

SAMPLE III  
Exhibit 1

ORDINANCE

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOG

OFFICE OF THE VICE-MAYOR  
RECEIVED  
8 5/23/89  
ORMOG CITY

DATE OUT  
5-23-89  
DATE  
BY: *[Signature]*  
LUNGSOD NG ORMOG

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
SANGGUNIANG PANLUNGSOD NG ORMOG HELD AT THE HONORABLE  
PLACIDO ENEDIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON MAY 18, 1989

RECEIVED  
DATE: 5-24-89  
BY: *[Signature]*  
LUNGSOD NG ORMOG

PRESENT:

Hon. Nepomuceno P. Aparis I,	Vice-Mayor & Presiding Officer
Hon. Gregorio A. Yrastorza, Jr.,	Kagawad, Floor Leader
Hon. Eufrocino C. Codilla, Jr.,	Kagawad
Hon. Celso P. Adolfo,	Kagawad
Hon. Sixto T. Pongos,	Kagawad
Hon. Arnulfo C. Salazar,	Kagawad
Hon. Jose B. Conejos,	Kagawad
Hon. Rodolfo L. Rivilla, Jr.,	Kagawad
Hon. Benjamin F. Tugonon,	Kagawad
Hon. Antero T. Fiel,	Kagawad
Hon. Celso P. Portadilla,	Kagawad
Hon. Romeo M. Hermosilla,	ABC President, Kagawad

ABSENT:

N o n e .

EXPLANATORY NOTE

It has been sadly noted that our public cemetery is in disarray and in worst order, with niches in varying sizes found scattered all over the cemetery ground, and, lastly, even in a sizable area, a mausoleum is constructed. This situation was due to the fact that our Revised Sanitary Code of 1970 did not have any provisions to ensure orderliness and equal treatment and opportunity to all our constituents who wish to avail of our public cemetery ground. In order to implement the provisions of the Revised Sanitary Code of Ormog City so as to ensure a sanitary orderliness, aesthetic as well as planned public cemetery, to include other public cemeteries which may be set up in any of our barangays, this legislative Body finds it necessary to pass an ordinance to regulate the use of our public cemetery and other future public cemeteries, and, thus, passes this -

RESOLUTION NO. 68

WHEREAS, the present public cemetery of Ormog City is in disarray with varying sizes of niches found scattered all around the lots, giving an impression of disorderliness and unsanitation;

WHEREAS, there is a need to develop the public cemetery in an orderly and sanitary way;

WHEREAS, there is a principal need to serve the people for a decent public cemetery, giving equal opportunity and privilege to those who may avail of the public cemetery ground;

NOW, THEREFORE, on motion of Kagawad Gregorio A. Yrastorza, Jr., duly seconded by mga Kagawad Eufrocino C. Codilla, Jr. and Celso P. Portadilla; be it



RESOLVED, to adopt:

ORDINANCE NO. 19

AN ORDINANCE REGULATING THE USE OF THE PUBLIC CEMETERY OF ORMOC CITY SO AS TO DEVELOP AND MAINTAIN SANITATION AND ORDERLINESS OF THE PLACE AND TO PROMOTE EQUITABLE USE AND ACCOMMODATION TO THOSE WHO MAY AVAIL OF THE PUBLIC CEMETERY GROUND.

BE IT ORDAINED, by the Fifth Sangguniang Panlungsod ng Ormoc, That:

SECTION 1. There shall be a lot allocated to every dead person to be buried at the public cemetery, however, if a niche is set up therein, the same be limited to a size of 2.7 x 2.0 meters and not more than 1.0 meter in height except along the boundary of the cemeteries where two (2) or more niches will be allowed on top of the other.

SECTION 2. There shall be no reservation in the allocation of lots. A lot shall be utilized when the need arises or when one is dying or has actually died;

SECTION 3. By way of exception, special areas may be reserved, however, only for the indigents or unknown dead persons, which areas are free of charges, provided, however, that no concrete construction is allowed in said areas;

SECTION 4. The cemetery caretaker, under the direct supervision of the City Health Officer or his duly authorized representative, is in charge of the orderliness and cleanliness of the public cemetery as well as in maintaining a list of dead persons buried in said cemetery;

SECTION 5. Burial Procedure. - There shall be required for a dead person to be buried in the public cemetery the following:

- a) A Mayor's Permit which is free of charge.
- b) Payment of burial fee of P10.00 from the City Treasurer's Office
- c) Presentation of death certificate, or, a clearance issued by the City Health Officer or his representative.

SECTION 6. All other provisions provided in Article XXXV of Ordinance No. 39, s. 1970, otherwise known as "The Revised 1970 Sanitary Code of the City of Ormoc", are considered part and parcel or incorporated in this Ordinance.

SECTION 7. Penalty Clause. - Any person violating or assisting in the violation of this ordinance shall, upon conviction, be fined in the amount of Two Hundred Pesos (P200.00) or imprisonment of not less than 10 days but not more than 30 days, or both, depending upon the discretion of the court.

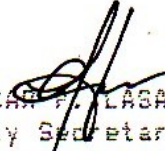
SECTION 8. Effectivity. - This Ordinance shall take effect immediately upon its approval.

ENACTED, May 18, 1989.

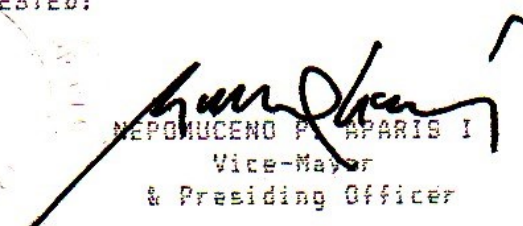
RESOLVED, FURTHER, to furnish a copy of this Resolution-Ordinance each to Her Honor, the City Mayor, the City Health Officer, the City Treasurer, all others concerned, all in Ormoc City;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the above-quoted resolution-ordinance.

  
OSCAR P. LASAM  
City Secretary


ATTESTED:

  
NEPOMUCENO P. APARIS I  
Vice-Mayor  
& Presiding Officer

APPROVED:

  
MARIA VICTORIA L. LOOSIN  
City Mayor

ATTESTED AS APPROVED:

  
CASIMIRO L. CORTES  
Secretary to the Mayor

/evp '89



- 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.