.00) shall be imposed or an imprisonment for a period not exceeding Six (6) Months, or both at the discretion of the court be imposed for the violation of the provisions of this Chapter.

## **Chapter V: SCHOOL SANITATION AND HEALTH SERVICES**

**Section 34. *Definition of Terms.*** As used in this Chapter, the following terms shall mean:

- a) School – An institution of learning which may be public, private or parochial.
- b) Special School – An institution which utilizes cadavers, plants, animals, bacteria and viruses for study and research.
- c) Physical Environments – The school plants, grounds and facilities.
- d) Emotional Environment – Factors which affect the emotional health of students and members of the faculty.

**Section 35. *The Physical Environment.*** In the design and construction of the school, the following factors shall be considered:

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

**Section 36. The Emotional Environment.** For the promotion of emotional health of the school population, the following requirements shall be observed:

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

**Section 37. Health Services.** Trained personnel and adequate facilities should be available so that students may be afforded the following health services:

- a) Periodic physical and medical examination;
- b) Periodic immunization;
- c) Medical and Dental Treatment;
- d) Treatment for common emergencies and
- e) Counseling and Guidance.

**Section 38. 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.

#### **Chapter VI: REST AREAS, BUS TERMINALS AND SERVICE STATIONS**

**Section 39.** 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.

#### **Chapter VII: CAMPS AND PICNIC GROUNDS**

**Section 40.** 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.

#### **Chapter VIII: PUBLIC SWIMMING OR BATHING PLACES AND RESORTS**

**Section 41. Sanitary Permit.** No public swimming and bathing places shall be operated for public use without a sanitary permit issued by the Municipal Mayor or his duly authorized representative.

**Section 42. Protection of Customers.** To protect the health and safety of persons who patronize public swimming or bathing places, the following practices shall be observed:

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

**Section 43. 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.

#### **Chapter IX: TONSORIAL AND BEAUTY ESTABLISHMENTS**

**Section 44. Definition of Terms.** As used in this Chapter, the term “Tonsorial and Beauty Establishments” include barbershops, beauty parlors, hairdressing, manicuring establishments and figure slenderizing salons.

**Section 45. Requirements.** These establishments are subject to the following requirements:

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

**Section 46. Correct Sanitary Practices.** The following sanitary practices shall be observed:

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

**Section 47. 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 45 and 46 of this Code.

#### **Chapter X: PUBLIC LAUNDRY**

**Section 48. Sanitary Permit.** No public laundry shall operate without a sanitary permit from the Municipal Mayor through the Municipal Health Officer or his duly authorized representative. As used in this chapter, a public laundry means an established institution operated for commercial purposes which is open to the public. It is different to person engaging service to exclusive clientele.

**Section 49. General Requirements.** The construction and operation of public laundry shall be governed by the following requirements:

- a) Structural Requirements.

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

b) Sanitary Requirements.

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

**Section 50. Special Requirements.** The following requirements shall be enforced:

- a) All articles to be laundered coming from hospitals and infected sources shall be treated by exposure to a sufficient quantity of hot water, detergents or by other effective means of disinfection.
- b) All linens, bed, clothes, pajamas, towels, bed sheets, pillow cases and the like that have come in contact with any form of radioactivity should be isolated in a certain area and monitored by radiation safety personnel before sending these articles for laundry. If any amount of radioactive contamination is found, the affected article should be set aside and the radioactivity allowed to completely decay before said article is sent for laundry.
- c) All articles for delivery to the laundry shall be kept enclosed until the articles are removed from the laundry.
- d) Laundry vehicles shall be kept clean and sanitary at all times.
- e) A separate room shall be used solely for receiving, sorting, marking or handling unwashed articles.
- f) Diapers must be protected from pathogenic organisms and from chemical substances which are irritating to the skin of the infant. Laundered diapers for delivery shall be packed in sealed sanitary containers.

**Chapter XI: LODGING, BOARDING HOUSES, APARTMENTS, MOTELS AND HOTELS**

**Section 51. Definition of Terms.** As used in this Chapter, the following terms shall mean:

- a) Hotel – building where transient guests are received and are supplied with and charged for meals, lodging and other services.
- b) Motel – roadside hotel for motorists, usually consisting of private cabins.
- c) Boarding House – building where selected persons, for fixed period of time, are supplied with and charged for sleeping accommodations and meals.
- d) Lodging House – building where persons are supplied with and charged for sleeping accommodations only.
- e) Apartment House – building containing a number of separate residential suites.

