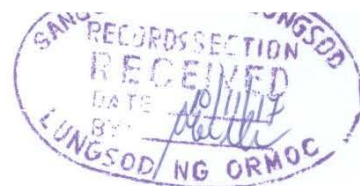


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON OCTOBER 03, 2017 IN LIEU OF  
OCTOBER 05, 2017

PRESENT:

Vincent L. Rama,	(Temporary Presiding Officer),
	SP Member, Asst. Majority Floor Leader
Rolando M. Villasencio,	(Acting City Vice Mayor),
	SP Member, Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.,	(Acting City Mayor),
	Vice Mayor & Presiding Officer
Tomas R. Serafica,	(O.B. - Within Ormoc City), SP Member

ON LEAVE:

Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Benjamin S. Pongos, Jr.,	SP Member

PREFATORY STATEMENT

WHEREAS, the growth and development of Ormoc City has attracted people from neighboring towns and cities since the city offers a lot of opportunities including educational opportunities.

WHEREAS, these people may be students or professionals who need a place they can stay while they are away from their homes. Some of these people opt to stay in boarding houses for the duration of the week or months. Some professionals stay as regular boarders or transients in dormitories and boarding houses. Hence, the same have become necessary for these people who seek temporary residence while in the City of Ormoc.

WHEREAS, upon entry of major competitors willing to invest in Ormoc City bringing with them different opportunities, dormitories and boarding houses will become a thriving business in Ormoc City that should be encouraged to respond to the dwelling needs of a sizable number of people.

WHEREAS, the adoption of this ordinance is imperative to ensure the protection and safety of the boarders living in boarding houses and dormitories and have sufficient and decent living quarters that are healthful and sanitary, free from pernicious influences that may endanger their physical, social, psychological, and moral development.

WHEREAS, the enactment of this ordinance is a fulfillment of the mandate of the City Government of Ormoc to always look for the general welfare of the people in the city as mandated under the Local Government Code of 1991.

NOW, THEREFORE, on motion of SP Member Nolito M. Quilang, Chairman, Committee on Education, Culture and the Arts, severally seconded by SP Members Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III, John Eulalio Nepomuceno O. Aparis II, Lea Doris C. Villar and Mariano Y. Corro; be it

RESOLVED, to enact:

**ORDINANCE NO. 045**

**AN ORDINANCE REGULATING THE ESTABLISHMENT AND OPERATION OF BOARDING HOUSES AND DORMITORIES IN THE CITY OF ORMOC, PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.**

Be it ordained by the 14<sup>th</sup> Sangguniang Panlungsod, Ormoc City, that:

**SECTION 1. TITLE** - This Ordinance shall be known as the "The Boarding House and Dormitory Ordinance of 2017."

**SECTION 2. SCOPE** - The provisions of this Ordinance shall apply in the construction, use, occupancy and operation of dormitories and boarding houses in the City of Ormoc to ensure that students, professionals, workers and other dwellers living in dormitories and boarding houses shall have sufficient shelter, shall live in an environment free from pernicious influences, and conducive to the promotion of his/her health, and shall be protected against exploitation, improper influences or hazards prejudicial to his/her development.

**SECTION 3. STATEMENT OF POLICY** - It is hereby declared as a policy of Ormoc City to promote and improve the conditions of dormitories and boarding houses and shall ensure that these types of dwellings are safe and comfortable for all students and other occupants. Toward this end, the City Government shall regulate the operation and maintenance of dormitories and boarding houses in the City of Ormoc to make these facilities conducive to learning and living.

**SECTION 4. DEFINITION OF TERMS** - As used in this Ordinance, the following terms shall mean as:

- a) Bed space - refers to sleeping space, room or portion of a residential house for rent conducive as temporary dwelling of occupants;
- b) Bed space owners - refers to any natural or juridical persons who owns, manages or maintains any house, building or structure or a portion thereof who accepts persons who occupy beds or sleeping space for a consideration of money, services or goods or a combination thereof;
- c) Boarder - refers to any student or any person who lives in a boarding house or dormitory for a consideration payable in cash for food and/or lodging purposes for a period of time;
- d) Business Plate - refers to a metal or plastic plate at least 15 centimeters wide and 30 centimeters long with the permit number and year said permit is valid for, and shows that the owner has complied with standards and requirements for sanitation, health, and safety;



