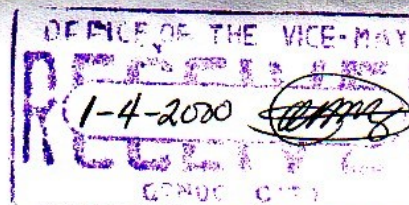
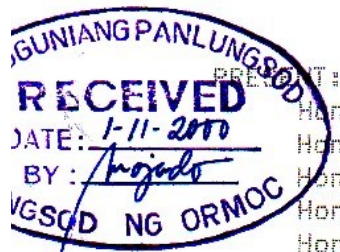


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON DECEMBER 29, 1999 IN LIEU OF  
DECEMBER 30, 1999



PRESENT:

Hon. Celso P. Adolfo,	City Vice Mayor & Presiding Officer
Hon. Nepomuceno P. Aparis I,	City Councilor, Majority Floor Leader
Hon. Dennis Y. Capuyan,	City Councilor, Assist. Maj. Floor Leader
Hon. Jose S. Serafica,	City Councilor, Minority Floor Leader
Hon. Mariano Y. Corro,	City Councilor
Hon. Sotero M. Pepito,	City Councilor
Hon. Alfredo F. Capahi,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor
Hon. Claudio P. Larrazabal,	City Councilor
Hon. Fernando P. Parrilla,	Ex-Officio City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Chiqui B. Labagala,	Ex-Officio City Councilor, SK Federation President

EXPLANATORY NOTE

With the expectation that the City of Ormoc, on account of its geographical location as gateway in Region 8 to the rest of the Visayan Islands and may eventually become an industrial center in the Province of Leyte with the realization of its Leyte Provincial Industrial Center, the need for good, sound health rules and regulations pertaining to the health and welfare of the community cannot be over emphasized.

Specific safeguards to protect, control and monitor industrial hazards, such as atmospheric contaminants, poor illumination, improper ventilation, harmful and obnoxious effluvia and accidents peculiar to industrialization shall be adequately provided by the local government in coordination with all other government agencies and sectors and with the non-governmental organizations as well. It is what this SANITARY CODE hopes to achieve.

WHEREFORE, on motion of City Councilor Dennis Y. Capuyan, Chairman, Committee on Health, Public and Social Welfare, Women & Family, severally seconded by City Councilors Fernando P. Parrilla, Sotero M. Pepito and Eduardo P. Tan; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass and enact:

ORDINANCE NO. 75

THE 1999 REVISED SANITARY CODE OF ORMOC CITY AND SHALL  
HEREINAFTER BE REFERRED TO AS THE "SANITARY CODE".

Be it ordained by the Eighth Sangguniang Panlungsod ng Ormoc, in  
regular session assembled, That:



ARTICLE I

TITLE

SECTION 1. - This Ordinance shall henceforth be known and cited as "The 1999 Revised Sanitary Code of Ormoc City" and shall hereinafter be referred to as the "SANITARY CODE".

ARTICLE II

TERRITORIAL JURISDICTION

SECTION 1. - For the effective implementation of the provisions of this Sanitary Code, the City Health Officer or his duly authorized representatives shall exercise such powers vested in him by law within the territory of the City of Ormoc.

ARTICLE III

THE CITY HEALTH OFFICER

SECTION 1. - ADMINISTRATIVE AND GENERAL POWERS - The City Health Officer shall be in charge of Ormoc City Health Department, without prejudice to the powers and duties granted to him by R.A. 7160 or the Local Government Code of 1991.

As such, he shall:

A. Supervise the personnel and staff, formulate program implement guidelines and rules and regulations for the operation of said office with the approval of the City Mayor to better assist him in the efficient, effective and economical implementation of health service programs geared towards the realization of health related projects and activities.

B. Formulate measures for the consideration of the Sanggunian and provide technical assistance to the Mayor to ensure the delivery of basic health services and adequate facilities as provided for in R.A. 7160, Section 17.

C. Develop plans and strategies and upon approval by the Mayor, implement the same, particularly those concerning health programs and projects that the Mayor is empowered to implement by the Local Government Code of 1991. (R.A. 7160)

D. In addition to the foregoing duties and functions, the health officer shall:

1. Formulate and implement policies, plans, programs and projects to promote the health of the people of Ormoc City.

2. Advise the Mayor and the Sanggunian on matter pertaining to health;

3. Execute and enforce all laws, ordinances and regulations relating to public health;



4. Recommend to the Sanggunian, through the local health board, the passage of such ordinances as he may deem necessary for the preservation of public health;
  5. Recommend the prosecution of any violation of sanitary laws, ordinances or regulations;
  6. Direct the sanitary inspection of all business establishments selling food items or providing accommodations such as hotels, motels, lodging houses, pension houses, and the like, in accordance with this Code;
  7. Conduct health information campaigns and render health intelligence services; and
  8. Coordinate with other government agencies and non-governmental organizations involved in the promotion and deliver of basic health services.
- E. Be in the front-line of the delivery of health services, particularly during and in the aftermath of man-made and natural disasters and calamities; and
- F. Exercise such other powers and duties as may be prescribed by general or special laws.

SECTION 2. - ISSUANCE OF SANITARY PERMITS - All business establishments whether food or non-food must secure a sanitary permit which shall be issued by the City Health Officer or his duly authorized representative after compliance with all the requirements as called for in this Sanitary Code.

The Sanitary Permit shall be made as pre-requisite to the issuance of a business permit before operating the business and for every renewal thereafter.

SECTION 3 - VISITORIAL POWERS -

- A. The City Health Officer, his Assistant, Medical Officer or any of his duly authorized representatives upon presentation of proper credentials may enter any quarter for human habitation, any kind of building, structure, house, or premises to perform sanitary inspection or for the purpose of vaccination or inoculation of occupants therein and to discover or detect any communicable disease which is prejudicial to public health. Such exercise of powers may be conducted in a manner that affords human courtesy.
- B. Such visits and inspections may be made between 6:00 A.M. and 6:00 P.M. on normal conditions, except when in the interest of public health that an immediate attention is required. Such entry or right to visit shall not be limited nor restricted to any hour of the day or night.
- C. No person after being notified shall in any manner hinder, obstruct, resist, or interfere with or disregard the sanitary personnel in the proper and legal discharge of their duties, nor shall any person conceal or assist in the concealment or escape of anyone believed to be suffering from any communicable or notifiable disease.



ARTICLE IV

MISCELLANEOUS PROVISIONS

SECTION 1. - BUILDING - Owners, proprietors, managers and lessees of buildings shall be held responsible for the observation and maintenance of environmental sanitation and proper drainage and to comply with all other requirements as provided for in this Sanitary Code.

SECTION 2. - PUBLIC PLACES - Public places in this Sanitary Code shall refer to any open space, or any public or private building, where people regardless of age, race, nationality, religious beliefs or creed may gather, group, or assemble for a specific purpose as for amusement, entertainment and recreation, education, rallies, treatment, transportation and even buy or sell goods.

SECTION 3. - HOME INDUSTRIES - Owners, proprietors, managers or lessees of any home industry are required to maintain environmental sanitation in their premises as provided for in this Code and institute measures to protect the workers from any health hazards as determined by the City Health Officer or his duly authorized representative.

SECTION 4. CLINICAL LABORATORIES. - Owners, managers or lessees of Clinical Laboratories must comply with all the requirements provided for in this Sanitary Code.

SECTION 5. PROPERTIES OF DRINKING WATER. - Drinking water must be clear, colorless without objectionable taste and odor, and above all, it must be free from organism, chemical concentrations and levels of radioactivity which would be hazardous to the health of the consuming public.

SECTION 6. INTERFERENCE WITH THE POSTING OF PLACARDS AND NOTICES - No person shall interfere with or obstruct any health authority in the posting of any placard or notice in accordance with the requirements of this Sanitary Code, in or on any place or premises, nor shall any person conceal, mutilate or remove any such placard or notice except by direction of the health officer.

In the event of any such placards or notices being removed, concealed, mutilated, it shall be the duty of the occupant, owner or person in charge of the premises wherein such placard or notice is posted to immediately notify the health officer of such fact and of the identity(ies) of the malefactor(s).

SECTION 7. NUISANCE - The abatement of nuisance in any form shall be the responsibility of the person or persons causing it.

SECTION 8. SMOKING - Smoking as herein provided is allowed in areas unless and where prohibited by existing local legislation.

SECTION 9. DOMESTIC ANIMALS - No domestic animals shall be allowed to stray in the streets, public parks or plazas; and shall be governed by existing local legislation.

SECTION 10. NOTIFIABLE DISEASES. - All establishments, hospitals, medical clinics, health centers, and medical practitioners are required to report all cases of notifiable diseases encountered in their medical practice every month to the City Health Department.



SECTION 11. PENAL PROVISIONS. - Unless provided in the specific article, violation of any of the provisions of this Sanitary Code shall be sanctioned under Article XXXIX.

ARTICLE V  
SANITARY PERMITS AND HEALTH CERTIFICATES

SECTION 1. REQUIREMENT OF SANITARY PERMITS AND HEALTH CERTIFICATES.

- A. No person or entity shall operate a business establishment without securing a permit from the local health officer.
- B. No person shall be employed in any business establishment without a health certificate issued by the local health authority.
- C. Business establishment shall conduct vermin abatement control, every six (6) months for food establishment and once a year for non-food establishment. Proof of compliance of the preceding requirement in form of certificate issued by a qualified and license pest control firm shall be needed in the issuance/renewal of Sanitary Permit.

SECTION 2. RENEWAL OF SANITARY PERMITS. - Sanitary Permits for Business Establishment shall be renewed annually.

SECTION 3. FAILURE TO RENEW SANITARY PERMITS. - If any business establishment fails to renew its sanitary permit, it shall be liable to penal provision of Art. XXXIX.

SECTION 4. REQUISITES TO OBTAIN SANITARY PERMITS. -

A. FOOD ESTABLISHMENTS. - Compliance of the following are required before the issuance/renewal of a sanitary permit.

- 1. Inspection of an establishment. - The Sanitary Inspection Form of Food Establishment (EHS Form No. 103-A) shall be used as a guide during the inspection of the establishment. New establishment applying for a sanitary permit shall be inspected by health representatives or sanitation inspectors to determine if the said establishment have met the minimum requirement on environmental and health sanitation to the satisfaction of the City Health Officer or his duly authorized representatives. Establishments applying for renewal of the sanitary permit shall be subjected to similar inspection.
- 2. Health Certificate of Personnel. - Every person engaged in manufacturing, processing, preparing, serving, dispatching, transporting, handling, or manipulation of food products in any restaurant, canderia, sweet shop, cooked foodstand or acting as ambulant vendor of sweet or iced refreshments, shall obtain a health certificate issued by the City Health Officer or his authorized representative. This certificate shall show that the person is in good health and is not a carrier of specific pathogenic organism. The same shall be valid for one year from the date of issuance until such time for the renewal thereof. Provided, that the certificate shall be issued only after the person concerned has undergone the required physical, medical and chest X-ray examinations and a satisfactory stool culture result when applicable. The stool



culture shall be conducted every six (6) months, and only at the City Health Department Laboratory.

3. Water Analysis. - Quarterly water analysis of the water system of the establishment for drinking showing negative results of contamination shall be required for renewal of sanitary permit and for new establishments, a negative result of water analysis conducted not earlier than the last preceding quarter shall be sufficient.

B. NON-FOOD ESTABLISHMENTS. - Compliance of the following is required before the issuance of a sanitary permit.

1. Inspection of the Establishment. - The same procedure shall be followed before the issuance/renewal sanitary permits to non-food establishment as required in Section 4 A of Art. V.
2. Health Certificates of Personnel. - All personnel of non-food business establishments shall comply with the following requirements to obtain a health certificate:
  - a. For hostesses, entertainers, guest relation officers, dancers, singers and other female employees of night clubs, disco houses, karaoke bars/sing along joints, dancing halls and other business of similar nature, the health certificate should be renewed every year.
    - 1) Physical Examination. - This is to ensure the physical fitness of the worker.
    - 2) Chest X-Ray - This is to be conducted annually. When necessary as determined by physician, X-ray may be required oftener.
    - 3) Stool Culture - This is done to rule out the possibility that the worker may harbor pathogenic organisms and may act as a carrier of a communicable or food transmittable disease to be conducted every six (6) months if available in the City Health Office laboratory, otherwise stool examination shall be done.
    - 4) Hygiene Examination - This shall be conducted weekly at the STD-AIDS Detection Center of the City Health Department. If found positive for STD or other infectious diseases, the health certificate shall be temporarily confiscated and the worker is temporarily suspended from engaging in the occupation. He or she shall submit to full treatment at the STD-AIDS Detection Center of the City Health Department until pronounced cured to the satisfaction of the City Health Officer or his duly authorized representative. If cured, the employee may be reinstated and his or her certificate revived. Only examination conducted at the STD-AIDS Detection Center of the City Health Department shall be honored for the issuance of health certificates.



5) Blood Examinations - HIV antibody determination for AIDS, Hepatitis B surface antigen determination for Hepatitis B and VDRL for syphilis shall be performed at the City Health Department laboratory every six (6) months, unless a more frequent examination is deemed necessary. If found positive the health certificate shall be confiscated and suspended permanently from engaging in the occupation and be subjected for further evaluation and management as recommended by the City Health Office.

b. For barbers, beauticians, hairstylists, manicurists, pedicurists and other personnel rendering or performing similar work, the health certificate should be renewed every year.

The requirements are the same as with 2.a except of hygiene examination.

c. For other personnel not covered in 2.a and 2.b the health certificates should be renewed annually. The requirements are the same as 2.a except for the hygiene and blood examination. Stool examination shall be done instead of a stool culture.

SECTION 5 - SANITARY ORDERS. - The Sanitary Order shall contain a list of sanitary deficiencies issued, after an inspection has been conducted by sanitation officers, to the proprietor, manager or lessee of the establishment for the accomplishment and correction of such deficiencies within a reasonable specified time. Failure to comply with the sanitary order shall be deemed as a violation of this Sanitary Code and shall be made subject to the penalty as may be imposed herein.

SECTION 6. ITEMS FOR INSPECTION. - Items to be inspected shall include the following:

A. For Food Establishment

1. Sanitary Permit
2. Health Certificates
3. Uniform of Personnel
4. Toilet Facilities
5. Kitchen/Baking Room
6. Preparation Room/Area
7. Dining Room/Display counters
8. Storage Room Facilities
9. Washing Facilities
10. Water Supply
11. Water Analysis
12. Rodents and Vermin inside the establishment
13. Drainage Facilities
14. Copy of the 1999 Revised Sanitary Code of Ormoc City
15. General Sanitary Condition of the Establishment
16. Medicine Cabinet with Facilities for First Aid Medication
17. Others/Recommendation

B. For Non-Food Establishments

1. Sanitary Permit
2. Health Certificate
3. Uniform of Personnel
4. Toilet Facilities
5. Workroom



6. Equipment (i.e. machinery, projectors, chairs, etc.)
7. Linens and towels, bed sheets, pillow cases and blankets
8. Presence of animals (i.e. rodents, insects, rat, cockroaches, cats, dogs, etc.)
9. Lavatory and other Washing Facilities
10. Source of Water Supply
11. Industrial Hazards to Workers
12. Presence of Nuisance
13. Cleanliness of rooms, corridors, stairs, passage ways, storage rooms, yard and environs
14. Copy of 1999 Revised Sanitary Code of Ormoc City
15. General Sanitary Condition of the Establishment
16. Medicine Cabinet with Facilities for the First Aid Medication
17. Others/Recommendation

SECTION 7. DISPLAY OF SANITARY PERMITS. - All proprietors, owners, managers, lessees or persons in charge of the business establishment shall be held responsible to place or display the sanitary permit in a conspicuous place within the store, shop, parlor, or office of the business establishment and the same shall be readily available to the Sanitation Inspectors or health representatives for inspection.