**Section 52. General Provisions.** The following are required for the establishments defined in the proceeding Section:

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

**Section 53. 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 section 52 of this Code.

## Chapter XII: MASSAGE CLINICS

**Section 54. Definition of Terms.** As used in this Chapter the following terms shall mean:

- a) Massage – method wherein the superficial soft parts of the body are rubbed or stroked or kneaded for remedial or aesthetic, hygienic purposes.
- b) Massage Clinic – establishment where massage is administered to customers.
- c) Masseur or Masseur – trained person duly licensed to perform massage and to supervise massage clinic attendants.
- d) Massage Clinic Attendant – trained person duly permitted to massage customers under the guidance and supervision of a masseur or a masseuse.
- e) Sauna Bath Establishment – establishment where customers are exposed to steam which is generated by the sprinkling water on hot stones or by some other means.
- f) Sauna Bath Attendant – person who applies the proper technique of giving steam bath to customers.

**Section 55. Sanitary Permit.** No person or entity shall operate a massage clinic and/or sauna bath establishment without first securing a sanitary permit from the Municipal Mayor through the Municipal Health Officer.

**Section 56. 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 plastic slippers. They shall be required to take a thorough bath before massage.
  - 5) The masseur/masseuse and masseur/masseuse attendant shall wash their hands with soap and water before and after massaging a customer.
  - 6) The establishment and its premises shall be maintained clean and sanitary at all times.
- b) Sauna Bath Establishment.
  - 1) The reception and the office rooms shall be properly lighted and adequately ventilated.
  - 2) The sauna bath room shall be properly lighted, provided with thermometers, and maintained clean and sanitary at all times.
  - 3) Sanitary and adequate hand washing, bath and toilet facilities shall be available.
  - 4) Customers shall be provided with soap, clean towels and sanitized rubber or plastic slippers.

**Section 57. Personnel.** The following requirements shall be enforced:

- a) Masseur/Masseur.
  - 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 recognized by the Department; and,
    - b) Up-to-date health certificate issued by the local health authority, to include venereal disease clearance secured from any government clinic or hospital.
  - 2) The person must wear clean working garments when attending to customers.
- c) Sauna Bath Attendant.
  - 1) Attendant must possess an up- to- date health certificate issued by the local authority.
  - 2) The person must wear clean working garments when attending to customers.

**Section 58. *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 55, 56 and 57 of this Code.

### **Chapter XIII: REFUSE DISPOSAL**

**Section 59. *Definition of Terms.*** As used in this Chapter,

1. *Refuse* is an inclusive term for all solid wastes products consisting of garbage, rubbish, ashes, manure, dead animals, street sweepings and industrial wastes (including toxic waste, used oil and petroleum products).
2. *Public Utility Vehicles* includes the public utility Jeeps, taxi, tricycles and buses operating within the municipality or passing through the municipality.

**Section 60. *Responsibility of the Municipality.*** The Municipality shall provide an adequate and efficient system of collecting, transporting and disposing refuse in their areas of jurisdiction in a manner approved by the Municipal Solid Waste Management Council [MSWMC] in coordination with the Barangay Solid Waste Management Board [BSWMB].

**Section 61. *Additional Requirements.***

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

**Section 62. *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 section 61 of this Code.

### **Chapter XIV: NUISANCES**

**Section 63. *Definition of Term.*** – A Nuisance is defined as anything that injures health, endangers life, offends the senses or produces discomforts to the community.

**Section 64. *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 harborage of vermin;
- c) Animal and their carcasses which are injurious to health;
- d) Accumulation of refuse;
- e) Noxious matter or waste water discharged improperly on streets;
- f) Animal stockage maintained in a manner injurious to health;
- g) Excessive noise and
- h) Illegal shanties in public or private properties.

**Section 65. Responsibilities of Owners, Managers or Operators of Businesses.** The owners, managers or operators of establishments shall:

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

**Section 66. 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 section 65 of this Code.

#### **Chapter XV: ENVIRONMENT POLLUTION AND DISPOSAL OF DEAD PERSON**

**Section 67. General Provisions.** For the purposes of this Chapter, the provisions of Republic Act No. 3931, the Rules and Regulations of the National Water and Air Pollution Control Commission promulgated in accordance with the provisions of section 6 (a) 2 of the said act, the provisions of Presidential Decree No. 480 and the Rules and Regulation of the Radiation Health Office of the Department of Health shall be applied and localized.