- e) Dormitory or Boarding house – refers to any house, dwelling, building or structure or any portion thereof which provide managed accommodation to boarders, with facilities for communal use by tenants;
- f) Landlord/lady, Owner, Operator – refers to any natural or juridical person who owns, manages or maintains a dormitory or boarding house, or the duly authorized representative or agent of such person;
- g) License/Permit – is a right or permission granted by the City Government of Ormoc to any natural or juridical person to operate, manage or maintain a dormitory or boarding house after payment of the license fees;

**SECTION 5. LICENSE FROM LOCAL GOVERNMENTS** – It shall be unlawful for any person to own, keep, maintain or operate any dormitory or boarding houses or bed spaces without first obtaining a license from the city government in accordance with the pertinent laws and ordinances. The license, which is renewable annually, shall be posted in a conspicuous place and shall specify the number of persons allowed to dwell or board in each dormitory or boarding house.

**SECTION 6. THE BUSINESS PERMIT AND LICENSING OFFICE (BPLO) AS AGENT** – The BPLO as an agent of the City Government of Ormoc shall maintain a register of duly licensed boarding houses, dormitories and bed spaces, which they can make available to those seeking for said facilities or temporary dwellings. The BPLO shall include in their duties visits to boarding houses, dormitories or bed spaces and shall make reports and recommendations to the Sangguniang Panlungsod for reference and appropriate actions.

**SECTION 7. ISSUANCE OF BUSINESS PERMITS TO DORMITORIES AND BOARDING HOUSES** – The following provisions shall govern the issuance of license to dormitory and boarding houses:

- a) Boarding houses, dormitories and bed spaces shall be considered as business establishments; hence, shall be required to secure annual business permits to operate.

In addition to the application of a business permit the following shall be the requirements in the procurement of a business permit:

1. Locational clearance from zoning administrator;
  2. Clearance from the Office of the Building Official (OBO) – as to:
    - i. Compliance of all the Building and Occupancy Permit; and
    - ii. Conduct of inspection - that the dormitory or boarding house or bed spaces do not pose danger to life and property and that such dormitory or boarding house complies with the safety devices, health facilities, study needs and other requirements;
  3. Fire Safety Inspection Certificate (FSIC) from the Bureau of Fire Protection; and
  4. Sanitary Permit from the City Health Office;
- b) Aside from the written permits and licenses, owners shall secure a business plate, which shall be prominently displayed at the front doorway of the dormitory or boarding house, building or structure.
  - c) Applicants for business permits/licenses to operate boarding houses, bed spaces and/or dormitories shall indicate the number of persons permitted to dwell therein whether males or females, and which shall be displayed in a conspicuous place in the said premises and in no case shall be permitted to accommodate dwellers or boarders beyond the number stipulated therein.



**SECTION 8. LIMITATION OF BED SPACES** – To be exempt from coverage under Section 10 hereof, bed space owners shall not accept students as dwellers to their bed spaces.

**SECTION 9. IMPOSITION OF LICENSE/REGULATORY FEES** – All dormitories and boarding houses shall pay the necessary fees as provided in Tax Ordinance No. 2000-002, Section 1 (E), with the necessary increases to be determined by the Sangguniang Panlungsod.

**SECTION 10. PREMISES AND FACILITIES** – the following standards for facilities shall be imposed on those operating a boarding house or dormitory:

- a) Construction – The building to be used as dormitory/boarding house must comply with the National Building Code of the Philippines and its revised implementing rules and regulations;
- b) Exits, fire escapes, passageways, alarm system and fire protection equipment – shall conform to the Fire Code of the Philippines 2008 and its IRR;
- c) Rooms – the rooms in the boarding house or dormitories shall be as follows:
  1. Bedroom -The bedrooms for boarders must comply with the provisions of the National Building Code especially in terms of space, lighting, and ventilation so as to ensure comfort and ease for the occupants of the same. All rooms shall have adequate ventilation and enough space for comfort. All bedrooms shall have a window and beds shall be arranged in such manner as would provide adequate space to give the boarders enough room for mobility. In order that the moral well-being of female boarders may be safeguarded, all dormitories and boarding houses shall provide for separate quarters for males and females and when not feasible only one sex may be admitted into the dormitory or boarding house.
  2. Dining room – The dining room shall be separate from the sleeping quarters and must be maintained in a sanitary condition all the time;
  3. Study areas – Adequate space and facilities for conducive study room shall be provided. Appropriate study tables and comfortable chairs must be provided; likewise with lights bright enough for studying;
  4. Receiving Room- There shall be a receiving room where visitors maybe received. Visitors of the opposite sex than those who occupy the sleeping quarters shall not be allowed to stay in the bedroom at anytime of the day or night;
  5. Lavatory and Bathroom – One comfort room and one bathroom shall be provided for every five (5) boarders and there shall be separate bathroom for females and males;
  6. Kitchen – There shall be a separate kitchen area, which shall be maintained in a sanitary condition all the time. Plastic or metal garbage receptacles shall be provided with tight fitting covers. Garbage and waste materials shall be removed regularly so as not to become a health hazard or nuisance. Receptacles shall be properly cleaned immediately after these are emptied. Adequate provisions shall be made for sanitary storage, handling and protection of food supplies. Any room used as a kitchen shall not be used as a sleeping room and the householder shall be responsible that such common kitchen is not to be used as a sleeping room;
  7. Water Supply – There shall be provisions for safe, potable water and adequate supply for washing and other purposes;