SECTION 8. EVALUATION OF BUSINESS ESTABLISHMENT. -

- 1) SANITARY INSPECTION - It shall be the duty of the City Health Officer to cause an inspection and evaluation of every food establishment requiring a sanitary permit for its operations, and shall cause as many additional inspections and re-inspections and evaluation to be made as are necessary for the enforcement of this ordinance.
- 2) REPORT OF INSPECTION - The Sanitary Inspector who conducted the inspection shall complete the sanitary inspection report, and whenever an inspection form issued indicates non-compliance to items relative to any particular type of premises, the inspector shall notify within forty-eight (48) hours the holder of the sanitary permit, the owner, manager or occupier of the correction to be made and indicate a reasonable period of its compliance.
- 3) RE-INSPECTION - If upon re-inspection after the deadline, the sanitary inspector finds that correction has not been affected, he shall report to the city health officer and the city health officer shall recommend to the City Mayor for the revocation of the Sanitary Permit.
- 4) SERVICE OF NOTICE -
  - 1) Whenever an inspection or evaluation form indicates non-complying item, the City Health Officer may cause to be served on the holder of the permit, the owner, manager or occupier a notice (Sanitary Order) requiring him, within the time (grace period) stated in the notice, to take such remedial action as may be specified therein.
  - 2) In the event of non-compliance within the time of the first Sanitary Order, the health officer may cause the issuance of a second notice to the holder of the permit, owner, manager or occupier. The Second Notice shall contain a call on the holder of the permit, the owner,



manage or occupier to show cause, at a time and place stated in the notice, why the permit issued to the food establishment shall not be revoked.

- 5) The establishment owner may file a motion for reconsideration to the City Mayor, if he is not satisfied with the action of the City Health Officer;
- 6) The City Mayor may file a case in court against any establishment who continuously operates its business even after the revocation of its Sanitary Permit.

SECTION 9. FEES FOR SANITARY PERMITS. - All business establishments shall be required to pay Sanitary Permit to the City Treasurer or his duly authorized representative before the sanitary permit is issued, the same shall be imposed every renewal thereafter.

SECTION 10. FEES AND RENEWAL OF HEALTH CERTIFICATES. -

All personnel of business establishment shall be required to pay for a fee of ₱10.00 for the issuance of the Health Certificate, aside from the necessary laboratory fee before the health certificate card is issued, the same fee shall be required for every renewal.

Health certificates shall be renewed annually on the employees birth month. Health certificates issued for the first time before the employee's birth month shall be renewed on the employee's birth month for that year.

SECTION 11. SUSPENSION OR REVOCATION OF HEALTH CERTIFICATES. - Any violation of any provision of this Sanitary Code shall be a ground for the suspension or revocation of the health certificate. Such violation shall be determined by the City Health Officer or his duly authorized representative.

First Offense	-	Warning
Second Offense	-	Suspension for thirty (30) days
Third Offense	-	Revocation

A written information shall be immediately sent to the proprietor, manager or lessee of the establishment concerned that such action has been instituted against their employee for their guidance and proper management action.

ARTICLE VI  
INDUSTRIAL HYGIENE AND SANITATION

SECTION 1. GENERAL REGULATIONS. - Without prejudice to the preceding provisions of this Sanitary Code, no atmospheric contaminants hazardous to health be permitted in concentrations tending to accumulate, condense, or pose a fire or explosion, reduce visibility or produce nuisance.

SECTION 2. POOR ILLUMINATION. - Too glaring, flickering or poor illumination should be avoided; excessive brightness affecting the visual task and its surroundings should likewise be avoided.

SECTION 3. VENTILATION. - Outside air should be allowed to circulate at all work rooms at the rate of 15 cubic feet per minute per person, provided that work is not exposed to air velocities exceeding 200 feet per minute except under special circumstances. In air



conditioned plants, however, air temperature of 60 degrees Fahrenheit should be maintained unless prohibited by process requirements.

SECTION 4. EXHAUST VENTILATION. - Local exhaust ventilation shall be effectively grounded, have air cleaning devices to remove air contaminants and shall be explosive-proof; lumber mills, corn mills, rice mills and factories shall be provided with chimneys or its equivalent as approved by the City Health Officer to prevent the emission of such smoke or obnoxious odors.

SECTION 5. Noise level in the working area should be in accordance with the standard set by the labor code.

SECTION 6. PROTECTION DEVICES. - Personal protection devices shall be provided to factory workers at management expense, such as but not limited to, masks, goggles, ear plugs, protective clothing and hand gloves, whenever dusts fumes, radiation substances and other irritants are produced in the manufacturing process in a manner capable of producing pathological change or may cause injury to factory workers.

SECTION 7. HOUSEKEEPING. - Housekeeping should not be done during office hours, and in places where wet method or process are used.

SECTION 8. DRAINAGE. - Reasonable drainage system should be provided and maintained. Flushed floor, platform, mat or other dry standing places should be provided as well.

SECTION 9. SANITATION RATIOS. - Sanitation ratio shall be as follows: one (1) drinking facility per fifty (50) employees; one (1) lavatory facility for every twenty (20) to thirty (30) employees; one (1) shower bath for every thirty (30) persons exposed to excessive heat or skin irritants; a toilet provided on the following graduation, one (1) for 1-9 employees, two (2) for 10-24, three (3) for 50-74, five (5) for 75-100 employees and an additional facility for thirty (30) employees over 100.

It shall be mandatory to require employees/persons exposed to contaminants which are hazardous to leave their expose clothing behind and take a shower in the facilities provided for in the company before leaving the working area.

SECTION 10. STORAGE FACILITY. - A suitable clothes storage facility should be provided for workers exposed to contaminants.

SECTION 11. MEAL AREA. - The factory must be provided with an adequate space suitable for employees to take their meals, especially in establishments where employees are required to stay during meal periods.

SECTION 12. FIRST AID AND OTHER MEDICAL SUPPLIES. - Management must provide their establishment with a medicine cabinets containing first aid medicines, medical supplies and minor surgical instruments as a precaution in the event of emergencies arising in connection the ordinary course of business operations. A hired paramedic is sufficient instead of a doctor or nurse if the business cannot afford the services of a licensed nurse or doctor.

SECTION 13. PENAL PROVISIONS. - Any person, natural or juridical, found violating any of the provisions of this Article shall be penalized as mentioned under the Article XXXIX.



In case of juridical entities, the president, director or manager thereof shall be held responsible for the violation and shall be charged accordingly.

## ARTICLE VII

### WATER AND WATER SOURCE

SECTION 1. CONDITIONS FOR THE CONSTRUCTION OF WELL AND CISTERN. - Well and cisterns from which drinking water is to be obtained shall not be dug or constructed except under such conditions imposed by the National Water Resources Council. Such well and cistern when authorized shall be maintained in a sanitary manner to the satisfaction of the City Health Officer and Ormoc Waterworks and Sewerage Authority (ORWASA) or his authorized representative.

Shallow wells shall be discouraged, however in places where deep well are not available and are not practicable, the open dug well for drinking purposes, must be covered with concrete and the same must be provided with a jetmatic pump. A platform should be built around the dug well of at least one meter from the wall casing to prevent the accumulation and stagnation of water and at least twelve inches above the highest known flood-water.

SECTION 2. CONDITIONS FOR APPLICATION IN CONSTRUCTING WELLS. - Drilling of artesian wells, either public or private, should only be undertaken by a duly licensed Master Plumber who should submit a written application bearing his signature and that of the owner to Ormoc Waterworks and Sewerage Authority (ORWASA) and City Health Officer. Said application should indicate the exact location of the proposed artesian well, the distance of the nearest toilet and the drainage to be connected to the main canal of the street. The said well after the completion of its construction must be provided with a cemented canal. The water from the well should not be used for drinking purposes without having first examined bacteriologically by the City Health Department Laboratory. The construction of the said dug well shall be subject to supervision and recommendation of the City Health Officer.

SECTION 3. CITY GOVERNMENT'S DUTY TO PROVIDE WATER SOURCE. - In areas within Ormoc City where artesian wells or other water sources are not available, the City Government shall cause the public well to be constructed in area approved by the City Health Officer and the City Engineer for the use of the residents thereat.

✓ SECTION 4. PROHIBITIONS. - No person shall throw or deposit any refuse, garbage or other material harmful or filthy in nature into the well, spring, or any other source of water supply used for drinking purposes.

No person shall be allowed to take a bath or wash clothes within a radius of ten (10) meters from the artesian well, spring, dug well or any other source of water supply for drinking purposes.

SECTION 5. HEALTH CERTIFICATE OF WATER HANDLERS. - Any person who purports to be a water handler or a water seller shall subject himself for physical examination in order to be issued with a health certificate before he is allowed to engage in such trade.

SECTION 6. AIR TIGHT AND DUST PROOF CONTAINERS. - All cans, receptacles and other containers used or intended to be used by persons engaged in handling or selling water for drinking purposes must be



provided with air-tight and dust proof covers to prevent insects, flies, mosquitoes and dust from settling within. Hands must be scrupulously clean before handling water supply.

SECTION 7. DRAINAGE. - The source of water supply should be provided with sufficient drainage system in order to prevent the water from stagnation and for mosquitoes and other vermin and insects from breeding therein.

SECTION 8. WATER ANALYSIS. - All public wells shall be examined by health representatives and water samples shall be subjected to bacteriologic examination at the City Health Department Laboratory to ensure its potability.

SECTION 9. WATER ANALYSIS AND TREATMENT FEES. - The result of any analysis conducted that shows positive for enteric micro-organism shall be treated for free, in case of public wells.

A fee for bacteriologic examination shall be imposed in the case of private wells. The required payment for treatment for private wells shall be determined by the health representative depending upon the extent of treatment to be made.

#### ARTICLE VIII

##### SANITARY TOILETS AND LATRINES

###### SECTION 1. TOILET AND LATRINES SPECIFICATIONS.

A. Toilets and latrines shall have a floor area of not less than one square meter (1 sq.m.) and only the following waste and sewage disposal unit shall be permitted;

1. For structures made of strong materials - water closet with septic tank types;
2. For structure of mixed materials - either water closet or water seal latrines;
3. Any other system approved by the City Health Officer

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.

- B. All buildings either private or public, of strong, mixed or light materials shall have a suitable, adequate and sufficient privy accommodation or at least a water-sealed privy. (PD 856) Sanitary Code of the Philippines.
- C. All public comfort stations or closets and other places used as such shall be ventilated and lighted adequately.
- D. Separate toilets and latrines shall be constructed for each gender, the number of which shall be determined by the City Health Officer.
- E. Toilets to be constructed near or around hospital compounds, schools, churches or other buildings for assembly must be of water closet type and with a distance of not less than ten meters (10 m.) from said buildings.



- F. Only water-sealed types or its equivalent shall be acceptable unless in cases of emergency, like that of a calamity, or situations of temporary nature, like that of a fiesta or other celebration, where there is an increase in population, other types of toilet facilities may be used as approved by the City Health Officer or his authorized representative provided that such facilities are kept and maintained in a sanitary condition.

SECTION 2. SANITARY PIT PRIVY TYPE. - No toilet of the sanitary pit privy type shall be constructed even if temporary in character, unless a distance of thirty meters (30 m.) radius from artesian wells, sanitary dug wells, springs or any source of water supply is observed. However, if the toilet has a water-tight septic tank as its disposal point, a radius of ten meters (10 m.) shall be sufficient.

Subject to the provisions of PD 1096, Chapter 8, no toilet latrine or comfort station shall be constructed without adequate facilities for ventilation as approved by the City Engineer or his authorized representative upon recommendation by the City Health Officer or his authorized representative. Likewise, no such toilet or latrine shall have direct access with any kitchen or dining room.

Sanitary Privies - The privy recommended for use is the Sanitary Privy. It shall conform with the following minimum requirements:

- (a) It shall consist of an earthen pit, a floor covering the pit, and a water-sealed bowl. It shall be so constructed in order that fecal matter and urine will be deposited into the earthen pit which shall be completely fly-proof.
- (b) The pit shall be at least one (1) meter square.
- (c) The floor should cover the pit tightly to prevent the entrance of flies. It should be constructed of concrete or other impervious material.
- (d) The water-sealed bowl shall be joined to the floor so as to form a water-tight and insect proof joint.
- (e) A suitable building shall be constructed to provide comfort and privacy for the users of the privy.
- (f) Wooden floors and seat risers shall not be used.

SECTION 3. CONSTRUCTION OF PUBLIC COMFORT STATIONS. - It shall be the duty of the City of Ormoc to construct according to plans approved by the Office of the City Engineer upon recommendation by the City Health officer, public comfort stations, repair and maintain the same in such places in the city and in outlying barangays within its jurisdiction. Provided, that during fairs, fiesta, pilgrimage or calamities where there is a temporary increase in population within the area, additional public comfort stations may be constructed as determined by the City Health officer.

SECTION 4. SANITARY TOILETS FOR CONSTRUCTION WORKERS. - Contractors, managers of construction works shall be responsible to provide sanitary toilets of water-seal type or its equivalent for the use of construction workers for the duration of the construction project and such shall be maintained properly by keeping it clean at all times.



The ratio of toilet facility to the number of workers shall be one is to twenty (1:20) and an additional station for any fraction thereof.

SECTION 5. DISPOSAL OF WASTES. - Human excreta or the contents of any closet, latrine, privy or receptacles shall be deposited only in proper containers or pits approved by the City Health Officer. No pit for the reception of human excreta shall be constructed less than ten meters (10 m.) away from any human habitation. Effluent materials from the septic tank should be disinfected with 5% carbolic acid or creolin solution.

In order to prevent the escape of odors and to prevent the breeding of flies and other insects, when such pit becomes filled to an eight of its original depth, the City Health Officer shall cause the pit to be filled with earth and a new pit be dug out.

SECTION 6. REMOVAL OF SEPTIC TANK CONTENTS. - No septic tank sludge remover shall be allowed to remove the contents of the septic tank without the written consent of the City Health Officer. In removing the contents of the tank the following conditions must be strictly observed:

- A. The work shall begin at midnight and must be concluded at 4:00 a.m. for the manual removal. For mechanical sanitary suction, the operation may be permitted between 6:00 p.m. until the following day; provided that the health and convenience of the neighborhood is duly considered.
- B. The contents removed must be disposed of properly in a place and manner designated by the City Health Officer, and concurred by the Environmental and Natural Resources Division (ENRD) Pollution Control Office (PCO).
- C. Full payment of the work must be done after the same is declared satisfactory by a representative of the City Health Department, and concurred by the Environmental and Natural Resources Division (ENRD) - Pollution Control Officer (PCO).
- D. The procedure must be done in the most efficient and expeditious manner without detriment to public health.
- E. The contents of the tank must be disinfected first with creolin solution before removal.

## ARTICLE IX

### DRAINAGE

SECTION 1. CONSTRUCTION AND MAINTENANCE OF PUBLIC SEWERS AND DRAINAGE. - It shall be the duty of the City of Ormoc to construct and maintain the sanitary state and cleanliness of public sewers and drainage upon the recommendation of the City Health Officer.

SECTION 2. MAINTENANCE OF PRIVATE DRAINAGE. - It shall be incumbent upon all property holders or owners to provide at their expense, measure of maintaining the sanitary state of their drainage systems subject to the judgment of the City Health Officer necessary to protect the interest of the public health.



SECTION 3. SANITARY DRAINAGE FACILITIES. - The City Health Officer or his authorized representative upon the recommendation of the City Engineer, shall have the discretion to direct the installation or construction of adequate sanitary drainage facilities of private property and connect the same to public drainage and sewer systems that are existing.

SECTION 4. AUTHORITY OF CITY HEALTH OFFICER OVER CESSPOOLS AND STAGNANT WATERS. - The City Health Officer or any of his duly authorized representatives shall have the authority to order that cesspools, stagnant waters, unsanitary or offensive sites and places owned privately to be drained, filled, cemented or otherwise remedied for the protection and maintenance of public health.