**Section 68. Environmental Protection Compliance Certificate.** The construction of buildings and establishment of business shall be covered with the Environmental Protection Compliance Certificate to be issued by appropriate national government agency subject to the validation and endorsement of the Municipal Health Officer.

**Section 69. Definition of Terms.** As used in this chapter, the following terms shall mean:

- a) Burial grounds – Cemetery, memorial park, mausoleum or any place duly authorized by law for permanent disposal of the dead.
- b) Embalming – Preparing, disinfecting, and preserving a dead body for its final disposal.
- c) Embalmer – A person who practices embalming.
- d) Undertaking – The care, transport and disposal of the body of a deceased person by any means other than embalming.
- e) Undertaker – A person who practices undertaking.
- f) Funeral Establishment – Any place used in the preparation and care of the body of deceased person for burial.
- g) Remains – The body of a dead person.
- h) Burial – Internment of the remains in a grave, tomb or the sea.
- i) Disinterment – The removal or exhumation of a remain from the place of internment.

**Section 70. Burial Grounds Requirements.** The following requirements shall be applied and enforced:

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

**Section 71. Burial Requirements.** The burial of remains is subject to the following requirements:

- a) No remains shall be buried without a death certificate. This certificate shall be issued by the attending physician. If there has been no physician in attendance, it shall be issued by the Mayor, the Secretary of the municipal council or a Councilor of a municipality where the death occurred. The death certificate shall be forwarded to the local civil registrar within forty eight (48) hours after death.
- b) Shipment of remains abroad shall be governed by rules and regulations of the Bureau of Quarantine.
- c) Graves where remains are buried shall be at least one and one-half (1 ½) meters deep and filled well and firmly.
- d) The cost of burial of a dead person shall be borne by the nearest kin. If the kin is not financially capable of defraying the expenses or if the deceased had no kin, the cost may be borne by the municipal government.
- e) The burial of remains in the municipal burial grounds shall not be prohibited on account of race, nationality, sex, religion or political persuasion.



- f) If the person who issued a death certificate has reasons to believe or suspect that the cause of death was due to violence or crime, he shall notify immediately the local authorities concerned. In this case the deceased shall not be buried until permission is obtained from the provincial or city fiscal. If these officials are not available the permission shall be obtained from any government official authorized by law.
- g) Except when required by legal investigation or when permitted by the local health authority, no unembalmed remains shall remain unburied longer than forty eight (48) hours after death.
- h) When the cause of death is a dangerous communicable disease, the remains shall be buried within twelve (12) hours after death. They shall not be taken to any place of public assembly. Only the adult members of the family of the deceased may be permitted to attend the funeral.

**Section 72. Disinterment Requirements.** Disinterment of remains is subject to the following requirements:

- a) Permission to disinter remains of persons who died of non-dangerous communicable diseases may be granted after a burial period of three (3) years.
- b) Permission to disinter remains of person who died of dangerous communicable diseases may be granted after a burial period of five (5) years.
- c) Disinterment of remains covered in paragraphs (a) and (b) of this section may be permitted within a shorter time than that prescribed in special cases, subject to the approval of the Regional Director of the Director of Health concerned or his duly authorized representative.
- d) In all cases of disinterment, the remains shall be disinfected and placed in a durable and sealed container prior to their final disposal.

**Section 73. Funeral and Embalming Establishments.** – These establishments are subject to the following requirements :

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

For embalming and dressing rooms:

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

**Section 74. Issuance of License.** The issuance of license to undertakers and the embalmers are subject to the following requirements:

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

**Section 75. Use of Remains for Medical Studies and Scientific Studies.** Unclaimed remains may be used to medical schools and scientific institutions for studies and research subject to the rules and regulations prescribed by the DOH.

**Section 76. Special Precautions for Safe Handling of Cadavers Containing Radioactive Isotopes.**

- a) Cadavers containing only traces (very small dose) of radioactive isotope do not require any special handling precautions.
- b) Cadavers containing large amounts of radioactive isotopes should be labeled properly identifying the type and amount of radioactive isotopes present and the date of its administration.
- c) Before the autopsy is performed, the Radiation Health Officer or his duly authorized representative should be notified for proper advice. The pathologist and/or embalmer should be warned accordingly of the radioactive of the cadaver so that radiation precautions can be properly enforced.
- d) Normal burial procedures, rules and regulations may be carried out on the above-mentioned cadavers provided that their amount of radioactivity has decayed to a safe level which will be determined by the Radiation Health Officer or his duly authorized representative.
- e) Cremation. If cremation is performed without autopsy, there is no handling problem; otherwise, autopsy precautions should be strictly enforced. Precautions should be taken to prevent any possible concentration of radioactivity at the base of the stack of the crematorium.