8. Laundry and Washing – There shall be adequate water and facilities for washing and drying of laundry;

- d) First aid facilities – Every owner shall maintain in the dormitory or boarding house such basic first-aid medicine and equipment as maybe necessary for emergency purposes.
- e) Sanitation - The premises including the yard, driveways, and alleys contiguous with the premises, shall, at all times, be kept clean and sanitary. This includes the provision of drainage that is in working and sanitary condition to ensure healthful surroundings for the boarders.

**SECTION 11. LIGHTING AND VENTILATION** - the following standards for lighting and ventilation shall be imposed on those operating a boarding house or dormitory:

- a) Lighting and electrical installations – Rooms, passageways, stairways and other parts of the premises shall be lighted by natural and/or artificial means in consonance with the Philippine Electrical Code.
  - 1. Electrical equipment and installations shall conform to the Philippine Electrical Code and shall be subjected to periodic inspection.
  - 2. Lighting equipment, devices and fixtures, shall at all times, be maintained in clean, safe and in good working condition.
- b) Ventilation – The premises shall conform to the ventilation requirements embodied in the National Building Code.

**SECTION 12. REGISTRATION OF BOARDERS-** Boarding Houses and dormitories shall maintain a register of boarders specifying the name, age, sex, address, school and course studied together with the curriculum year; or place and address of employment for those working, and to include name, address and contact numbers of parents or guardians for minors. Owners or landlords/ladies shall also keep a copy of the written permission or contract with parents of minors to board in such boarding house/dormitory. This registry shall record the days, months or years of the stay of the boarders.

This registry shall be available for perusal and inspection of persons in authority or agents of persons in authority for any lawful purpose.

**SECTION 13. REQUIREMENT FOR HOUSE PARENT OR DORM MASTER** – There must at all times be a house parent or a dorm master who shall be charged with the activity management of the dormitory or boarding house and shall act as a mother or father to the boarders and shall maintain a logbook which shall show among others the number of boarders the dormitory or boarding house has, and the whereabouts of all boarders at any time of the day.

All dormitories or boarding houses having more than 10 female and male boarders each shall be required to have a house parent for female boarders and dorm master for male boarders.

**SECTION 14. HEALTH CERTIFICATES** – All personnel, particularly cooks, food handlers, waiters or kitchen helpers who handle food, shall secure and maintain a valid health certificates in accordance to existing laws and ordinances.



**SECTION 15. COMMUNICABLE DISEASES OR OUTBREAK OR POISONING** - Whenever there shall occur in a dormitory or boarding house an outbreak of suspected poisoning or any unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, skin eruption or jaundice is the prominent symptom, it shall be the duty of the house parent or dorm master to report such outbreak or unusual prevalence of illness to the City Health Officer, in person or any other means.

No person known to be capable of transmitting communicable diseases shall be employed in a dormitory or boarding house in any capacity nor admitted thereto unless properly isolated.

**SECTION 16. SECURITY OF BOARDERS** - The owners and operators of dormitories or boarding houses shall be responsible for the security and safety of boarders. As such, it shall be incumbent upon the owners and operators to provide necessary services or facilities to secure the boarders such as security guards for those with boarding houses or dormitories with twenty (20) or more boarders.

Owners and operators shall ensure that no deadly weapons like firearms, bladed weapons, and explosives shall be kept or carried within the premises of the boarding house.