Provided, that when the owner or administrator of any such property where the cesspool or stagnant water may be located refuses or fails to perform, such work shall be done by the city government for the reimbursement of the owner or administrator, and the cost of such work shall be a lien upon the property involved.

Provided further, that the requirements of this section shall not be applicable to land used for agricultural or industrial purposes when said provision shall interfere with the ordinary use of said purpose.

SECTION 5. RIGHT TO CONSTRUCT DRAINAGE. - Subject to the provisions of the New Civil Code on Easements, whenever for reasons of public health, person are affected by unsanitary conditions caused by obstruction in the flow of waste or used waters or absence of adequate outlets from the property to the main private canal due to intervening estates, the dominant estates may establish easements for the flow of such water and has the right to construct drainage through the intervening estates with the obligation to indemnify the owners of the lower estates upon which the water may litter or drain.

SECTION 6. CONDITIONS TO AVAIL OF RIGHT. - Any person who desires to avail of the right granted in the preceding section must show and prove:

- A. That the proposed drainage is most convenient, less onerous to third persons and nearest the public drainage where it would be connected;
- B. That owners of the dominant estate must always keep and maintain the drainage canals in a sanitary condition and the necessary expenses borne by them;
- C. To indemnify the owners of the servient estates in accordance with their agreement or if there is no such agreement can be obtained by the parties such decision shall be determined by the courts.

SECTION 7. EASEMENT OF DRAINAGE. - In the case of stagnant water due to accumulation because the premises owned by different persons have no direct outlet to the main public canal, an easement of drainage can be established through the adjacent lands or tenements where the flow is more convenient and making the conduit in such a manner as to cause the least damage to any of the surrounding estates. Proper indemnification to the servient estates should be paid by the owners of the dominant estate.



SECTION 8. LOWLANDS AND VACANT LOTS. - It shall be the duty of every owner, lessee, agent or other person given the charge of any lowland or premises which are vacant or having tall weeds or stagnant water to put the same in a sanitary condition.

Failure to comply shall cause the city government to proceed with the required work at the expense of the owner, lessee or agent and such expense shall become a lien on the property in question.

#### ARTICLE X

#### NUISANCE

SECTION 1. NUISANCE. - For the purpose of this Sanitary Code, in addition to the definition of nuisance in the New Civil Code of the Philippines, the following are considered as acts and circumstances subject to abatement:

- A. Any failure to supply, or any inadequate or defective provision for drains, drain traps, ventilation pipes, subsoil drainage, or cesspool accommodations or other required provisions for the disposal of excreta;
- B. Any building or part of a building which is dark or otherwise ill-ventilated, or damp or in such dilapidated condition as to be dangerous or prejudicial to the health of the occupants therein;
- C. Any building or part of a building which is infected with rats in such a manner as to endanger public health;
- D. Any premises which are dirty or unsanitary condition;
- E. Any street, or road, or any part thereof of any water course, ditch, gutter, side channel, drain, dump, as pit, sewer, privy, latrine, urinal or cesspool so foul as to be offensive or unhealthy;
- F. Any water source, well, tank, pool, canal, conduit or cistern the water of which from any cause is tainted with impurities as to be injurious to the health of the general public;
- G. Any stable, cowshed, pigsty, poultry or any household keeping any livestock animal within a residential area;
- H. Any deposit of stagnant water, sewage water, manure, household refuse or other matter considered to be unhealthy;
- I. Any obnoxious matter flowing or being discharged from any premises, wherever situated, into any street or road.
- J. Any business, trade or establishment obnoxious or unhealthy nature, unless approved by the City Health Officer as evidenced by the Sanitary Permit issued accordingly.
- K. Any cemetery or place of burial so situated within or near a residential area.
- L. Any chimney or furnace sending smoke or gases in such quantity beyond the tolerable level imposed by the Department of Environment & Natural Resources as to be unhealthy for the public and the environment.



- M. Defecating, urinating or expectorating in any street, alley, pathway, public or open space, or depositing any refuse, filth, hay stray, offal or any other offensive substance detrimental to health;
- N. Any tank, cistern, well, tube, or any other container which can be made as breeding grounds for mosquitoes and other insects.
- O. Any premises wherein dead animals, other than those lawfully slaughtered for food, are deposited, buried, or permitted to remain longer than what is reasonably allowed. Provided, that the owners or occupants of the premises shall not be held responsible for failure in removing the dead animals weighing more than thirty pounds, if it shall appear that prompt notice of the circumstance has been reported to health authorities. Provided further, that the provisions of this article shall not be construed to prevent the depositing of dead animals proper cemetery for cremation, nor at any factory making use of dead animals or parts thereof in manufacturing.
- P. Any act, omission which is or may be dangerous to life or injurious to health.
- Q. Smoking cigarettes, cigars, pipes in public buildings (except in designated areas) and public utility vehicles.
- R. Smoke (Carbon Monoxide) emitted from vehicles as to cause air pollution and harmful to the health of the pedestrians and the general public.
- S. Excessive noise from whatever source.

In all applicable situation demolition and or closure maybe executed immediately by the City Health Officer or his authorized representative when immediate action is needed.

## SECTION 2. OFFENSIVE TRADES AND UNWHOLESOME OCCUPATION -

- A. "Offensive Trades" shall be held to be one of an offensive, dangerous or disagreeable characters and shall include soap boiling, tallow melting, killing, cleansing and disemboweling of animals, the cleaning of guts, boiling of offal and bones, fat or lard, except in public slaughterhouse which comes under special regulations; manufacturing glue or fertilizer; and any other forms or manufacturing activities which pollute the surrounding atmosphere or premises and is considered to be dangerous to the health of the workers as well as to the neighborhood. All such occupation of trade shall be carried out under the sanitary regulations and directives prescribed by the City Health Department.
- B. "Unwholesome Occupation" shall be held to be one that is injurious to those who exercise it or harmful by reason of the materials used and shall include lye making or any manufacturing process where poisonous substances are used; or other conditions tending to endanger or shorten life. However, nothing in this provision shall be construed as to interfere with the practice of pharmacy, dentistry or other professions or business regulated by special laws.



SECTION 3. NON-COMPLIANCE, CONSEQUENCE. - No offensive business or occupation shall be carried on except in accordance with the sanitary regulations, and when practicable, the buildings in which it is conducted shall be located not less than fifty meters (50 m.) from any building used as a dwelling house or a place of residence.

Failure to keep such places in sanitary conditions or comply with the regulations herein set forth and failure to dispose of the garbage or rubbish as required by this sanitary code shall be deemed sufficient cause for the closure of such business or establishment as maybe order by the City Mayor upon recommendation by the City Health Officer.

SECTION 4. REPAIRS AND IMPROVEMENTS. - No repairs, improvements or additions to buildings, premises or factories wherein any offensive or unwholesome business, trade or occupation is conducted, unless with the written approval of the City Health Officer.

SECTION 5. NIGHT REGULATION. - No person, other than the caretaker, shall be allowed during night time in any of the rooms or workplaces where offensive or unwholesome trade or business is conducted unless he is actually engaged in the trade or business.

SECTION 6. STORING OF MATERIALS. - All materials used in any offensive or unwholesome trade shall be stored in such a manner and in such places as to prevent the emission of obnoxious or injurious therefrom.

SECTION 7. ZONING. - No offensive nor unwholesome trade, business, or occupation shall be allowed to operate in places other than the zone assigned for this kind of industry by existing ordinances. When no such ordinance exist, the City Health Officer shall determine the suitability of the location, in concurrence with the Environment and Natural Resources Division (ENRD) - Pollution Control Office (PCO) & City Planning & Development Office.

## ARTICLE XI

### REPORTABLE, NOTIFIABLE OR COMMUNICABLE DISEASES

SECTION 1. DEFINITION OF TERMS. - The following shall mean as follows:

- A. Reportable or Notifiable Disease - all communicable disease and such other ailments, which although non-communicable in nature are nevertheless important and alarming to the public for the purpose of prevention and control;
- B. Communicable Disease - any disease that is transmitted from one person to another or from animals to persons. These shall include polio-myelitis, anthrax, meningitis, cholera, conjunctivitis, dengue, diphtheria, dysentery (amoebic, bacillary, etc.) filariasis, glanders, influenza, leprosy, malaria, measles, mumps, pertussis, plague (bubonic, pneumonic, septicemic), rabies, scarlet fever, venereal diseases or STD (sexually transmitted diseases) which include gonorrhea, syphilis, chancroid, granuloma inguinale), yellow fever, relapsing fever, typhus fever, typhoid fever, acute toxic condition with hemorrhage, acute infectious encephalitis, pneumonia, bronchitis, Tuberculosis infectious hepatitis (A and B), lymphogranuloma, meningococcal infection, malignant neoplasms, ophthalmia, AIDS (Acquired Immune Deficiency Syndrome), or such



other diseases as the Secretary of Health may declare to be communicable and dangerous to the public.

- C. Dangerous Communicable Disease - are those that afford maximum risk to the lives of individuals and are likely to break into an epidemic, such as, but not limited to, polio-myelitis, anthrax, cholera, plague (bubonic, pneumonic, septicemic), rabies, STD and AIDS.
- D. Other Reportable Diseases - the most common are food transmitted diseases, caisson diseases, poisoning by aniline and its derivatives, poisoning of arsenic, benzol, brass, carbon disulfide, carbon monoxide, carbon tetrachloride, illuminating gas lead, mercury, methyl alcohol and phosphorous; also animal bites, criminal abortion, and drug poisoning (not suicidal), acute or chronic drug overdose due to self-medication or on prescription.

SECTION 2. WHO SHALL REPORT. - It shall be the duty of all physicians, nurses, midwives, and other persons including parents and relatives of the sick, teachers, managers, operators, owners of business establishments, administrators of dormitories having knowledge or information concerning any suspected or actual case of communicable disease to report the same to the City Health Department as early as practicable or within 24 hours. Dangerous diseases must be reported immediately.

SECTION 3. MEDICAL PRACTITIONERS IN ESTABLISHMENTS. - All company physicians or medical retainers whose service are hired whether on part- or full time basis in any establishment shall be required to submit a written report of the fifteen (15) leading conditions or disease encountered in their respective establishments, with their corresponding number of actual cases at the end of every quarter of each year to the office of the City Health Officer.

The report shall always bear the signature of the medical practitioner of the establishment concerned.

SECTION 4. ISOLATION ROOMS. - All public and private hospitals, convents, colleges, halls and other places of like character where numerous persons live in close contact with each other shall be provided with separate rooms or compartments for the isolation of patients suffering or suspected to be suffering from a dangerous communicable disease.

SECTION 5. DISINFECTION.

- A. Concurrent and terminal disinfection shall be made compulsory in all diseases that are believed to be dangerous in nature and in such other diseases when the health authorities may deem it advisable in the best interest of public health; and no person shall hinder or interfere with any duly authorized health representative in the proper discharge of his duty.
- B. It shall be unlawful to deliver to a laundry service any clothing from a home or establishment where a case of dangerous communicable disease exists unless it has been previously boiled for twenty (20) minutes or disinfected in any way satisfactory to the City Health Officer.



- C. It shall likewise be unlawful to remove any infected house furniture, utensils or other objects unless disinfection has first been carried out and written permit has been obtained from the Office of the City Health Officer.
- D. It shall be the responsibility of the person-in-charge for any violation of the abovementioned provisions, subject to the appropriate penalty.

SECTION 6. QUARANTINE

- A. Any person suffering from dangerous communicable disease or believed to be the carrier of such disease shall be subject to isolation in order to safeguard the general public.
- B. Where there are isolation hospitals such persons shall be sent thereto unless otherwise directed by the City Health Officer or his duly authorized representative.
- C. For the purpose of preventing or suppressing dangerous communicable diseases, or for the purpose of establishing a sanitary or diagnostic procedure, the inmates or any house or other places where such disease exist or is suspected to exist may be subjected to quarantine which shall remain in effect until all danger has passed or until its purpose has been fulfilled or such quarantine be lifted by the City Health Officer or his authorized representative.

SECTION 7. HUMAN OR RODENT PLAGUE. - On finding a case or focus of either human or rodent plague in any building, structure or place, it shall be the duty of the City Health Officer to order such repairs or structural works as may be necessary to place such building, structure or place in a satisfactory sanitary condition with special reference to rat destruction, rat-proofing, and for other purpose of facilitating the catching or extermination of rats.

SECTION 8. NOTICE OF QUARANTINE. - Notices or placards stating the nature of disease shall be posted by authorities, on all houses under quarantine; and no person shall remove or deface such notice except upon order of the City Health Officer or his representative.

SECTION 9. TRANSFER OF ISOLATION CASES. - No person suffering from a dangerous communicable disease or suspected to be suffering from such disease be removed from one house to another or from one place to another except upon written permission from the City Health Officer; nor shall any vehicle or conveyance be used for such purpose unless permitted by these same authority.

All conveyance of whatever kind used in the purpose shall be subjected to disinfection before it is used by any other person not suffering from the disease as a means of transportation.

SECTION 10. PERSONS WITH COMMUNICABLE DISEASE.

- A. No person suffering or harboring the microorganisms of leprosy, tuberculosis, syphilis, dysentery, cholera or other dangerous communicable disease shall be permitted to work in any business establishment, especially where food and drink are prepared, manufactured, processed or handled.



- B. No laborer, employee, teacher, student or any other person suffering from or suspected to be suffering from any dangerous communicable disease or being or having been exposed thereto shall be permitted to attend or visit any factory, school, public meeting or assembly of whatever kind or for whatever purpose. Persons in charge of such places shall promptly report the presence or proximity of such diseases to the City Health Office.

SECTION 11. SEXUALLY TRANSMITTED DISEASE/HIV AIDS. - Whenever, upon the judgment and discretion of the City Health Officer, the morbidity of sexually transmitted disease/HIV AIDS shall increase considerably or abnormally, constituting a menace to public health, said official shall have authority to adopt measures and regulations for the suppression or control of the infected individuals, and whenever possible, their isolation and treatment.

## ARTICLE XII

### IMMUNIZATION AGAINST COMMUNICABLE DISEASE

SECTION 1. IMMUNIZATION: MANDATORY. - Submission to immunization against communicable disease involving the use of sera, vaccine, virus or any biological product to the prevention of such communicable disease is imperative and mandatory.

Every person must submit to vaccination, injection or inoculation free of charge when lawfully required for the prevention or checking up communicable disease regardless of whether or not there is an epidemic.

SECTION 2. VACCINATIONS. - Any other communicable disease from time to time may be effectively checked up by the use of vaccine or any biological products as the City Health Department may direct.

- A. BCG vaccination is required for all children after birth to 12 months and shall be given again to school entrants to protect them against tuberculosis.
- B. Three (3) series of DPT (Diphtheria-Pertussis-Tetanus) immunization are also required for infants 6 weeks to 12 months (at least 1 month apart for each dose).
- C. Three (3) series of OPV (Oral Polio Vaccine) are to be given for infants 6 weeks to 12 months (at least 1 month apart from each dose).
- D. Measles immunization is required for infants as early as 12 months.

The above mentioned program of immunization shall be followed unless changed or modified by the City Health Officer.

SECTION 3. RESPONSIBILITY OF SCHOOL AUTHORITIES IN VACCINATION. - The president, members of the Board of Directors, principals, administrator or any other person in charge of the school or educational institution, either public or private shall see to it that all school population be vaccinated with BCG or any biological products for the prevention of communicable diseases.