**Section 77. Responsibility of the Municipal Health Officer.** The Municipal Health Officer shall:

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

**Section 78. Responsibility of Local Government.** The Local Government shall:

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

**Section 79. Penal Provisions.**

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

#### **Chapter XVI: BAN ON SMOKING IN CERTAIN PUBLIC PLACES AND PUBLIC CONVEYANCES**

**Section 80.** Smoking is hereby banned in enclosed and/or air conditioned restaurants, movie houses, hospitals, hotel, lobbies, assembly halls, government offices and buildings, school rooms and buildings, and other public establishments, except in designated smoking areas to be properly identified as herein provided by the administrator, owner, operator or manager of said establishment.

**Section 81.** Smoking is also hereby banned in all public conveyances or means of transportation, such as buses, passenger jeepneys, taxicabs, tricycles and trisikads, wholly operating within the territorial jurisdiction of the Municipality of Pura

**Section 82.** All establishments covered herein and open to the general public and all government offices and buildings shall provide adequate smoking areas duly designated and identified with sufficient markings for public information for smoking purposes;

**Section 83.** Any person who smokes in public places, not in such designated areas herein provided, or in a public conveyance, in violation of the provisions of this chapter, shall be punished with a fine of not more than Two Thousand Five Hundred (P2,500.00) pesos or imprisonment of not more one (1) month or both fine and imprisonment at the discretion of the court.

## **Chapter XVII: INDUSTRIAL HYGIENE**

**Section 84. Sanitary Requirements for Operating an Industrial Establishment.** The following sanitary requirements shall be applicable to sanitary establishment:

- a) No person, firm, corporation, or entity shall operate any industrial establishment without first obtaining a sanitary permit from the Secretary of the Department of Health or his duly authorized representative.
- b) Industrial establishments shall be allowed to operate only in places or zones assigned for the kind of industry by existing zoning laws, ordinances or policies. The local health authority shall determine the suitability of location where no zoning law, ordinance or policy exists.
- c) Adequate potable water supply shall be provided to employees.
- d) Sewage disposal shall be by means of a municipal sewerage system whenever possible. If no municipal sewerage exists it shall be done in accordance with the provisions of this Code. Adequate and conveniently located toilet and bath facilities shall be provided for each sex.
- e) All wastes incident to the operation of the industrial plants shall be collected, stored or disposed of in a manner to prevent health hazards, nuisances and pollution. Where a municipal collection and disposal system exists, it should be utilized.
- f) An abatement program for the control of vermin shall be maintained.
- g) Adequate restrooms and mess-halls shall be provided for employees.
- h) All places of employment and all workrooms, including machinery and equipment, shall be kept clean and sanitary.

**Section 85. Responsibilities of the Employer and Employees.** The following are the responsibilities of the employer and employees in the industrial establishments:

- a) Employer Responsibility.
  - 1) Provide, install and maintain in good repair all control measures and protective equipment;
  - 2) Inform affected employees regarding the nature of the hazards and the reasons for, and methods and control measures and protective equipment;
  - 3) Make periodical testing of the hearing of all employees in noisy areas of operation;
  - 4) Adopt measures so that the noise produced is within allowable limits so as not to affect neighboring offices, buildings or establishments;
  - 5) Request the DOH a permit for variation from the requirements when other means or equivalent protection are provided and
  - 6) Provide personal protective equipment and/or protective barriers when they are necessary.
- b) Employee Responsibility.
  - 1) Observe strictly protective control measures which are prescribed and
  - 2) Use equipment properly.

**Section 86. Environmental Provisions.** The environmental provisions enumerated hereunder for the protection of the health of workers are applicable to all industrial establishments:

- a) Control of Atmospheric Contaminants.
  - 1) Workers shall not be exposed to atmospheric contaminants hazardous to health.
  - 2) Control of atmospheric contaminants shall be accomplished by methods approved by the Secretary of Health or his duly authorized representatives or other government authority.
- b) Control of Infectious Agents. Control measures shall be provided to eliminate control the transmission of infectious diseases through processing or handling of industrial products or wastes.
- c) Control of possible sources of radiation hazard should be carried out under the supervision of the Radiation Health Officer or his duly authorized representative.
- d) Noise. Control measure shall be provided to reduce intensity of noise sufficiently to render it harmless to workers and to eliminate it at its sources as a, nuisance by the following recommendations of the local health or other government authority.

e) Illumination.