The installation of closed circuit television cameras (CCTVs) is hereby made mandatory for all dormitories and boarding houses with the number of units installed to be determined by the Task Force, subject but not limited to the following guidelines:

1. Big Establishments (2 floors or more): Minimum of two (2) closed circuit television cameras;
2. Small Establishments (single storey) - Minimum of one (1) closed circuit television camera.

Boarding houses and dormitories with less than five (5) boarders or occupants shall not be covered with this requirement of CCTV installation.

**SECTION 17. DORM OR BOARDING HOUSE RULES AND REGULATIONS** - All dormitories or boarding houses are required to prescribe set of rules and regulations for the guidance and compliance of the respective boarders. Such set of rules and regulations shall at all times be displayed in a conspicuous place within the premises. Among all others, such set of rules and regulations shall prescribe (1) curfew hours, (2) specific hours of study periods in the evening, (3) courtesy among boarders, (4) upkeep of rooms, beddings, bathroom and toilets, (5) banning smoking and use of illegal drugs in the premises, (6) banning intoxicating drinks and gambling inside the premises except on special occasions, (7) prohibiting the bringing and keeping of pet animals, (8) restriction of visitors to certain hours of the day and on specific days of the week, (9) keeping a logbook for time out and time in of boarders, and (10) all others that are deemed necessary for good management.

All boarding houses and dormitories shall also prohibit male boarders to get inside and stay in females' sleeping quarters at anytime and vice versa except when the boarders belong to the same family or in cases of married couples renting an exclusive room within the boarding house or dormitory;

This shall also include the pertinent provisions of this ordinance and shall include most importantly the contact numbers of the local City Social Welfare and Development Office (CSWDO), the Philippine National Police (PNP), the Bureau of Fire Protection (BFP), and different hospitals in the city.



Boarding houses and dormitories shall regularly discuss with the boarders the rules and regulations displayed at a prominent place in the vicinity.

**SECTION 18. EVIDENCE OF OVERCROWDING** – When any domestic building or any part thereof is ascertained to be in an overcrowded condition between the hours of eleven o'clock at night and five o'clock the following morning, such overcrowding shall be deemed to be prima facie evidence that said building or part thereof was let or sublet in contravention of this ordinance.

The householder or tenant together with his/her family or household if any, if residents in any such dormitory or boarding house shall be counted in ascertaining whether such building or part thereof is in an overcrowded condition.

If the dormitory or boarding house or portion thereof shall be found to be in an overcrowded condition, the City Licensing Officer shall order the householder to abate such overcrowding within a period of one week; such order shall specify the cubic capacity available for habitation in such dormitory or boarding house and the number of persons who may be legally accommodated therein. If the said order is not obeyed, the City Licensing Officer shall notify the City Legal Officer for appropriate legal action thereon.

**SECTION 19. TERMINATION NOTICE** – If a period is fixed for the lease of a bed space or room in the dormitory or boarding house, neither the owner nor the boarder may terminate the contract before the expiration of the term, except for a just cause. If the boarder is unjustly ejected from the dormitory or boarding house, he or she shall be paid damages equivalent to one (1) month rental. If the boarder leaves without justifiable reasons and without proper notice, he/she shall forfeit any deposit made on rentals. If the duration of the stay in the boarding house is not determined by contract or by agreement of the parties, the dormitory or boarding house owner or the boarder may give notice to terminate the same at least fifteen (15) days before the intended date thereof.

**SECTION 20. TASKFORCE DORMITORIES/BOARDINGHOUSES** – The City Mayor in his determination may create task force to look into the dormitories and boarding houses when circumstances warrant said creation such as in time of an outbreak, calamities, accidents affecting the safety and health of boarders or blatant disregard or violations of this ordinance calling for stronger enforcement mechanisms.

**SECTION 21. BARANGAY MONITORING SYSTEM ON BOARDING HOUSES, DORMITORIES AND BED SPACES** – All the barangays shall map out the boarding houses and dormitories in their respective jurisdictions and shall keep track and monitor the boarders in their respective areas. The barangays shall also have a registry of boarders boarding on a specific year and their boarding houses, owners of such and contact numbers. It shall be the duty of the boarding houses, dormitories and bed spaces to furnish the barangay the necessary data indicated in this provision every July and December of each year.