ARTICLE XIII

MAINTENANCE OF PUBLIC PLAZAS, STREET AND ESTEROS

SECTION 1. DEFINITION OF TERMS. - For the purpose of this article the following shall be defined as:

- A. Garbage - the refuse of any animal, vegetable matter or food supply originally intended for human consumption but have been rejected, dead animals weighing less than 14 kilos, offal, and the refuse of slaughterhouses.
- B. Rubbish - otherwise known as "trash" waste or used papers and paper products, pasteboards, woven materials, cigar or cigarette butts, fruit peelings, matting straw, discarded bamboo and nipa, grass, leaves, banana stems, sawdust, woodhusk, metal cans or other metallic containers, broken glass or porcelain, loose or decayed materials, sweepings, dirty-like substances which may accumulate from repairing operations or from storing or cleaning properties and goods and only other matter of similar kind which the operation of business or industry may produce.

SECTION 2. GOVERNING LAWS. - The Omnibus Rules and Regulations followed by the Department of General Services shall govern with regards to the collection of garbage and other waste, sanitary maintenance of public places including the plazas, parks, streets, esteros, gardens and the like.

The applicable City Ordinances shall govern on the matter of spitting and expectorating in public places, and in smoking in public transports and public places.

SECTION 3. OBSTRUCTION. - It shall be the individual responsibility and liability of any citizen to cause the obstruction of any place, street, estero or passage ways, public parks or plazas with objects, substances or materials or deposit therein for whatever purpose and the appropriate penalty shall be imposed for the act.

ARTICLE XIV

DOMESTIC ANIMALS

SECTION 1. GOVERNING LAW. - The applicable City Ordinance shall apply in relation to stray dogs and cats within the city streets; immunization of rabid animals or pets.

SECTION 2. BACKYARD RAISING OF PIGS AND OTHER ANIMALS. - It shall be unlawful to keep or maintain pigs or swine in any premises within the 29 District barangays in the City of Ormoc even on a temporary basis, except those kept in the abattoir and are scheduled for slaughter.

SECTION 3. EXCEPTIONS. - For the economic upliftment of the urban area, backyard hog or pig raising may be allowed only if the following conditions are complied with:

- A. That the number of pigs raised shall not be more than two (2) at a time;
- B. That in case of sows, the piglets shall be disposed of after they are weaned not later than two (2) months from delivery;



- C. That each pig shall be kept in a pigpen measuring 2.5m x 2.5m at the minimum;
- D. That the hog wastes and the pen washings shall be drained into a septic tank, air-and water tight solely for the purpose;
- E. That no complaint shall arise from any neighbor;
- F. That the propose site for hog raising is not within a subdivision otherwise a clearance from the Homeowners Association or from any similar organization in the community shall first be obtained;
- G. That a Barangay Permit shall be obtained, approved by the Sangguniang Barangay. The same shall be issued only after due inspection by the Barangay Chairman of the Committee on Health and Sanitation;
- H. That in the application for hog raising permit, it must be clearly stated, among other things, the complete name of the operator and the addressed of such operators with the sketch of the proposed location clearly drawn attached to the application.
- I. Stagnant pools or carabao wallows are absolutely prohibited in urban areas.

SECTION 4. - BACKYARD RAISING OF PIGS IN RURAL AREAS. - Pig raising may be allowed in the rural or mountain barangays of Ormoc City; subject to the following conditions:

- A. That the raiser shall not maintain more than four (4) sows and not more than two (2) boars at a time;
- B. The piglets are disposed of not later than two (2) months from the time of the delivery;
- C. The pigpens shall not be less than ten (10) meters from the property line of the nearest neighbor;
- D. The owner shall maintain proper sanitation;
- E. The pigs shall not be kept under the house but rather in pigpens with proper drainage, provided further, that the keeping of other animals such as, cattle, horses, carabaos near the house is absolutely prohibited;
- F. Stagnant pools or carabao wallows shall not be permitted to exist within a radius of fifty (50) meters from the nearest house of dwelling;
- G. The transport of livestock to any point of the City of Ormoc shall be conducted in the most sanitary manner acceptable to the standards set by the City Health Officer.

SECTION 5. PIGGERY AND POULTRY FARMING -

- A) SANITARY MAINTENANCE OF PIGGERY AND POULTRY FARMS. - It shall be the duty of every owner, agent or administrator, operator or person. Incharge of piggery and poultry farms to maintain



the same in clean and sanitary condition satisfactory to the City Health Officer or his duly authorized representative.

B) DEFINITION OF TERMS. - For the purpose of this Ordinance, the following terms are hereby defined;

1. PIGGERY FARMS - refer to any parcel of land devoted to the raising or breeding of pigs and/or swine.
2. POULTRY FARMS - refer to a plot of land devoted to the raising of domesticated fowls which serves as source of eggs and meat for human consumption. Includes chicken, ducks, geese, quails, pigeons and the like.

C) SITE LOCATION:

- a) PIGGERY FARMS - Preferably in rural areas and in a rolling terrain. Must not be located in flood prone areas and other environmental critical areas like watershed and must not be within a radius of 100 meters from any source of drinking water supply; 100 meters from any food establishment; 500 meters from any built-up areas like residential, commercial, institutional and industrial complex, 500 meters from major roads and/or highways and away from path of immediate urban expansion.
- b) POULTRY FARMS - must be located preferably in the rural areas and not in low-lying areas. At least 100 meters away from any food establishments and 500 meters away from major roads or highways.

D) BUILDING ORIENTATION:

1. The building shall be situated towards the direction of wind and/or sunlight. The long axis of the building with double pen shall be laid in north-south direction for sunlight benefit.
2. Construction of the building shall conform with the national building code requirements.
3. Sanitary maintenance program shall be submitted to and approved by the City Health Officer or his authorized representative.
4. Facilities to be constructed shall be in accordance with the standards set to include among others the following:
  - A. Adequate water supply
  - B. Solid waste disposal
  - C. Drainage and sewerage

E) Piggery and Poultry Farms must secure Locational Clearance or City Zoning Clearance from the City Planning and Development Office...

F) That a barangay permit shall be obtained, approved by the Sangguniang Barangay. The same shall be issued only after due inspection by the Barangay Chairman of the Committee on Health and Sanitation.

SECTION 6. STRUCTURES OF PENS AND STABLES. - The ground surface of every pigpen, horse stable, and any other closure for large animals like cattle shall be covered by stones laid in cement or with good cement



concrete, finished off smoothly and provided with sufficient slopes and drains or such sanitary facilities for waste disposal approved by the City Health authorities.

## FOOD RELATED INDUSTRIES

### ARTICLE XV

#### PUBLIC MARKETS

SECTION 1. SANITARY PERMIT. - Stallholders, owners, managers, lessees of stores selling food nor non-food wares within the public market shall secure a sanitary permit as required in this Sanitary Code.

SECTION 2. HEALTH CERTIFICATES. - All owners, employees or storekeepers and all other workers in any store within the market building shall likewise secure the necessary health certificates.

SECTION 3. FOOD HANDLING. - All persons engaged in the selling of food items in public markets shall be clean at all times. They shall provide themselves with the necessary towels for the hands and cleaning rags for wiping the stalls, tables or shelves.

All kinds of cooked, prepared or processed food shall not be handled with bare hands by sellers or buyers and shall be served by means of forks, spoons or other similar utensils.

The use of printed papers or papers already in use, like newspapers, or banana leaves or leaves of other trees used for wrapping or covering foodstuffs, bakery or confectionery products is prohibited. Except, when by the nature of the food or in its preparation the use of leaves is required.

Under no instance shall food articles be displayed on the floor, rather it shall be placed on a "Tarima" or platform of at least one half (1/2) meter from the ground.

SECTION 4. SPOILED, STALE OR ADULTERATED FOOD. - Spoiled or stale food shall be condemned and destroyed by the health authorities who shall issue to the owner a receipt stating the circumstances of the confiscated food items.

The selling of adulterated food is prohibited. A food shall be deemed to be adulterated:

- A. If it bears or contains any poisonous or deleterious substance such as cyanide or formalin, among others, which may be injurious to health; but in case the substance is not added substance, such food shall not be considered adulterated for the purpose of this provision.
- B. If it bears or contains any added poisonous or deleterious substance other than one which:
  - 1. a pesticide chemical in or on raw agricultural commodity;
  - 2. a food additive;
  - 3. a color additive, for which tolerances have been established
- C. If its consist in whole or in part of any filthy, putrid or decomposed substance, or if it is otherwise unfit for food;



- D. If it had been prepared, packed or held under unsanitary conditions whereby it may have become contaminated with filth, or it may prove to be injurious to health;
- E. If it is, in whole or in part, the product of a diseased animal or of an animal which has died of any disease other than slaughtered animal;
- F. If the container is composed, in whole or in part, of any poisonous or deleterious substance which may cause the contents to be injurious to health;
- G. If it had exceeded its expiry date;
- H. If any valuable ingredient has been, in whole or in part, omitted or subtracted therefrom and the same has not been substituted by any helpful equivalent of such ingredient;
- I. If any substance, not a valuable ingredient has been added or subtracted wholly or in part thereof;
- J. If damage or inferiority has been concealed in any manner;
- K. If any substance has been added thereto or packed therewith so as to increase its bulk or weight, reduce its quality, or make it appear better than it is;
- L. If it bears or contains an additive which is unsafe under existing regulation, promulgated by the government;
- M. If it is confectionery, and it bears or contains any alcohol or non-nutritive article or substance except harmless coloring, harmless flavoring, harmless resinous glass not in excess of four-tenths of one per centum, natural gum and pectin. Provided, that this provisions shall not apply to a safe non-nutritive article or substance if, in the judgment of the concerned government agency as provided by regulations;
  - 1. Such article or substance is of practical functional value in the manufacture, packaging or storage or such confectionery;
  - 2. If the use of the substance does not promote deception of the consumer or otherwise results in adulteration or mislabeling in violation of any provision of the Consumers Act; and
  - 3. Would not render the product injurious or hazardous to health.

Provided further, that this paragraph shall not apply to any confectionery by reason of its containing less than one-half of one per centum by volume of alcohol, derived solely from the use of flavoring extracts, or to any chewing gum by reason of its containing harmless non-nutritive masticator substance.
- N. If it is oleomargarine, margarine or butter and any of the raw materials used therein consists in whole or in part of any filthy, putrid or decomposed substance, or such oleomargarine, margarine or butter is otherwise unfit for food;



0. If it has been prepared not in accordance with current acceptable manufacturing practice.

SECTION 5 - PUBLIC TOILETS, URINALS AND LAVATORIES. - Public toilets, urinals and hand washing facilities with adequate supply of water, within the public market building should be separate for male or female.

Such facilities shall be properly maintained and shall be kept clean at all times by utility workers under the supervision of the Market Administrator or his representative.

SECTION 6 - CARENDERIA SECTION. - Cooked food being sold shall be kept free from any insect, vermin as well as dust and dirt. It shall be covered with a screened device or displayed in a showcase.

The kitchen or cooking place of the carenderia should be adequately provided with running tap water and sanitary drainage and disposal system and fire extinguisher.

Any restaurant or public eating place operated in a public market shall be provided with hot water facilities or any sanitizing solution recommended by the City Health Officer or his duly authorized representative for washing plates, glasses, cups, forks, spoons and other similar utensils. The water or sanitizing solution once used should not be used again.

SECTION 7 - VARIETY SECTION. - Bread, cakes and other unwrapped food shall not be handled by hand. Tongs, forks, spoons or forceps shall be used in handling these articles.

All vendors of muscovado or refined sugar must provide themselves with screened fly-proof showcase which shall be maintained and kept in a clean and sanitary manner.

All measuring devices used for this purpose of selling sugar shall at all times be kept clean. Sugar for sale should not be handled with bare hands.

SECTION 8 - MEAT SECTION. - All tables shall be kept clean at all times.

All chopping blocks or boards shall be kept clean, free from dust and other sources of contamination. Meat grinders must be heated and scalded with boiling water daily.

- A. Only meat which has been duly inspected and certified fit for human consumption shall be allowed to enter and be sold in the Meat Section of any market. Meat inspection certificates duly issued by the appropriate government agency shall be presented prior to the entry of meat and sale of meat in the market. All meat deemed unfit for human consumption or not bearing the certification of the City Veterinary Office shall be confiscated and disposed of as per existing disposal regulations.
- B. Each meat section in any market must have during operations a Market inspector to check and monitor the entry of meat products, as well as, to prevent the entry of uninspected meat.

SECTION 9 - FISH SECTION. - The floor areas surrounding and under those tables or stalls shall have no structures, permanent or temporary.



to facilitate cleaning and the drying. The stallholders must have proper water container and paraphernalia used in drying the said area.

No raw fish shall be displayed in baskets or any container other than the stall provided for. Raw fish shall be sold on the stalls only and no other container shall be made as a substitute of the stalls provided.

Smoked fish sold or offered for sale in public market shall be displayed in screened fly proof containers provided by the vendors.

SECTION 10 - VEGETABLES AND FRUIT SECTION. - The stallholders or vendor authorized to sell in this section, is only allowed to stockpile or keep in the stall a quantity enough for the capacity of the stall. Any amount in excess of the capacity and the placing of unnecessary sacks containers and other obstruction are strictly prohibited.

SECTION 11 - RICE AND CORN SECTION. - For every three square meters (3 sq.m.) of selling space allotted to any stallholder or vendor authorized to sell in this section, only ten (10) cavans for all cereals of whatever kind and quantity shall be allowed to be stockpiled or kept in store in addition to those displayed for resale therein. Any amount in excess of this number and the placing of unnecessary sacks, containers and other obstructions shall be strictly prohibited. No cereal shall be placed or stored in such a manner as to obstruct passageways.

#### ARTICLE XVI

RESTAURANTS, CARENDERIAS, SWEET SHOPS, COOKED FOODSTUFFS,  
VENDORS OF SWEET ICED REFRESHMENTS

#### SECTION 1 - GROUND FOR NON-ISSUANCE OF SANITARY PERMITS

- A. No business shall be given a sanitary permit when the building or any portion thereof housing the same is located within the radius of twenty (20) meters from any commercial or industrial establishment which emits obnoxious odor, gas or fumes. Provided proprietors and manager dealing in food and drinks located within the prohibited area shall be given two (2) months from the effectivity of this Code to transfer the business to a safer location, otherwise, subsequent applications or renewal of sanitary permits shall be denied.
- B. No business or establishment mentioned under this article shall be issued a sanitary permit not allowed to operate when the same is in the immediate locality of a stable, canal or public latrine. The distance allowable shall be determined by the City Health Officer after the mandatory inspection.
- C. No business or establishment mentioned under this article shall be issued a sanitary permit unless they used iodized salt in the preparation of their food as mandated by R.A. No. 8172. (Asin Law)

SECTION 2 - UNIFORMS FOR PERSONNEL. - All personnel in any of the establishment mentioned in this article and in other food establishments mentioned or referred to elsewhere in this Sanitary Code shall, at all times, wear clean uniforms with cap and apron.



SECTION 3 - AMBULATORY FOOD VENDORS. - The preparation and sale of food on sidewalks and in open spaces within a fifteen (15) meter radius from roads open to vehicles is prohibited.

Those sold in small carenderias by the roadside are similarly prohibited unless they can substantially comply with the requirements set by Sanitation Code of the Philippines, Chapter III.

SECTION 4 - PROHIBITED ACTS.

- A. It shall be unlawful to keep pets, fowl or other animals within the vicinity of the kitchen of any business mentioned in this article where food and drinks are sold, prepared, processed or offered for sale to the public.
- B. It shall likewise be unlawful for anyone to spit or expectorate inside any restaurant, carenderia, refreshment parlor or any other place where food and drinks are sold, prepared, processed or are offered for sale to the public.

SECTION 5 - TOILET AND LAVATORY FACILITIES. - Toilets and lavatories should not open directly to any dining room or room where food, drinks or utensils used for the processing or preparation of food are stored or handled; it must be kept in clean condition, in good state of repair, well-lighted and ventilated. Doors of all toilet and lavatory facilities shall be made self-closing. Toilets should be of water-sealed type or its equivalent.

SECTION 6 - RESTAURANT AND OTHER FOOD ESTABLISHMENT SPECIFICATIONS.