- 1) Adequate lighting shall be provided and distributed in all work areas in amount required for the type of work or seeing tasks measured by a light-meter with a minimum of glare and contrasting intensities between work and workroom.
- 2) Where the specific task requires more light than provided by general illumination, supplementary lighting shall be supplied.

f) Ventilation.

- 1) Natural or artificial ventilation shall be provided in all work areas at a rate to ensure a safe and healthful working atmosphere, free from injurious amounts of toxic materials and reasonably free from offensive odors and dust throughout the establishment.
- 2) Proper control measures shall be used to reduce concentration of toxic contaminants to allowable limits.
- 3) Air inlets shall be arranged, located and equipped to insure sufficient air velocity and exhaust system which shall be located so that discharged materials shall not reenter places of employment or habitations nor create any hazard or nuisance.

**Section 87. Personal Protective Equipment.** The following requirements shall be applicable for personal protective equipment:

- a) Personal protective equipment and/ or protective barriers shall be provided whenever substances, radiations or mechanical irritants are encountered in a manner capable of causing any pathological change or injury or impairment in function of any part of the body through skin and / or mucous membrane absorption.
- b) Personal protective equipment, which shall include respiratory protectors and other accessories, shall be fitted to each exposed worker when necessary.
- c) X-ray film badges or pocket decimeters should be worn by workers who, during their course of work, are unavoidably exposed to even a small amount of radiation.
- d) Supervisors and employees shall familiarize themselves with the use, proper sanitary care or storage of this equipment.

**Section 88. Health Services.** Medical services shall be provided to all employees in accordance with existing laws and the rules and regulations prescribed by the DOH.

### **Chapter XVIII: BAN ON STRAY DOGS**

**Section 89.** All owners of dogs within the municipality shall submit their pets for rabies immunization thru the office of the Municipal Agricultural Officer upon notice of the said office availability of vaccines and date of immunization. In this connection, the Municipal Agricultural Officer thru her/his designated personnel shall notify all Punong Barangays of the availability of vaccines and the schedule of immunization in their respective Barangays;

**Section 90.** All immunized dogs must be identified by dog-tags supplied by Municipal Agricultural Office at minimal cost chargeable against the owner bearing the date of immunization;

**Section 91.** The Local Philippine National Police [PNP] shall take charge of apprehending/ impounding stray dogs and providing impounding cage and after twenty-four [24] hours, has the right to dispose such if not claimed by the owner.

**Section 92.** The owner of the dog has an obligation to submit regularly thereafter their pet for immunization/injection of anti-rabies after one (1) year of the date of last immunization/ injection in coordination with Municipal Agricultural Office.

**Section 93.** In case of dog bites the owner of dogs shall assume liability of all expenses be it immunized or not immunized.

### **Chapter XX: MISCELLANEOUS PROVISIONS**

**Section 94. Enforcing Agency.** The Municipal Health Office and Municipal Treasurer's Office are hereby mandated to strictly enforce this ordinance

- a) Unless otherwise provided in any Chapter or Section in this Code, any person who shall violate, disobey, refuse, omit or neglect to comply with any of the provisions of this Code and the rules and regulations promulgated under this Code shall be guilty of

misdemeanor and, upon conviction, shall be punished by imprisonment for a period not exceeding six (6) months or by a fine of not exceeding P2, 000.00 or both depending upon the discretion of the court.

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

**Section 95. Separability Clause.** In the event that any section, paragraph, sentence, clause, or word of this Code is declared invalid for any reason, other provisions thereof shall not be affected thereby.

**Section 96. Repealing Clause.** All ordinances, as well as pertinent rules and regulations thereof, which are inconsistent with the provisions of this Code are hereby repealed or amended accordingly.

**Section 97. Effectivity.** – This Code shall be deemed effective upon approval.

ATTESTED:

**JOVITO P. PUNZALAN**  
SB Secretary

CERTIFIED CORRECT:

**Hon. FERDINAND C. VALDEZ**  
Municipal Vice Mayor & Presiding Officer

APPROVED:

**Hon. CONCEPCION A. ZARATE**  
Municipal Mayor

\_\_\_\_\_  
Date