**SECTION 22. IMPLEMENTING OFFICES** – The following offices shall take charge of implementing the ordinance and perform relevant functions including but not limited to the following:

- a) Business Processing and Licensing Office (BPLO) to monitor and oversee compliance of boarding house and dormitory owners in securing the necessary permits and to issue rules and guidelines approved by the City Mayor necessary to implement this ordinance;



- b) City Health Office to check on compliance with PD No. 856 or the Sanitation Code of the Philippines and other pertinent health laws, rules and regulations;
- c) Office of the Building Official to check on the compliance with the Requirements of PD No. 1096 or the National Building Code of the Philippines and standards for facilities required under this ordinance;
- d) Bureau of Fire Protection or authorized representative to ensure on the compliance with the requirements of R.A No. 9514 or Fire Code of the Philippines of 2008;
- e) Ormoc City Police Office to determine the appropriate installation of CCTV units within the establishments concerned taking into consideration the strategic locations of such installations;
- f) City Treasurer's Office – to monitor and oversee if payments were made of fees for the operation of the business;
- g) Barangays shall require owners of dormitories and boarding houses to submit list of the number of their boarders as well as their particulars, to maintain a masterlist;

The implementing offices shall be given authority to conduct announced and unannounced inspections or visitations of all establishments abovementioned, at any time of night and day, for the purpose of ascertaining, whether the provisions of this Ordinance are being complied with: Provided, that all announced and unannounced inspections and visitations shall be properly recorded with the Business Processing and Licensing Office of the Ormoc City Government.

**SECTION 23. PENALTY.** Any person who is responsible for the compliance of this ordinance and who fails to comply with any of its provisions shall be penalized with the following:

- 1. Reprimand and be given 60 days within which to rectify the violation committed;
- 2. If the period of 60 days lapses or if violation is committed again, the violator shall pay a fine of not less than One thousand pesos (P1,000.00) nor more than five thousand pesos (P5,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment at the discretion of the court. Provided that, however, the violator may opt to pay a no-contest administrative fine of Two Thousand Pesos (P2,000.00) to be paid to the City Treasurer's Office, which shall issue the corresponding, receipts:

Provided further, that for the first and second offenses, the City Mayor shall suspend the business permit until such time that the corresponding administrative fine is paid in full and the subject violation is corrected.

Provided finally, that the payment of the corresponding administrative fine for the third offense shall not operate to absolve the violator of the imposition of the penalty of business permit revocation.

**SECTION 24. APPLICATION OF SUPPLEMENTARY LAWS** – This ordinance shall be supplemented by the applicable provisions of the P.D. 1096 otherwise known as the "National Building Code of the Philippines" and R.A. No. 9514 otherwise known as "Fire Code of the Philippines of 2008" and other applicable laws.



**SECTION 25. SEPARABILITY CLAUSE** - Should any portion or provision of this ordinance be declared unconstitutional or invalid, the other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 26. REPEALING CLAUSE** - Any ordinance and local issuance that are inconsistent with any provision hereof shall be considered repealed or amended accordingly.

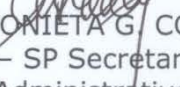
**SECTION 27. EFFECTIVITY** - This Ordinance shall take effect after compliance with publication and posting requirement of the Local Government Code of 1991, with the exception of existing dormitories/boarding houses which shall be given grace period of one (1) year from the date of effectivity of this Ordinance within which to comply with the provisions of this Ordinance.

ENACTED, October 03, 2017.


RESOLVED, FURTHER, to furnish copies of this Ordinance one each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the Business Permits & Licensing Office; the Office of the Building Official; the City Health Office; the Bureau of Fire Protection; the Ormoc City Police Office; the City Treasurer's Office; the Liga ng mga Barangay ng Ormoc; the respective Punong Barangays of Barangay Districts 1 - 29 and Barangays Punta, Alegria, Doña Feliza Mejia, Don Felipe Larrazabal, Can-adieng and Cogon; the OIC-City Director, DILG; and others concerned;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the above ordinance.

  
MARIA ANTONIETA G. CO HAT  
(OIC - SP Secretary)  
Supervising Administrative Officer

ATTESTED:

  
VINCENT L. RAMA  
(Temporary Presiding Officer)  
SP Member  
Asst. Majority Floor Leader

APPROVED:

  
RICHARD I. GOMEZ  
City Mayor  
11 OCT 2017  
(Date)