- A. Utensils, show and display cases, counters, shelves, table, refrigerating equipment, sinks and other similar gadgets used in the operation of a food establishment shall be so constructed or designed as to be easily cleaned and shall be maintained in clean, good state of repair and free from dust, dirt and insects.
- B. All food and drinks shall be so stored, displayed and served free from dust, flies, vermin and pollution by rodent handling, droplet infections, overhead leakage and other contamination. All means necessary for the elimination of flies, cockroaches and rodents shall be used.
- C. Running water under pressure must be made easily available to all areas where food is prepared or utensils are washed.
- D. All eating drinking and cooking utensils, used in restaurants shall be cleaned according to the regulations issued by the City Health Officer or his duly authorized representative.
- E. All areas where food and drinks are prepared and stored, or where utensils are washed and handled should be properly lighted and ventilated.
- F. Food establishment under this article shall provide within its premises a smoking area to separate the smoking from the non-smoking clients.
- G. Proprietors and managers are required to closely monitor and maintain the optimum temperature necessary for the storage of fruits, vegetables, meat and other perishable items in freezers or



its equivalent cold storage. The following are the optimum temperature levels for storage;

fruit and vegetables	6.7 - 10 deg. Celsius
Dairy products	3.3 - 4.4 deg. Celsius
Meat and fowl	0.6 - 3.0 deg. Celsius
Fish and shellfish	-5 - -1 deg. Celsius

- H. Grocery stores, restaurants, carenderia and other food establishments which are storing meat and fish in large volume in freezers or its equivalent cold storage are required to have a standby generator in case of prolonged power interruption.
- I. Cooks and other personnel working in the kitchen area of the food establishment shall have separate clothes and slippers to be used for the kitchen only. The same shall be provided with aprons, caps and face masks when preparing food, as may be determined by the City Health Officer or his duly authorized representative.

SECTION 7 - CONFISCATION OF UNWHOLESOME OR ADULTERATED FOOD AND DRINKS. - Food and drinks found to be unwholesome or otherwise not fit for human consumption shall be subject to immediate confiscation by the City Health Officer or his duly authorized representative and the person or persons responsible for their production or sale or who caused their production or sale shall be held liable to the penalty as may be imposed by this Code or that which may be determined by P.D. 856, Chapter III of Sanitation Code of the Philippines.

In order to carry out this particular provision, samples of food and drinks shall be examined by the City Health Officer or his duly authorized representative as often as necessary, without prior notice; Provided, that before such inspection is conducted the inspecting officer shall present to the owner or manager thereof a specific written authority issued by the City Health Officer.

SECTION 8 - FOOD POISONING OUTBREAK. - In the event of a verified report of an outbreak of food poisoning among the customers who have consumed any of the food or drinks served in or bought from a restaurant, canteen, carenderia, or any other food establishment, it shall be within the authority or discretion of the City Health Officer to cause the temporary closure of the establishment in order to allow the City Health Officer or his authorized representatives to conduct an epidemiological investigation to ascertain the incident and determine the extent of the outbreak.

The result of such investigation will be the basis for the formulation and institution of corrective and preventive sanitary measures.

The establishment may be allowed to re-open after complying with all the necessary requirement to correct the deficiencies which have brought about the occurrence and have paid all its obligation and liabilities mentioned in the succeeding section. After the re-opening of the establishment in question, extensive monitoring shall be done to insure compliance for a certain period as may be determined by the City Health Officer or his duly authorized representative.



SECTION 9 - LIABILITIES. - Upon confirmation of food poisoning through epidemiological investigation conducted by the health representatives, the proprietor, manager of the erring establishment shall be held liable for all damages resulting from the incident to include;

- A. All hospital bills, including medicine, laboratory fees and other related expenses for all the patients affected by the food poisoning;
- B. Physician's service fees;
- C. Patient's financial loss for the number of days for which he is unable to work or while he is under medication that his usual livelihood is affected;
- D. A fine of five thousand (P5,000.00) pesos.

The fine shall be payable to the City Treasurer or his authorized representative.

SECTION 10 - FOOD HANDLERS CLASS - All foodhandlers working in the establishments herein are required to attend the foodhandlers class conducted by the City Health Department.

## ARTICLE XVII

### CONVENIENCE AND DRY GOODS STORES

SECTION 1 - DEFINITION. - For purposes of this Sanitary Code, terms under this article shall mean as follows:

- A. "Convenience Stores" commonly referred to in everyday language as the "sari-sari store, it shall be defined as a retail store wherein a variety of foods, dry goods, and other articles are sold primarily for the daily household needs. Provided; the various items sold does not include cooked foods and fresh drinks that are served in plates, glasses and those that require the use of spoons and forks.
- B. "Dry Goods Store" means as one which sells textiles, shoes, athletic goods, school and office supplies, jewelries, hardware goods, electrical supplies and other non-food items either for retail or wholesale.

### SECTION 2 - STORE SPECIFICATIONS.

- A. No sari-sari store shall be operated within a distance of twenty-five (25 m.) meters from a stable, public latrine, community dump site or any other possible source of contamination.
- B. No sari-sari or dry goods store shall be allowed to operate without first complying with the essential requirements of providing adequate ventilation and lighting a working drainage system and other sanitary requirements as may be determine by the health officer.



- C. Every store subject to the provisions of this article shall be provided with a garbage receptacle with appropriate cover. The owner or operator shall be responsible in maintaining the store premises free from all rubbish and waste within a radius of five (5) meters around the store.

SECTION 3 - PROTECTION OF FOODSTUFFS. - Food items that are excluded for sale in the sari-sari stores shall be protected with wire screen counters or showcases that can be easily inspected and cleaned, free from dust, insects and other contamination materials.

Canned and bottled foodstuffs are covered under this provision.

#### ARTICLE XVIII

##### BAKERIES AND MANUFACTURERS OF MISUA, BIJON, SUTANGHON AND OTHER FOOD PRODUCTS.

##### SECTION 1 - BAKERY AND FACTORY SPECIFICATIONS.

- A. All bakeries and manufacturing establishments of food products must comply with the essential requirements of adequate ventilation and lighting, drainage facilities and sanitary toilets.
- B. Business classified under this article must see to it that the premises are effectively protected against flies and other insects, receptacles must be clean, neat and rat-proof. Garbage bins must be properly installed.
- C. The room or area where the goods are sold must be protected with screened glass cabinets or show cases. Bread and other baked products must be handled only with clean tongs and clean wrapping papers.
- D. Workers are provided with face towels, aprons and caps, clean clothing.

SECTION 2 - SMOKING WHILE WORKING. - Workers, bakers, and other employees are prohibited from smoking while working inside the bakery or factory.

##### SECTION 3 - CORRECT LABELING.

- A. All bakery and factory products shall be classified. Those with food coloring as ingredients must be indicated accordingly by bearing in the show case or packaging the words "Artificially colored."
- B. All wrapped products of bakery and factory must indicate the expiry date as indicated by the words "Consume Before" on the packaging.

SECTION 4 - No business or establishment mentioned under this Article shall be issued a sanitary permit unless they used iodized salt in the preparation of their food or products as mandated by R.A. No. 8172. (Asin Law)

SECTION 5 - TRANSPORTING PRODUCTS. - all bakery products intended for sale or for transfer to other places inside or outside Ormoc City shall be placed in airtight clean, and dust-proof containers. However,



if they are transported to nearby places within the city limits, it is sufficient that the containers are lined with wrapping papers and covered tightly with manila paper and other dust and fly-proof covering.

Goods intended for sale or for transfer to the city from outside Ormoc City must be accompanied with a Health Inspection Certificate issued by the health officer of the place of origin.

#### ARTICLE XIX

##### ESTABLISHMENTS PREPARING OR SELLING DRIED, SALTED, SMOKED OR PRESERVED FISH AND MEAT PRODUCTS

SECTION 1 - COMPLIANCE WITH SANITARY RULES. - Factory establishment or place where the preparation or sale of prepared or preserved fish products such as bago-ong, patis, dried fish, smoked fish, toyo, dilis or other seafood with similar preparation; Or factories, establishment or places where processed meat products of similar nature must use iodized salt and shall be granted sanitary permits unless full compliance with the regulations and requirements have been met as determined by the City Health Officer or his duly authorized representative.

Establishments subject to the provisions of this article, whether the preparation, processing or sale of its products are for local consumption or for general commercial purposes, must comply with the requirements in securing the sanitary permit.

All persons engaged or employed in any of the establishments mentioned herein shall secure health certificate and be examined accordingly.

SECTION 2 - SANITARY CONTAINERS. - Food products prepared, sold or offered for sale to the public must be kept in containers prescribed by the Bureau of Food and Drugs.

SECTION 3 - CONTAINERS FOR SHIPMENT OF FOOD PRODUCTS. - Food items, prepared or preserved by any of the establishment or factories under this article, for sale outside of Ormoc City which requires shipment and handling shall be governed by the regulations and control of the Bureau of Food and Drugs of the Department of Health.

SECTION 4 - HEALTH INSPECTION CERTIFICATE CONTENTS. - Food items of similar nature mentioned herein transported from outside Ormoc City for sale or with intent to sell the same must be accompanied by a health inspection certificate issued by the health officer of the place of origin.

Release of shipment of such food items shall be allowed only after the City Health Officer has rendered his approval after having ascertained that the food items in question are in good condition and are fit for general human consumption.

The health inspection certificate shall contain, among other things, the name and address of the consignee, quantity and value of the shipment, coloring and preservatives used in the preparation of the foodstuff, if any, and other relevant information.



Shipments without the necessary health inspection certificate shall be subject to confiscation.

SECTION 5 - PROPER LABELING. - In accordance with the provisions of the Pure Foods Law, patis derived from either fish bago-ong or shrimp bago-ong which contain less than the minimum standards requirement of 6% but not below 3% protein must be labeled as "Patis Below Standard".

All patis products not labeled as such shall be considered as adulterated or misbranded, and the producer, owner or operator shall be subjected to prosecution and other sanctions as provided for in this Code and other relevant laws.

## ARTICLE XX

### NATIVE FERMENTED DRINKS (TUBA) AND OTHER SIMILAR DRINKS

SECTION 1 - SANITARY PERMIT; REQUIREMENT AND REVOCATION. - The provisions of this Sanitary Code regarding the requirement of sanitary permit before the operation of any business establishment shall apply, in similar manner, the violation to any of the provisions in this Code shall also be a sufficient ground for the revocation of the sanitary permits duly issued.

SECTION 2 - SPECIFICATIONS. - The City Health Officer or any of his deputies shall ascertain that proper receptacles are used in keeping and storing of the fermented drink. The same must be constantly clean and free from any contamination. Proper washing facilities for cleaning the receptacles and other containers shall also be provided. Containers shall be those with faucets and under no circumstances will dippers or cups or other similar devices be used in getting the drink.

SECTION 3 - CLASSIFICATION OF NATIVE DRINKS. - Native drinks should be classified as to whether it is native natural coco tuba or artificial coco tuba and both must be labeled accordingly for the information of the drinking public.

Vendors selling tuba whose place of origin is outside of Ormoc City must present a health certificate duly issued by the health officer of the place of origin stating among other things the classification of the tuba in question.

SECTION 4 - SAMPLES FOR ANALYSIS. - All vendors of tuba and other fermented drinks must submit sample of their products to the City Health Department Laboratory for appropriate analysis to determine whether the said products are fit for human consumption.

SECTION 5 - HEALTH CERTIFICATE OF VENDORS. - Vendors of fermented drinks shall submit to the mandatory physical examination for the issuance of health certificate before being allowed to engage in the business.

## ARTICLE XXI

### MILK AND MILK PRODUCTS

SECTION 1 - RESTRICTIONS REGARDING THE SALE OF MILK AND MILK PRODUCTS.



- A. Milk from diseased animals or milk taken from animals at most two weeks from parturition shall not be sold.
- B. Milk taken immediately from animals after excessive work or excitement shall not also be sold.
- C. No sale of milk or milk products shall be allowed when the animals from which the products are derived are kept in unsanitary surroundings or are fed on improper or unwholesome food.
- D. Adulterated, contaminated or unclean milk or milk having unnatural appearance shall not be permitted to be sold for human consumption.
- E. No sale of milk products shall be allowed unless it can be shown that there exists adequate and satisfactory facilities for cleaning all utensils and containers used in the operations or handling of the product.

SECTION 2 - SAMPLE ANALYSIS. - All milk or milk products whether or not it is locally made employing traditional methods and procedures should be thoroughly examined. Samples of such product should be sent to an appropriate laboratory for proper analysis to determine its fitness for human consumption.

SECTION 3 - VETERINARY EXAMINATIONS. - All milking cows, carabaos and goats shall be examined by the authorized city veterinarian to determine whether those animals are free from animal diseases transmissible to man. Persons milking the animal must secure health certificates before they are allowed to obtain or handle milk from the these animals.

## ARTICLE XXII

### CANDY FACTORIES AND SUGAR REFINERIES

#### SECTION 1 - FACTORY SPECIFICATIONS.

- A. Building where candies or confectioneries are manufactured should be constructed in accordance with the specifications set forth by the Office of the Building Official at the City Engineer's Office upon the recommendation of the City Health officer shall include the installation of toilets and other sanitary facilities.
- B. Owners, managers or lessees of candy factories must provide their establishments with good ventilation and lighting facilities, good sanitary toilets sufficient in number and separate for each gender. Proper drainage system must also be provided.
- C. Ovens utilized for heating vats of sugar solution should be provided with appropriate stove pipes so installed as to prevent nuisance arising from smoke.
- D. The personnel of said establishments must always be with clean hands, fingernails cut short, and hair kept in place with hair nets. The establishment must likewise provide for the aprons and caps of its workers.

SECTION 2 - USE OF JUTE BAGS. - Local producers and manufacturers of sugar are prohibited to use plain jute bags without coating or proper



lining to protect the sugar from undue contamination. However sugar intended for industrial purposes may be allowed to be packed in plain jute bags provided the sack or bag containing the sugar shall be properly labeled as "For Industrial Purpose Only."

SECTION 3 - LABORATORY EXAMINATION. - Samples of sugar duly labeled and intended for ordinary home use shall be collected and submitted to the appropriate laboratory for determination whether or not it meets the standards for consumption.

#### ARTICLE XXIII

##### COFFEE AND CHOCOLATE FACTORY

SECTION 1 - RANDOM INSPECTION. - The City Health Officer or his duly authorized representative upon his discretion shall cause the examination of the raw materials used in the manufacture of coffee and chocolate, and determine whether the establishment has met the standards of maintaining a food factory provided for in this Code.

SECTION 2 - FACTORY SPECIFICATIONS. - Subject to the provisions of this Sanitary Code factories established for the purpose of manufacturing coffee and chocolate must comply with the basic requirements of adequate ventilation and lighting sanitary toilets and lavatories, working drainage systems and availability of first aid medicines.

##### SECTION 3 - PROPER LABELING.

- A. All coffee and chocolate products that are coated colored or stained must bear such statement on the label showing the name of the substances used. The presence of any artificial coloring should likewise be indicated in the label therein.
- B. Screening of coffee and cocoa grains and seeds containing inferior or broken berries, stones, sticks and dirt should be designated and labeled accordingly.
- C. Without prejudice to the provisions of the Philippine Trademark Laws, a product shall be deemed misbranded if the label is incomplete as to its name, quantity, ingredients used and other indications necessary for its identity. A sample product does not require any further statement other than the name for distinctive feature of the product.

SECTION 4 - INFERIOR INGREDIENTS. - Coffee, chocolate and cocoa which are damaged by water or by any other means during shipment, or which have become permanently malodorous for certain reasons, are considered to come within the phrase "filthy, decomposed and putrid" and its use in the manufacture sale of food products is prohibited.

#### ARTICLE XXIV

##### TOBACCO, CIGAR AND CIGARETTE FACTORIES

##### SECTION 1 - FACTORY SPECIFICATIONS.

- A. All provisions of this Sanitary Code relating to licenses and permits, sanitary maintenance definition and prohibition of nuisance, proper ventilation and lighting are hereby declared to include and apply to all cigar, cigarette and tobacco factories and



to all house, shops and establishments where tobacco is being processed for commercial purpose. Provided, that the City Health Officer may forego with the said requirements which in his judgment cannot be complied for a certain period.

- B. Every factory referred to in this article shall have not less than twelve ten cubic meters of air space for each employee in rooms having a window area of one-tenth of the floor area, and such windows shall open directly to the court, yard, public street or alley.
- C. Rooms having a window area of less than one-tenth of the floor shall not be used as work rooms.
- D. Separate toilet and lavatory accommodations for each gender shall be according to the following proportion; one seat for every twenty (20) female employees; Provided, that the City Health Officer may impose additional closets that he may deem necessary.
- E. Toilet and lavatory accommodation shall also include an adequate supply of water soap, sanitary towels and wash basin for every thirty employee of the same gender using the accommodations. Provided, that the management has the prerogative to require their employees to provide themselves with their own soap and towels.
- F. Each room within the factory premises shall be provided with a cuspidor. The cuspidor herein required shall be of an impervious material with smooth or polished surface, so as to easily clean the same, it shall be sanitized with boiling water and shall be partly filled with disinfectant solution. By implication, it is hereby prohibited for any person to expectorate or deposit any mucus or phlegm on the floor or wall within the factory premises.
- G. No restaurant, canteen, dining room or candereria shall be permitted or allowed to operate in the interior of the factory. No peddler is likewise allowed to enter the factory for the purpose of selling food items.
- H. No part of the factory building shall be used as sleeping or living quarters therein. Sleeping or living quarters may be allowed, as determined by the City Health Officer, provided that it shall be located at an entirely different building from where the processing of tobacco is carried out.
- I. No person below the age of 16 years shall be allowed inside the factory premises.
- J. No pet or any animal is allowed to enter or remain in any work room of the factory.

## SECTION 2 - SANITARY PREPARATION OF TOBACCO PRODUCTS.

- A. All manual operation pertaining to selection and classification of tobacco leaves, the preparation for the manufacture of tobacco products shall be carried on in a sanitary manner in properly ventilated and well lighted rooms upon dry clean tables and protected by troughs; flanges or other satisfactory devices from falling on the floor and other source of contamination; Provided that this article shall not be construed as prohibiting the use of any dry, clean, smooth, impervious pavements, which have aisles or



walks so arranged that the tobacco will not be stepped upon. Furthermore, all tobacco while being dried in open air shall be placed in convenient trays or frame works that are elevated at least one meter above the ground.

- B. No person shall handle, prepare, process manufacture, pack or cause the handling, preparing, processing, manufacturing, or packing of any tobacco product in an unsanitary manner. All employees shall upon each arrival to the work place, wash his or her hands thoroughly with soap and water and dry them with clean towel; Except, where in other circumstances, the City Health Officer shall require that the hands be washed with a suitable disinfectant solution.

SECTION 3 - REGULAR PHYSICAL EXAMINATIONS. - Aside from the medical examinations required for the issuance of the health certificate, every person employed in a cigar or cigarette factory shall be physically examined within 24 hours from the original entrance of such employment and every month thereafter. Facts of examination shall be evidence by the initials of the physician on the individual report card of the employee. Such report card shall be kept on file as part of the employee's records.

NON-FOOD RELATED INDUSTRIES

ARTICLE XXV

HOTEL, LODGING HOUSES, TENEMENT HOUSE, BATHHOUSES

SECTION 1 - DEFINITION OF TERMS. - The terms used in this Article shall mean:

- A. Hotel - a building where transient guest are received without stipulated engagement as to the duration of their stay, and are supplied with and charged for meals, lodging and such services and attention as are necessarily incident to the use of such place as temporary abode;
- B. Lodging House - a building where selected persons for fixed periods of time are supplied with and charged for sleeping accommodations and meals; this term shall be used synonymous to "Boarding House";
- C. Tenement House - any building or any portion thereof that is leased to be used as residence to four or more families living independently from one another although they share common hallways, stairways, patios, azoteas, baths and toilets and other parts of the same building.
- D. Bathhouse - a building equipped and used for the purpose of bathing and where clienteles are charged accordingly.
- E. Motel - house, building or any portion thereof in which persons may be received as transient guests provided with a common or individually enclosed garage.

SECTION 2 - SANITARY PERMIT TO CONDUCT BUSINESS AND HEALTH CERTIFICATES OF PERSONNEL. - It shall be unlawful for any person to operate a hotel, motel, lodging house, tenement or bathhouse without first obtaining a sanitary permit approved by the City Health Officer or his duly authorized representative.



In the same manner, it shall be unlawful for any person to work in any of the establishment herein mentioned without first securing a health certificate from the City Health Officer or his duly authorized representatives.

SECTION 3 - SUFFICIENT BATH, TOILET AND SEWAGE DISPOSAL FACILITIES.  
- Convenient and adequate number of toilet facilities shall be provided for the use of persons occupying a building such that there shall be at least one water closet or approved latrine and one bathroom for every fifteen person, preferably a separate one for each sex. Except in the case of establishments where the water closet or flush type of toilet is a requisite or where the rooms of such establishment provides for one toilet facility, a separate toilet for each sex may not be necessary.

SECTION 4 - NECESSITY OF CITY HEALTH OFFICER'S APPROVAL TO USE BUILDING. - No building house or portion thereof shall be used as a hotel, lodging house, tenement house or bathing establishment without first securing a Certificate of Occupancy from the City Health Officer, Chief of the fire Department and from the Office of the Building Official or their duly authorized representatives.

SECTION 5 - SANITARY CONDITIONS. - All hotels, motels, boarding houses and other establishments under this article shall at all times be kept clean and sanitary including linens, sheets and bedding.

All filth, household refuse and other waste shall be removed immediately and disposed of properly.

SECTION 6 - ACTS OF VANDALISM. - No person shall deface the walls, floors or any part of any room or any portion of any hotel, lodging house or tenement house by writing, drawing, spilling, expectorating or by other means or acts which constitute misuse of or damage to the property or shall fail to show proper respect to the properly constituted authority thereof.

SECTION 7 - PROHIBITION OF KEEPING ANIMALS. - It shall be unlawful to keep dogs, cats and animals or pets in hotels, lodging houses, tenement houses except when said animals or pets are kept in appropriate kennels which shall be place away from the living, dining and sleeping quarters.

SECTION 8 - COMMUNICABLE DISEASES.

- A. No person known to be capable of transmitting communicable diseases shall be employed in any capacity in any hotel, lodging houses or tenement house.
- B. It shall be the responsibility of the person in charge of any hotel, lodging house or tenement house to report immediately to the health officer the name and address of any individual employed, registered as a guest or connected in anyway with the establishment known to have a communicable disease. Strict isolation is recommended until official action has been taken on the matter.
- C. Whenever there shall occur in any hotel, lodging house or tenement house an outbreak of suspected food poisoning or an unusual prevalence of manifestations such as fever, diarrhea, sore throat, vomiting, skin eruptions or jaundice as the prominent sign or symptom, it shall be the duty of the person in charge of such establishment to report immediately the existence of such outbreak



or unusual prevalence of illness to the City Health Officer or his duly authorized representative.

SECTION 9 - WATER SUPPLY.

- A. Water supplied to hotels, boarding houses or tenement house for drinking and culinary purposes shall be adequate and of potable quality, as determined and approved by the City Health Department.
- B. Wells or springs used as sources of water supply for hotel, boarding house or tenement houses shall be constructed and located to preclude their pollution by seepage from cesspools, privies, sewers, stables or manure piles, or by surface drainage. The water from such sources shall be obtained by free flow of gravity or by mechanical pump, so arranged as to provide for the delivery of water of safe and sanitary quality.
- C. Managers, owners or persons in charge of hotel, lodging house or tenement house shall provide individual drinking cups or glasses.

SECTION 10 - PROTECTION OF FOOD SUPPLIES. - All establishments must provide adequate means for sanitary storage handling and protection of food supplies.

SECTION 11 - DISHWASHING. Dishes and utensils shall be washed, cleaned and properly disinfected after each use. Liberal use of hot water in washing dishes and utensils is encouraged.

SECTION 12 - QUARTERLY ANALYSIS OF DRINKING WATER. - Source of drinking water used in hotels, boarding houses, lodging houses, motels, pension houses and other similar establishments is subjected to a quarterly water analysis conducted by representatives from the City Health Department Laboratory to ensure its potability.

ARTICLE XXVI

THEATERS, MOVIE HOUSES, COCKPITS AND OTHER PLACES  
OF PUBLIC AMUSEMENTS AND ASSEMBLY

SECTION 1 - OPERATION OF BUSINESS SPECIFICATIONS.

- A. Provide the establishments with such artificial devices necessary to ensure that the requirements for good ventilation and lighting are complied, such as but not limited to air-conditioning units, blowers, electric fans or other devices as may be prescribed by the City Health Officer.
- B. All personnel must wear clean uniforms for the duration of the business hours and maintain courtesy at all times.
- C. Unless otherwise provided elsewhere in this Code, the specifications with regards to the requirements of adequate toilets and latrines shall apply. Provided, that there should be one seat for every fifty (50) women and one seat and one urinal for every one hundred (100) men or fraction thereof to be calculated on the bases of the maximum capacity of the establishment.
- D. The provisions on adequate plumbing and spittoons shall apply in the construction of the building and in the application for issuance of sanitary permit.



SECTION 2 - FULL CAPACITY LIMITS. - The number of persons or moviegoers during the show or screening hours must conform with the seating capacity of the theater. Under no circumstance should the customers be admitted once full capacity is reached.

Any person may report this violation by filing a complaint with the City Health Officer who shall personally determine the veracity of the complaint. Upon confirmation the complainant will be required to execute and sign the appropriate sworn statements, to be accompanied by affidavit of any other witnesses.

SECTION 3 - VANDALISM AND UNSANITARY HABITS. - It is prohibited for any person in any of the establishments under this article to willfully destroy or deface any of the properties belonging to such establishments. Violation to this provisions shall be subject to the penalties prescribed in this Sanitary Code.

SECTION 4 - RESTAURANT AND EATING PLACES. - The operation of restaurants, refreshment parlors and other eating places within the establishment mentioned herein shall be governed by Article 16 of this Code.

SECTION 5 - POWER OF CLOSURE. - Any establishment for public amusement or public assembly found to be operating in violation to the provisions of this Sanitary Code shall be subject to temporary closure as may be determined by the City Health Officer. Such closure order shall be effective until the deficiency shall have been corrected.

#### ARTICLE XXVII

NIGHT CLUBS, DANCING HALLS, BEER HOUSES, COCKTAIL LOUNGES, AND  
SING-ALONG JOINT AND OTHER SIMILAR ESTABLISHMENTS

##### SECTION 1 - DEFINITION OF TERMS.

- A. Night Club - a place or establishment selling food and drinks to the public and where the customers are allowed to dance.
- B. Dancing Halls - a place or establishment where couples may come for dancing only.
- C. Beer House - a place or establishment where people may come principally to drink alcoholic beverage and or other beverages.
- D. Cocktail Lounge - a place or establishment where customers come to drink alcoholic beverages, and or other similar drinks.
- E. Sing-along Joints\Karaoke Bars - a place or establishment where customers come to sing and drink alcoholic beverages and or other alcoholic drinks.

SECTION 2 - SANITARY PERMIT. - No establishment enumerated under this article shall be allowed to operate without first obtaining a sanitary permit issued by the City Health Officer or his duly authorized representatives.

SECTION 3 - HEALTH CERTIFICATE OF EMPLOYEES. - Employees of establishment subject to the provisions of this article shall not be allowed to sell or serve food and drinks without having first obtained a health certificate from the Office of the City Health Officer.



SECTION 4 - DANCER OR HOSTESS. - Dancers or hostess may be defined as any employee of any establishment for the primary purpose of entertaining guest at their table or dancing with the same.

SECTION 5 - STRUCTURE OF DANCING HALLS AND SING-ALONG JOINTS\KARAOKE BARS.

- A.1 The Dance Hall or space for dancing must be well-ventilated adequately lighted and properly maintained at all times, especially during business hours. There shall be no dark corners therein.
- A.2 There shall be no private rooms, nor separate compartments, except for those assigned as lavatories, dressing rooms, bar and kitchen: Provided, that there shall be at least two sets of lavatories, one exclusively used for each sex.
- A.3 Proprietors, owners, managers or lessees of a building or structure who in the ordinary course of business operate a hotel may also operate night clubs, cabarets, dancing schools or dance halls provided that such operation be conducted on the storey of the building different from the lodging rooms. Provided further, that the preceding article applies.
- B. Sing-along Joints\Karaoke Bars - private rooms in sing-along Joint\karaoke bars shall be provided with a swing type wooden door without door lock and shall have a peeping window 1 sq. foot and the same shall not be covered with curtains or similar types.

SECTION 6 - REFRESHMENT PARLOR OR CAFE IN DANCING HALLS. - Proprietors, owners, managers or lessees of refreshment parlors or cafes within the dancing halls shall be required to secure a separate sanitary permit as required for food establishment and the personnel shall obtain health certificates as required for foodhandlers.

SECTION 7 - BLOOD EXAMINATION OF EMPLOYEES.

- A. All employees of bars, night clubs, dancing halls, cocktail lounges, beer houses, sing along joints, discos and other similar establishments including dance instructor are required to undergo blood examinations for HIV, Hepatitis B and Syphilis as a requisite in securing health certificate from the City Health Department Laboratory. (However in case of HIV exam, a consent from the said employee is required).
- B. Entertainers, dancers and dance instructors and other workers of similar nature as determined by the City Health Officer or his duly authorized representative are required to attend lectures given at the City Health Department before the issuance of their Health Certificate.

ARTICLE XXVIII

BARBER SHOPS AND BEAUTY PARLORS

SECTION 1 - SANITARY PERMIT. - It shall be unlawful for any person to operate any of the businesses subject to the provisions of this article without first securing a sanitary permit issued by the City Health Officer or his duly authorized representative.



SECTION 2 - SANITARY MAINTENANCE. - It shall be the duty of the owners managers or persons in charge of operating barber shops and beauty parlors to keep and maintain these establishments in the most sanitary manner at all times in accordance with the regulations prescribed by the Code on Sanitation of the Philippines (PD 856).

SECTION 3 - HEALTH CERTIFICATES. - All personnel of business establishments mentioned herein, including managers and operators shall be required to secure health certificates from the City Health Office.

No person shall be allowed to work in said establishments without having complied with the requirements set forth in the proceeding paragraph.

SECTION 4 - VENTILATION. - It shall be the duty of the owner, manager or persons in charge of the business mentioned in this article to provide sufficient and proper lighting and ventilation facilities and to maintain the same in good repair to allow free movement of air within the establishment necessary for the comfort of workers and customers.

SECTION 5 - TOILET AND DRAINAGE FACILITIES. - As with regards to the establishments subject to the provisions of this article, no person shall be allowed to operate the same without complying with requirement of providing proper and adequate toilet and drainage facilities approved by the City Health Officer or his duly authorized representative.

SECTION 6 - SANITARY SERVICES TO CUSTOMERS.

- A. Washing of hands - Operators of beauty parlors and barber shops should first wash their hands with soap and water before serving each customer.
- B. Hair brushes and combs - Shall be kept clean at all times.
- C. Shaving Mugs, Brushes and Finger Bowls - No cup or brush which was used in the shaving of a customer afflicted with skin disease shall be used for another customer unless the cups shall have been emptied, cleaned and immersed in boiling water for 20 minutes, and the brush has been disinfected by immersing it for five minutes in alcohol (70%) or in corrosive sublimate solution (1-1000) or by the use of other equally efficient disinfectant. Shaving mugs, cups and brushes should be thoroughly rinsed with hot water after each use.
- D. Towels for Customers - there shall be a separate clean towel for each customer. The head rest shall be covered with clean towel or paper towel for each customer.
- E. Alum and Other Styptic Materials - Alum and other styptic materials used for stopping the oozing of blood in case of cuts and wounds shall be applied in powder or liquid form only.
- F. Customer with Skin Eruptions - After handling a customer affected with any skin eruption or swelling containing pus, the hands of the attendant shall be disinfected immediately by thoroughly washing them with soap and water followed by rinsing in alcohol (70%) or by the use of some equally effective disinfectant.
- G. Instruments Used on Customers - Instruments used on customers shall be made safe immediately after each use by washing with soap and water and dipping for one (1) minute in 20% solution of commercial



formalin or by dipping for five (5) minutes in alcohol (70%) or by the use of equally effective disinfectant.

- H. Vacuum Powder Puff, Sponge and Neck Duster - No powder puff, sponge or neck duster shall be used in any of the establishments mentioned herein.
- I. Use of Common Soap - The use of common solid soap among customers and attendants shall be prohibited.
- J. Smoking and Eating - An operator is prohibited from smoking or eating while serving on a customer.

SECTION 7 - SEMINAR REQUIREMENT - All managers, proprietors, lessees of beauty saloons, parlors, barber shops and other similar establishments must require their beauticians, hairdressers, barbers, manicurists and pedicurists regardless of gender to attend and satisfactorily complete the seminar on health sanitation incorporated with topics on AIDS prevention, and communicable and occupational disease control, as evidenced by the certification earned at the end of the seminar.

SECTION 8 - FREE-LANCE BARBERS AND BEAUTICIANS - Free-lance barbers, beauticians, hairdressers, manicurists and pedicurists are required to secure health certificates from the City Health Department and are similarly required to attend and satisfactorily comply with the seminar requirement mentioned in the preceding paragraph.

SECTION 9 - REQUIREMENTS FOR HEALTH CERTIFICATES - All beauticians hairdressers, barbers manicurists and pedicurists regardless of gender are required to submit to a blood examination for HIV, Hepatitis B and Syphilis as a pre-requisite for the issuance of health certificates as provided for in this Code.

## ARTICLE XXIX

### MASSAGE SALOONS AND PARLORS

#### SECTION 1 - DEFINITION OF TERMS.

- A. "Massage" as used in this Sanitary Code shall mean a method of treating the superficial soft parts of the body for remedial or hygienic purposes consisting of rubbing, stroking, kneading, tapping and other similar hand motions with the hands or appropriate instruments.
- B. "Parlor" shall be defined as a room set apart in a business establishment for convenience or accommodation of customers or patrons. It may be used synonymously with "Clinic."
- C. "Massage Parlor" may be defined as a business establishment especially designed with rooms set apart to accommodate customers or patrons desiring a kind of treatment as defined in paragraph A.

SECTION 2 - SALOON SPECIFICATIONS. - The construction of a massage parlor or clinic shall be in accordance with the specifications provided in this section, or shall be constructed in such a manner approved by the City Health Officer or his duly authorized representative.



- A. There must be an open space of one foot (1 ft.) between the floor and the lower edge of the door. No lock is to be installed from either inside or outside of the door. Provided, in the absence of a wooden or steel door, a curtain hanging on the door way shall be sufficient.
- B. Owners, lessees, managers, or directors of massage clinics shall before opening ascertain that they have complied with the requirements of ventilation and lighting facilities, sanitary toilets and lavatories.
- C. Every clinic should be adequately equipped with disinfecting facilities for the hands and instruments which will be used before and after serving a client or patient.
- D. Clean, white and fresh sheets and towels should be used for every customer or client attended to. And that the massage room should have at all times at least one bottle of mineral oil and one quart size jar of cotton to be replenished whenever exhausted.

SECTION 3 - GROUNDS FOR THE REVOCATION OF PERMITS AND HEALTH CERTIFICATES - Any masseur or masseuse found violating any of the provisions of this article or who is found to be practicing his or her profession for immoral or illegal purpose shall be liable to lose his or her certificate without prejudice to any court action that may be subsequently instituted.

#### ARTICLE XXX

##### PUBLIC SWIMMING POOLS AND PUBLIC BATHS

SECTION 1 - PERMIT REQUIRED. - No swimming pool or bath intended for public use shall be constructed or operated until the plans and specifications have been approved by the City Health Officer or his duly authorized representative.

No public swimming pool or bath shall be operated and maintained without the sanitary permit. Such permit shall state the method of treatment of water and the bathing capacity of the pool during a regular business day. The permit is to be posted at a conspicuous area of the bath house or building.

SECTION 2 - REVOCATION OF SANITARY PERMIT - The sanitary permit issued for the operation and maintenance of a public swimming pool bathhouse may be revoked by the City Mayor upon the recommendation of the City Engineer's Office, City Health Office for any structural defect which may risk public health or safety or in violation to any of the provisions herein.

##### SECTION 3 - SPECIFICATIONS.

- A. Every pool shall be so designed and constructed as to facilitate cleaning and shall be maintained and operated in such a manner as to be clean and sanitary at all times. The inlets and outlets shall be so located and spaced as to secure satisfactory dispersion of the inflowing water throughout the pool. Scum gutter along the entire pool above water level shall be provided.
- B. There shall be no physical connection between potable water supply system and a pool structure or to a recirculated system of the pool



at a point below the maximum flowline of the pool, unless such physical condition is so installed and operated that no pool water can be discharged or siphoned into a potable water supply.

- C. All drainage from a pool structure to a sewer system shall be discharged into a sewer in such a manner that sewage cannot be siphoned flooded or otherwise discharged into a pool.
- D. A pool located near a watershed or catchment area of a spring, lake, stream or other body of water used as a source of public water supply shall be operated as not to create a menace to such supply.
- E. Dressing rooms provided at the pools and public baths shall be kept sanitary, and separate for each gender.
- F. Sanitary, adequate and accessible toilet facilities shall be provided in all pools and public baths. The sewage and excreta from toilet facilities provided in the vicinity of a pool shall be so disposed as not to pollute the water of the pool.
- G. All bathing suits and towels furnished by the pool management shall be washed with soap and hot water, rinsed and thoroughly dried after each use.
- H. Urinating expectorating or blowing of nose in any public pool or bathing house is prohibited.
- I. All bathers are required to undergo a full-shower bath with soap and water before swimming in any pool.
- J. No person having skin lesions, sores or inflamed eyes, mouth, nose or ear discharges, or who is known to be a carrier of microorganism of any communicable disease shall be allowed to use any pool.
- K. Persons not dressed for bathing shall be allowed to stay only in places provided for spectators.
- L. No dogs, or any other animals shall be allowed within the vicinity of any public bathhouse or swimming pool.
- M. Notices containing the provisions of this Article shall be posted conspicuously in the dressing rooms and offices of all pools.

#### SECTION 4 - WATER QUALITY.

- A. Bacterial Count - No two (2) successive samples collected from a pool on different days nor more than ten percent (10%) of similar samples covering any three month period shall contain more than 300 bacterial colonies per cubic centimeter when incubated for twenty-four (24) hours at 37 Deg. Celsius on agar or litmus lactose agar. Such samples shall be collected when the pool is in use.
- B. Test for E. Coli Group - Not more than two (2) out of five (5) 10 cc. portion of samples of water collected when the pool is in use shall be positive by the partially confirmed test for bacteria of the coliform group.



- C. Cleanliness - The bottom and sidewalls of pools shall be kept reasonably free from sediments and visible dirt. Visible scum or floating matter on the surface of the pool shall be removed daily.

SECTION 5 - BATHING LOAD LIMITS.

- A. Where the quality of water depend upon continuous chlorination, the total number of bathers at any bathing period shall not exceed twenty persons per thousand gallons of chlorinated water added to the pool during that period provided that the water in all parts of the pool when in use is at least 0.3 parts per million residual chlorine in the presence of ammonia is used as determined by the ortho-tolidine test.
- B. When the quality of water depends upon intermittent disinfection and replacement of water and the total number of person permitted to use the pool between two consecutive replacements of water shall not exceed twenty (20) persons for each thousand gallons of water in the pool, and all such pools shall be disinfected at least once a day when in use. The amount of disinfectant sufficient to insure a proportion of 0.3 parts per million when chlorine alone is used or 0.7 part per million when chlorine and ammonia is use, as determined by the ortho-tolidine test.
- C. Where the quality of water depends upon dilution and no disinfectant is used, the total number of bathers shall be so restricted that a sufficient volume of fresh diluting water is added as to insure a bacterial quality of water that will conform with the limits above stated. Such fresh diluting of water may be taken from the pool and returned after effective filtration and disinfection; or any three (3) combination of such water.

SECTION 6 - TRAINED OPERATOR AND LIFEGUARD. - Every pool shall be under the personal supervision of a trained operator or competent attendant & lifeguards trained in life saving procedures. The same operator shall be required to observe the regulations as herein prescribed and all other regulations as the City Health Officer may impose.

ARTICLE XXXI

SHOE AND TANNING FACTORIES

SECTION 1 - FACTORY SPECIFICATIONS. - Establishments intended for the manufacture of shoes, slippers and other footwear, should be constructed with adequate sanitary facilities properly installed in accordance with the specifications of the City Engineer upon recommendations and approval of the City Health Officer.

- A. The location of such tannery or shoe factory shall be governed by the local zoning ordinance, and approved by the Comprehensive Land Use Plan of Ormoc City.
- B. Machineries used in the manufacture of shoe, slippers and other footwear shall be enclosed with boards or any device for the protection of the workers; Provided that the exhaust system should be located outside the building from where the employees are working so as not to prejudice their health.



- C. Factories required to put up chimneys, the same shall be designed and constructed so as not to become an environmental threat.
- D. The provisions of this Sanitary Code requiring separate and adequate toilet and lavatory facilities shall apply.
- E. In the same manner the provisions relating to the proper ventilation and lighting shall also apply. Air-conditioning units are preferred, yet optional, in big factories.
- F. Water in the tub, pool or trough, where the fresh skin of carabao, cow, goat, pig, sheep or other animal skin to be made into leather, are soaked cleaned and scrubbed should be cleaned and changed regularly or as often as necessary to prevent the accumulation of debris, hair and other filth from animals which turns into noxious materials.
- G. The drainage canal of the said tannery must be so constructed that the particles of waste materials of the skin of animals are not carried by the flow of the water coming from the tub, pool or trough where the skin is soaked and cleaned. A strainer to catch the said waste should be provided to prevent clogging of the canal.
- H. The tannery should be provided with a separate adequate room space or bodega where the dried leather are deposited and packed. Tanning barks should be deposited and piled neatly in another compartment provided that the tarima or platform is one foot high from the ground.

#### SECTION 2 - PROTECTIVE DEVICES FOR WORKERS.

- A. Where the factory is intended for the manufacture of rubber shoes, the workers assigned in the heating of the raw rubber must be provided with appropriate mask to protect them from any untoward effects of the raw material particles. Workers should also be provided with heavy, thick rubber or cotton gloves to protect their hands from any injury that may be sustained in the process of manufacturing the rubber shoes.
- B. In the case of the slipper factories, the workers shall be provided with specially designed hand protector gloves or any device to protect them from any injury that may be sustained during the sewing and cutting the rubber or leather. Management should also provide the workers with the proper tools in carrying out their jobs.
- C. Workers in tanneries must also be provided with proper masks and or such devices that may minimize or eliminate the bad smell or odor associated with the tanning of animal skin into leather. Appropriate aprons or other outer garment to be worn by those who are drying the leather, shall be provided by management to prevent the workers clothes from being unnecessarily stained.

SECTION 3 - PROPER DISINFECTION REQUIRED. - Disinfectant solutions should be provided and made available to the workers. The workers at the end of a working day or shift must wash their hands, arms, feet up to the thighs with light lysol solution or the similar substitute to prevent the contamination of whatever disease the skin of the animal being processed or handled into the worker.



ARTICLE XXXII

CANDLE AND WAX FACTORY

SECTION 1 - PERMIT; REQUIREMENT AND REVOCATION. - All provisions of this Code relating to the requirement of securing a sanitary permit before operating a business shall apply. In the same manner that any violation to the provisions of this code shall be sufficient ground for the revocation of such permit.

SECTION 2 - BUSINESS SPECIFICATIONS.

- A. All personnel of the said factory shall be provided with appropriate protective clothing, mask and gloves to prevent such hazards to the workers as fumes, high temperatures and danger caused by organic or inorganic volatile substances used in the manufacture of products mentioned herein which may cause irritation of both lungs and skin.
- B. The manufacturing room of the candle factory must have cemented or tiled floor. The floor, wall and ceiling must be kept clean at all times. Provisions for the proper ventilation and lighting facilities, as well as separate toilet and lavatory accommodations shall apply to the establishments mentioned herein. Storage areas are likewise required to be kept sanitary at all times.
- C. Chimneys shall be designed and installed according to the specifications determined by the Chief of the Fire Department and the City Engineer to prevent the smoke from circulating within the factory premises and thus preserve the good health of the workers.

ARTICLE XXXIII

SCHOOL SANITATION AND HYGIENE

SECTION 1 - APPROVAL OF THE CITY HEALTH OFFICER. - No building shall be used for school purposes either by the government or by private entities unless it has been approved by the City Health Officer.

SECTION 2 - COMMUNICABLE DISEASE; BANNED. - Any student or school employee suffering from any communicable disease or such other diseases as determined by the health authorities to be contagious or a menace to the health of the school population or any student or school employee living with a family or in a house in which such disease is present, shall be excluded from school and subject to the measures of control by the City Health Department and shall not be allowed to be admitted until a certification from the City Health Officer has been issued stating that admittance of such student or employee is permissible.

SECTION 3 - SCHOOL OPERATION SPECIFICATIONS. - The requirement for sanitation as stated herein shall apply to the school population, school premises, school building, water supply and such other areas of concern that pertains to the operation of educational institutions.

- A. Each child shall be allowed not less than one and four-tenths (1.4 sq.m.) square meters of the floor area and not less than five cubic meters (5 cu.m) of air space. Students doing laboratory work shall be given twice the floor area and twice the air space specified.



- B. Classroom windows shall have an aggregate area of not less than 50% of the class area. The sill must be about twenty centimeters below the ceiling. Other compartments directed to the external air opening shall have a total area of not less than  $\frac{1}{3}$  of the floor space. If artificial ventilation is resorted to, the window opening may be reduced to  $\frac{1}{10}$  of the floor area.
- C. Classrooms, laboratories, study rooms, libraries in the school premises shall have a minimum illumination of not less than five foot-candles. Sewing, drafting and art rooms shall have at least ten foot-candles. A foot-candle is defined as the intensity of illumination received on the surface one foot from a light of one candle power.
- D. Smooth reflecting surfaces must be avoided in the classroom where it may be glaring especially when the light is too strong.
- E. The walls and ceilings must be painted with light non-reflecting colors, such as but not limited to light blue, light green, pink, light yellow, buff, that will not dazzle the eyes. Ordinarily, lighter shades for the ceiling are preferred.
- F. The seats or desk must afford good seating posture and comfort. Desks or seats must be arranged in such a way that light falls on the left shoulder of the students. Light falling on the right shoulder is allowed but not encouraged. A seventy-five-centimeter distance may be maintained in the middle aisle between the right and the left seats. The backseats shall be placed not farther than nine meters or thirty feet from the blackboards.
- G. No blackboard shall be placed on the wall where the windows used for lighting the room are located. The blackboard may be adjusted to about the eye-level of the students.
- H. Separate toilet facilities shall be provided for each gender with the proportion of one seat or urinal for every thirty female or male.
- I. No water closet shall be placed in a cubicle having exterior window opening of less than fifty centimeters.
- J. The toilet floors must be non-absorbent, finished with either cement, cement tiles, or petrified clay tiles slight reclining towards a floor drain. Tiles must extend at least five centimeters up the walls.
- K. One lavatory or other hand washing facility must be provided for every fifty student, if there is no such facility elsewhere in the building, more shall be installed in the toilet.
- L. Where there is no public sewer, sewage may be discharged into a septic tank with proper tiled disposal system
- M. A separate restroom for each gender shall be provided for teachers staying in school during mid-day, that the school has five hundred students or more. Such restroom shall be equipped with chairs, one or more beds with bedding towels and other linens, lavatory and mirror.



- N. In instances where watercloset/toilet are made inside individual classrooms it should meet the following minimum specification and subject to the approval by the City Health Officer.

The area should not be less than one (1) sq. meter with proper ventilation and should have two (2) chamber, septic tank which is 1 1/2 meters deep, two (2) meters wide and two (2) meters long.

SECTION 4 - WATER SUPPLY.

- A. All water supplied for drinking and culinary purposes shall be of pure and potable quality. It shall be the responsibility of the school head to provide potable water for the use of the studentry, similarly it shall be the responsibility of the school physician or nurse to advise the head as to the safety or purity of the water. In localities where a public water supply system is existing every school building shall be connected with the said system. When water container is in use, this shall be covered and equipped with a faucet from which water may be drawn. The container is to be thoroughly washed and scalded once a week. The use of dippers and common drinking cups is prohibited.
- B. The installation of sanitary drinking fountains is recommended, one for every fifty students. Under no circumstance should drinking fountains be installed inside the toilet.
- C. The source of water for drinking purposes shall be subjected to water analysis for possible contamination by the City Health Department Laboratory. Such examination shall be conducted once every three months. Water analysis shall be done upon payment of the service fee to the City Treasurer.

SECTION 5 - SCHOOL CANTEENS. - All school canteens, snack counters and other eating places shall be governed by the provisions of Article 16 on restaurants and other eating places.

SECTION 6 - SCHOOL CLINIC. - All schools are required to put a clinic for treatment of minor ailments and emergency cases. Universities, colleges and other schools with 3,000 or more enrollment shall use a room for medical clinic not less than sixty-five square meters divided into compartments to suit the different needs. It must comply with the specifications required of classroom as with regards to the ventilation and lighting. A lavatory or handwashing facility shall be installed.

Equipment and supplies required in school clinics shall be governed by Administrative Order NO. R-2 of the Department of Health.

SECTION 7 - TEACHERS' ANNUAL CHECK-UP. - Members of the faculty and other school personnel must be free from any communicable diseases, must be physically examined including an X-ray. Upon entrance of duty X-ray will be done annually if necessary & recommended by the physician.



ARTICLE XXXIV

SPECIAL REQUIREMENTS FOR MEDICAL SCHOOLS AND COLLEGES STORING  
PRESERVED HUMAN BODIES FOR SCIENTIFIC AND ACADEMIC PURPOSES

SECTION 1 - MORGUE SPECIFICATIONS. - Medical and other schools and colleges storing human bodies for scientific purposes must, in addition to existing facilities and in accordance with the provisions of the Code of Sanitation of the Philippines.

- A. The morgue must be constructed whether as a separate structure or part of the medical building. In either case, strict privacy must be maintained.
- B. The size of the morgue depends upon the number of cadavers to be stored. The cadavers are contained in tanks divided into compartments. Each compartment must have the following dimensions: 1-1/2 meters wide and 2-1/2 meters deep and 2-1/2 meters long. Every compartment shall be provided with drain pipe leading into sewer or sewerage disposal system. The cover of each compartment shall be constructed of reinforced concrete with the inner walls and floors finished with white petrified clay tiles.
- C. Light and ventilation must also be of the required proportion to the floor area, in addition to these openings, exhaust ducts of at least 1/50 of the floor area shall be provided in the ceiling or as close as the ceiling as possible.

SECTION 2 - DISSECTION ROOM; SPECIFICATIONS. - Likewise, dissecting rooms must be provided or constructed.

- A. The dissecting rooms must be located in a suitable place of the building, preferably in the top floor or in separate structure where only authorized persons shall have access to.
- B. It too must have good ventilation and lighting protection from insects and rodents.
- C. The floor and walls up to 1.5 meters high must be of cement or other impervious materials, with one or more floor drains connected with the sewer or sewerage disposal system.
- D. There should be sufficient lavatories or its equivalent in proportion of one faucet for ten students with regular supply of soap and constant supply of disinfecting solution.
- E. Dissecting tables must be at standard construction with the drain leading into receptables with self-closing slides for dismembered human parts, and must be set 1-1/2 meter apart from edge to edge.
- F. There must be one toilet for each gender in the same proportion to the number of students as those use in classroom, if the room is a separate structure or isolated from the rest of the building. There must be one locker for every student where gowns, instruments, gloves and other things used in dissection are kept.



ARTICLE XXXV

FUNERAL AND EMBALMING ESTABLISHMENTS AND CREMATORIUMS

SECTION 1 - SCOPE. - Funeral under this article shall include: funeral parlor, mortuary, funeral chapel, mortician's embalming establishment, crematoriums and morgues.

SECTION 2 - CLASSIFICATIONS OF FUNERAL ESTABLISHMENTS. - Funeral establishments shall conform with the following classifications:

- A. Funeral establishments with chapel, embalming facilities and funeral services.
- B. Funeral establishments with chapel and funeral services but without embalming facilities.
- C. Funeral establishments without chapel and without embalming facilities, only funeral services from the place of the "wake" to the cemetery is available.

SECTION 3 - PERMIT AND STRUCTURAL REQUIREMENTS.

- A. No establishment under this article shall be allowed to operate without first obtaining a sanitary permit issued by the City Health Officer or his authorized representative and clearance from the Office of the Environment and Natural Resources Division (ENRD) or his authorized representative.

In the same manner that no funeral establishment shall allow any embalmer or any person to perform such work without first securing from the Secretary of Health or his authorized representative an embalming certificate and a license to practice.

- B. For chapels, where the remains of the dead are placed in state and mourners are admitted in big number, the structural requirements shall be the same as that imposed for public amusement places.
- C. For establishments without chapel and embalming facilities the requirements shall be the same as that of ordinary offices.
- D. For the establishments and dressing of cadavers, the following specifications shall be observed:
  - 1. The building itself should be made of concrete, semi-concrete or other impervious materials;
  - 2. It must accommodate five cadavers at a time;
  - 3. It must be effectively protected from flies and other insects with screened windows and doors or with other similar means;
  - 4. The provisions on lighting and ventilation shall govern, subject to the directives of the City Health Officer;
  - 5. Facilities for washing and disinfection must be adequately provided subject to the approval of the City Health Officer;



6. A septic vault or sewer system shall be provided where waste water and similar effluents are drained;
7. The Chimney shall not emit smoke which can be a nuisance to the community.

SECTION 4 - EMBALMING OPERATIONS - All embalming operations must be performed only in any of the aforementioned establishments. Embalming shall be made only under the following conditions:

- A. Availability of an embalming table made of single marble slab or other equally impervious materials, especially constructed such that all washing and body fluid are collected and drained into an appropriate receptacle.
- B. Embalmers and their assistants should wear appropriate rubber gloves and shall not leave the embalming room until their hands and any soiled part of their clothing and bodies have been thoroughly disinfected.

SECTION 5. TRANSFER OF CADAVERS

- A. No dead human body or cadaver shall be transferred or caused to be transferred from Ormoc City to any other part of the province or country without the death having first registered in the officer of the Local Civil Registrar and the cadaver subsequently inspected by the City Health Officer or his duly authorized representative;
- B. The pertinent provision of the Code on Sanitation of the Philippines (P.D. 856) and its Implementing Rules and Regulations shall govern, particularly on the requirements of transfer permit, with regards to the transfer of cadavers to other places outside Ormoc City.

SECTION 6. CITY HEALTH OFFICER INSPECTION; REVOCATION OF PERMIT. - All establishments under the provisions of this article are subject to the inspection by the City Health Officer or any of his representative at any time of the day or night.

Non-compliance of any of the conditions provided herein, especially on the proviso relative to hygiene and sanitation is sufficient cause for the revocation of the sanitary permit.

ARTICLE XXXVI

TRANSFER AND DISPOSAL OF CORPSE

SECTION 1. GOVERNING LAWS. - This article shall be primarily governed by the Code on Sanitation of the Phils. (PD 856) Re-disposition of Bodies of Dead Persons and Articles XVI of the Public Health Law, especially with regards to burial grounds, sanitary care and handling of corpses and unauthorized burials.

SECTION 2. EMBALMING:

- A. No person other than those authorized by the Secretary of Health shall engage in embalming and such trade or art shall be exercised under the sanitary regulations prescribed herein and of the Secretary of Health.



6. A septic vault or sewer system shall be provided where waste water and similar effluents are drained;
7. The Chimney shall not emit smoke which can be a nuisance to the community.

SECTION 4 - EMBALMING OPERATIONS - All embalming operations must be performed only in any of the aforementioned establishments. Embalming shall be made only under the following conditions:

- A. Availability of an embalming table made of single marble slab or other equally impervious materials, especially constructed such that all washing and body fluid are collected and drained into an appropriate receptacle.
- B. Embalmers and their assistants should wear appropriate rubber gloves and shall not leave the embalming room until their hands and any soiled part of their clothing and bodies have been thoroughly disinfected.

SECTION 5. TRANSFER OF CADAVERS

- A. No dead human body or cadaver shall be transferred or caused to be transferred from Ormoc City to any other part of the province or country without the death having first registered in the officer of the Local Civil Registrar and the cadaver subsequently inspected by the City Health Officer or his duly authorized representative;
- B. The pertinent provision of the Code on Sanitation of the Philippines (P.D. 856) and its Implementing Rules and Regulations shall govern, particularly on the requirements of transfer permit, with regards to the transfer of cadavers to other places outside Ormoc City.

SECTION 6. CITY HEALTH OFFICER INSPECTION; REVOCATION OF PERMIT. - All establishments under the provisions of this article are subject to the inspection by the City Health Officer or any of his representative at any time of the day or night.

Non-compliance of any of the conditions provided herein, especially on the proviso relative to hygiene and sanitation is sufficient cause for the revocation of the sanitary permit.

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SECTION 2. EMBALMING:

- A. No person other than those authorized by the Secretary of Health shall engage in embalming and such trade or art shall be exercised under the sanitary regulations prescribed herein and of the Secretary of Health.



- f. If the person who issues 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 a 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 48 hours after death.
- h. When the cause of death is a dangerous communicable disease, the remains shall be buried, the remains shall be buried within 12 hours after death. They shall not be taken to any place of public assembly. Only the adult members of the family of the deceased may be permitted to attend the funeral.

SECTION 5. DISINTERRED REMAINS. - All exhumation shall be made pursuant to the provisions of the Code on Sanitation of the Phils. (PD 856). The disinterred remains may be delivered after proper identification to the persons authorized by the City Health Officer.

Unclaimed remains shall be buried in the cemetery. In case of foreigners, unclaimed remains shall be buried in separate marked graves and the information shall be made available concerning their death and identification filed in the Office of the Local Civil Registrar.

#### ARTICLE XXXVII

#### CEMETERIES

SECTION 1. REQUISITES. - All cemeteries which are in existence and those which are yet to be established shall be subject to the requisites in the Code on Sanitation of the Phils. (PD 856).

SECTION 2. FENCES. - All cemeteries must be surrounded with fences or parameter walls of cement blocks or barbed wire with posts of hard wood, concrete or iron. Such fence will prevent the entrance of animals or unauthorized persons. The main entrance or any other gates must be provided with lock and key. Chapels may be provided to shelter the mourners and other persons and which may also be used for whatever ceremonies held prior to the final entombment of the deceased.

SECTION 3. PROHIBITIONS. - It is prohibited to plant any fruit-bearing trees or other edible plants within the cemetery premises or compound except ornamental or flowering plants provided that the same shall not obstruct the passage-ways between rows of graves.

SECTION 4. BURIAL HOURS. - All cemeteries must be opened to allow the burials of cadavers everyday from 6:00 a.m. to 6:00 p.m. after which it will be closed until 6:00 a.m. the following day. No person is allowed to enter during the hours not specified herein except the caretaker, health officers or other duly authorized personnel, without a previously obtained written permission from the administrator or person in-charge.



In emergency cases, however, the administrator may issue a burial permit of cadavers between the closed hours of the cemetery, provided that the City Health Office is informed at the soonest time possible.

SECTION 5. RESPONSIBILITIES IN MAINTAINING THE CEMETERY. - It shall be the duty of the administrator, caretaker or any person-in-charge, if privately owned to maintain the grounds and to keep it clean at all times by having or causing all weeds to be removed and all stagnant water be eliminated by proper drainage or filling.

SECTION 6. ZONING. - No structure either for residential or commercial purposes should be constructed around the cemetery within a twenty-five (25m.) meter radius from the boundary line of the cemetery; Provided further that no artesian well should be constructed within a fifty meter (50 m.) radius from the cemetery limits.

#### ARTICLE XXXVIII

##### SANITARY PROVISIONS ON SUBDIVISION ESTATES

SECTION 1. SANITARY MAINTENANCE. - Sanitary maintenance of the subdivision estates is the joint responsibility of the owner of the state and the owner of the lot.

Failure to take cognizance of the responsibility shall cause the city government to maintain the sanitary condition of the estate at the expense of those responsible and shall become a lien to the property or estate.

#### ARTICLE XXXIX

##### PENAL PROVISIONS

SECTION 1. PENALTIES. - Any person or persons, establishment, firm company, corporation or institution responsible for the violation of any of the provisions of this Sanitary Code shall be criminally prosecuted and upon conviction shall be punished by a fine of not less than Three Thousand Pesos (P3,000.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment of not less than six (6) months but not more than one (1) year or both fine and imprisonment at the discretion of the Court;

However, should the violator opt to pay the Administrative fine, the City Mayor upon the recommendation of the City Health Officer may impose an Administrative fine in accordance with the following; for First Offense P750.00 plus temporary suspension until the violation shall have been corrected; and for the Second Offense an Administrative fine of One Thousand Pesos (P1,000.00) and or revocation of the license or business permit.

If the violation is committed by a corporation, firm, partnership or any juridical entity, the President, Vice-President, General Manager or any person incharged with the administration or management thereof at the time of the commission of the violation shall be held responsible.



ARTICLE XL

REPEALING CLAUSE

SECTION 1. All existing provisions of any City Ordinance or any other local legislation inconsistent with any part of this Code are hereby amended or repealed, accordingly.

ARTICLE XLI

EFFECTIVITY


SECTION 1. This Ordinance shall take effect immediately after its publication in a newspaper of local circulation.

ENACTED, December 29, 1999.

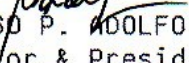
RESOLVED, FURTHER, to furnish copies of this Ordinance, one each, to His Honor, the City Mayor; the City Administrator, City Legal Officer, the City Treasurer, Permits and Licensing Division Office, the PNP City Director, the Precinct Commander - PPI, the ABC President, (with request to give information to Barangay Chairmen), the DILG-CGO Officer, the Barangay Affairs Office, the City Prosecutors' Office, the City Health Officer, all others concerned, and at least three (3) copies be posted on Bulletin Boards at conspicuous places, -all in Ormoc City;

CARRIED UNANIMOUSLY.

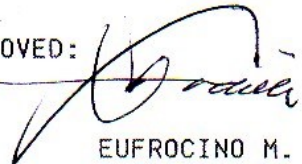
I HEREBY CERTIFY to the correctness of the foregoing ordinance.

  
VIRGILIO D. ANTIG  
OIC - SP Secretary  
(Board Secretary IV)

ATTESTED:

  
CELSO P. ADOLFO  
City Vice Mayor & Presiding Officer

APPROVED:

  
EUFROCINO M. CODILLA, SR.  
City Mayor

1-11-2000  
(Date)